



BUSINESS PAPER

ORDINARY MEETING OF COUNCIL

To be held on

Wednesday, 25 September 2019
4pm

at

Guyra Council Chambers

Members

Councillor Simon Murray (Mayor)
Councillor Libby Martin (Deputy Mayor)
Councillor Peter Bailey
Councillor Jon Galletly
Councillor Diane Gray
Councillor Andrew Murat
Councillor Debra O'Brien
Councillor Margaret O'Connor
Councillor Dorothy Robinson
Councillor Ian Tiley
Councillor Bradley Widders

AGENDA

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Item: 8.1 **Ref:** AINT/2019/22253
Title: FOR DECISION: Notice of Rescission Motion - Council Meeting 28
August 2019 - 10.3 Status Report on Stronger Communities Fund and
New Council Implementation Fund **Container:** ARC16/0025
Author: Diane Gray, Councillor
Attachments: Nil

MOTION TO RESCIND

That Part c) b. of Resolution 164/19 be rescinded which RESOLVED -

“That Council:

- c) apply to the NSW Government to continue expenditure on:**
 - b. Rockvale Road \$362,211.”**

Submitted by: Councillors Diane Gray, Libby Martin and Bradley Widders.

Background: At the Ordinary Council meeting on 28 August 2019 the following was resolved.

164/19 10.3 FOR DECISION: Status Report on Stronger Communities Fund and New Council Implementation Fund

Ref: AINT/2019/19086 (ARC16/0759)

Moved Cr Tiley

Seconded Cr O'Connor

That Council:

- a) note the current status of projects funded by the Stronger Communities Fund and New Council Implementation Fund; and**
- b) apply to the NSW Government to redirect the following project savings towards the Guyra Main Street Upgrade:**
 - a. Platform Road \$320,344**
 - b. Central Park Armidale \$10,429**
- c) apply to the NSW Government to continue expenditure on:**
 - a. Kempsey Road Improvements \$159,137**
 - b. Rockvale Road \$362,211.**
- d) make representations to the NSW Government for the reimbursement of the additional cost of removing the fuel tanks in Guyra main street.**

AMENDMENT

Moved Cr Robinson

Seconded Cr Bailey

That the matter be deferred to the next Council meeting.

The Amendment on being put to the vote was LOST.

The Motion on being put to the vote was CARRIED.

Item:	8.2	Ref: AINT/2019/22062
Title:	FOR DECISION: Notice of Rescission Motion - Council Meeting 28 August 2019 - 10.4 Regional Growth and Place Activation Advisory Committee	Container: ARC16/0025
Author:	Diane Gray, Councillor	
Attachments:	Nil	

MOTION TO RESCIND

That Resolution 165/19 parts c) and e) be rescinded which RESOLVED -

- c) That Cr Peter Bailey and Cr Diane Gray be appointed as Co-Chairs.**
- e) That the TOR be amended to reflect that the Committee comprise three Councillors and a minimum of six external members with some representation from AGBA.**

And replaced with:

- c) That nominations be called for a Chairperson and second Councillor representative of the Regional Growth and Place Activation Advisory Committee from Council.**
- e) That the TOR be amended to reflect that the Committee comprise three Councillors and a maximum of six external members; and**
- f) That AGBA representatives be encouraged to apply as an external member and appointments be made on the basis of skills identified in the brief.**

Submitted by: Councillors Diane Gray, Libby Martin and Bradley Widders.

Background: At the Ordinary Council meeting on 28 August 2019 the following was resolved.

165/19

10.4 FOR DECISION: Regional Growth and Place Activation Advisory Committee

Ref: AINT/2019/19086 (ARC16/0759)

Moved Cr Bailey

Seconded Cr Murat

- a) That the Business Advisory Committee and Regional Growth Advisory Committees be dissolved and the Regional Growth and Place Activation Advisory Committee established, effective immediately.**
- b) That an EOI for external members be sought on the basis of skills identified in the brief.**
- c) That Cr Peter Bailey and Cr Diane Gray be appointed as Co-Chairs.**
- d) That nominations be sought for the third Councillor on the Committee.**
- e) That the TOR be amended to reflect that the Committee comprise three Councillors and a**

minimum of six external members with some representation from AGBA.

Nominations were sought for the third Councillor on the Regional Growth and Place Activation Advisory Committee. Cr Andrew Murat was nominated and appointed.

The Motion on being put to the vote was CARRIED.

Item:	9.1	Ref: AINT/2019/22287
Title:	FOR DECISION: Competitive dialogue on the Armidale Regional Airport	Container: ARC16/0025
Author:	Margaret O'Connor, Councillor	
Attachments:	Nil	

MOTION

Could CEO please provide as a matter of urgency an update to the Council on the progress of the competitive dialogue on the Armidale Regional Airport.

Item:	9.2	Ref: AINT/2019/22289
Title:	FOR DECISION: Ebor Fires	Container: ARC16/0025
Author:	Margaret O'Connor, Councillor	
Attachments:	Nil	

MOTION

That Council acknowledges the suffering and loss experienced by members of our community at Ebor and other places in our region from bushfires and:

- a) lobbies other levels of government for immediate funding relief to enable urgent replacement of destroyed infrastructure, noting that loans are not a viable form of aid; and**
- b) requests that the NSW Government provide funding to enable Council to offer deferral of rates to Primary Producers who, because of drought and or bushfire, are unable to pay rates as they fall due.**

Item:	10.1	Ref: AINT/2019/19745
Title:	FOR DECISION: Appointment of Native Title Manager	Container: ARC16/0262
Author:	Nathalie Heaton, Service Leader Governance, Risk and Corporate Planning	
Attachments:	Nil	

RECOMMENDATION:

- (a) That Council give notice to the Minister for Lands and Forestry of the name and contact details of any person the Council has employed or engaged as its Native Title Manager; and**
- (b) That Council provide such notices as required by the Crown Land Management Act 2016 in relation to its employed or engaged Native Title Manager.**

Context

Council is required to give notice to the Minister for Lands and Forestry of the name and contact details of Council's nominated Native Title Manager (NTM) as soon as practicable after 30 June (but not later than 31 October) of each year.

The Crown Land Management Act 2016 (CLM 2016) commenced from 1 July 2018. The practice of managing Crown Lands in the LGA will change significantly to comply with the requirements under the CLM 2016. One of the changes relates to the legislative requirement for each Council to nominate its qualified Native Title Manager.

Purpose

Native title is the bundle of rights held by Indigenous people in relation to land and water which come from their traditional laws and customs (Mabo).

The advice and oversight of NTMs will be required for certain land management dealings including the issuing of leases, licences and permits and the approval or submission for approval of plans of management that authorise or permit certain dealings that may affect native title.

NTMs are not required to establish whether native title rights and interests have been extinguished in relation to Crown land.

To be qualified as a Native Title Manager, the person must attend a training session jointly provided by the Crown Solicitors Office and the Department of Industry (Crown Lands Office). Mr Richard Single attended training and attained the Native Title Manager qualification.

More training and practical experience will be required in this complicated area of law. Once Council has appointed its Native Title Manager, a notice can be given to the Minister accordingly.

Proposal, Research and Analysis

To be qualified as a Native Title Manager, the person must attend a training session jointly provided by the Crown Solicitors Office and the Department of Industry (Crown Lands Office). Mr Richard Single attended training and attained the Native Title Manager qualification.

More training and practical experience will be required in this complicated area of law. Once Council has appointed its Native Title Manager, a notice can be given to the Minister accordingly.

Impact

The financial impact is limited to training at this stage.

Summary

Section 8.8 of the Crown Land Management Act 2016 (CLM 2106) requires each Council to give notice to the Minister for Lands and Forestry of the name and contact details of any person the Council has engaged or employed as a native title manager. The notice must be given as soon as practicable after 30 June (but not later than 31 October) of each year.

Section 377(1) of the Local Government Act 1993 states that the giving of a notice to the Governor or Minister is a non-delegable function meaning a resolution of council is required for such purposes.

Notice to be given to the Minister of Council's current appointment and Council to review the engagement or employment of a native title manager.

Item: 10.2 **Ref:** AINT/2019/21766
Title: FOR DECISION: Conduct of Local Government Elections in September 2020 and Popular Election of Mayor
Container: ARC18/2712
Author: Nathalie Heaton, Service Leader Governance, Risk and Corporate Planning
Attachments: Nil

RECOMMENDATION:

- (a) That Armidale Regional Council resolves:
- (i) pursuant to s. 296(2), (3) and (5A) of the Local Government Act 1993 (NSW) ("the Act") that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.
 - (ii) pursuant to s. 296(2), (3) and (5A) of the Act, as applied and modified by s. 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.
 - (iii) pursuant to s. 296(2), (3) and (5A) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council
- (b) That Council not hold a constitutional referendum on the popular election of Mayor in the 2024 election, in conjunction with the Council elections in September 2020; and
- (c) That Council delegate authority to the Chief Executive Officer to enter into negotiations with the Electoral Commissioner and to enter into a contract for the provision of administering elections of the Council.

Context

At the Ordinary Council meeting held on 27 February 2019, the following was resolved (Minute Number 10/19):

- (a) *That Armidale Regional Council resolves:*
- (i) *pursuant to section 296(2) and (3) of the Local Government Act 1993 (NSW) ("the Act") that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council;*
 - (ii) *pursuant to section 296(2) and (3) of the Act, as applied and modified by section 18 of the Act, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council; and*
 - (iii) *pursuant to section 296(2) and (3) of the Act, as applied and modified by section 18 of the Act, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council;*
- (b) *That Council not hold a constitutional referendum on the popular election of mayor in the 2024 election, in conjunction with the Council elections in September 2020; and*
- (c) *That Council delegate authority to the CEO to enter into negotiations with the Electoral Commissioner and to enter into a contract for the provision of administering elections of the Council.*

Purpose

The NSW Electoral Commission contacted Council on 9 September 2019 attaching a model resolution for the 2020 Local Government elections, and it is noted that Section 296 (5A) had not been referenced to in the original resolution. The purpose of the report is to seek Council endorsement for the process to conduct the 2020 local government election in accordance with section 296 of the Local Government Act 1993.

Proposal, Research and Analysis Impact

Section 296 of the Local Government Elections Act 1003 provides Councils the opportunity to conduct their own elections if they wish. Since the legislation was amended in 2011 to allow this, the vast majority of Councils have decided to continue to use the expertise and experience of the NSW Electoral Commission (NSWEC).

In September 2016 the NSWEC was responsible for conducting 76 Councillor elections, 17 elections for directly elected Mayor and 6 Referendums. Councils administering their own elections totalled 5, being Fairfield, Gunnedah, Kempsey, Lake Macquarie and Penrith. In 2012 two councils appointed their own independent local returning officer to conduct the election, 12 councils appointed a private contractor and 136 councils contracted the NSWEC.

Summary

The NSWEC total expenses for 2017 were \$169,243.00 (exclusive GST). Funding for the election will need to be allocated in the 2020-2021 operational budget.

The resolution must be made on or before 1 October 2019.

Item:	12.1	Ref: AINT/2019/21312
Title:	FOR DECISION: Alteration of parking time limits within the CBD of Armidale	Container: ARC18/2956
Author:	Ambrose Hallman, Service Leader Sustainability and Development	
Attachments:	Nil	

RECOMMENDATION:

- a) That the time limits for parking spaces within the CBD Heart be adjusted as follows:
 - i. reduce all 2 hour on-street spaces to 1 hour, and
 - ii. increase all 15 minutes spaces to 30 minutes.
- b) That the time limits for parking spaces within the CBD Core be adjusted as follows:
 - i. reduce all 2 hour on-street spaces to 1 hour,
 - ii. increase all 15 minutes spaces to 30 minutes, and
 - iii. reduce all Council 3 hour off-street spaces (Jessie, Rusden Streets and Cinders, Woodward Lane carparks) to 2 hours.
- c) That the time limits for parking spaces within the CBD Frame be adjusted as follows:
 - i. increase all 1 hour on-street parking spaces to 2 hours.
 - ii. The unrestricted off-street spaces remain unchanged including the all day parking in Tingcombe Land and Naughten Street public carparks.
- d) That the time limits of the ground floor of the Rusden Street decked carpark be changed to unrestricted parking.
- e) That the CEO be delegated authority to negotiate any leasing arrangements for car parks on the middle and top deck.

Context

On 26 June 2019 at its Ordinary Council meeting, Council considered a report relating to altering time limits for parking within the Armidale Central Business District. The recommendations were lost.

On 7 August 2019, Councillors undertook a bus tour of the CBD to review on-street and off-street parking within the Armidale CBD and this report has been updated as a result of the tour.

Purpose

This report seeks to amend parking time limits in the CBD in line with the recommendations of the Parking and Mobility Strategy which adopted by Council at its ordinary meeting held 24 October 2018 (Minute No 222/18).

Proposal, Research and Analysis

The following important elements should be noted:

1. The Parking and Mobility Strategy identified the CBD of Armidale has sufficient parking spaces however the spaces are not being utilised correctly, and
2. In the CBD there are 29 designated parking spaces for people with disabilities plus additional spaces on privately owned land. This report proposes no alterations to these spaces.

3. It would be beneficial for customers seeking parking to have consistency in the parking time limits in the CBD. Currently the CBD has six different parking time limits.
4. The standardisation of parking time limits would allow Council to establish parking time zones and signpost accordingly at the zone entrances, enabling a reduction in regulatory signage, ie. all parking within this area 1 hour.
5. Proposed modifications to time limits within the CBD area is anticipated to bring significant benefits to businesses in the CBD in providing an efficient turnover of parking spaces.
6. Data obtained from the sensor system indicates parking demand across the CBD during peak demand is approximately 75% of parking supply, suggesting that parking supply in the CBD is adequate to satisfy peak demand. The parking resource needs to be managed correctly, however, to enable efficient turnover of parking spaces.

The absence of appropriate parking time limits leads to deficiencies in vacant parking spaces, potentially creating public perception that parking supply in the CBD is inadequate.

Sensors monitoring/enforcement:

At the October 2018 Council meeting in relation to parking enforcement, Council resolved:

- *“Council improves parking enforcement and increases the issuing of infringement notices to a level that will support the effective management of parking supply in the CBD (infringements are proposed to be increased to approximately 25% of non-compliant vehicles which equates to approximately 1% of all parked vehicles);*
- *Council upgrades the parking detection technology (current system is at end of life) to assist with the enforcement of parking compliance;”*

Council’s Information Technology team and the Rangers team in conjunction with the DCA (sensors supplier) updated all the necessary software and replaced sensors within the CBD, except for a small number of spaces (due to road maintenance work).

Parking enforcement has been limited in the past financial year due to non-operational sensors and the Rangers team not being replete during this period. Council has engaged contract rangers to assist the team however barking dogs and dangerous dog complaints have taken precedence over parking enforcement. The recent enforcement of water restrictions has also placed an additional workload responsibility on the team.

Current time limits in CBD Heart, Core and Frame zones:

At the October 2018 meeting the following was resolved in relation to CBD parking zones and time limits:

- *“Council adopts the “CBD Heart, Core and Frame” Parking Framework as described in the report;”*

- *“Council undertakes a detailed review of the duration of parking periods throughout the CBD in consultation with the Local Traffic Committee, with a view to reduce or eliminate 3hr parking durations and transition to 1hr and 2hr parking durations for on-street and off-street parking within the CBD Heart and Core zones;”*

CBD Heart

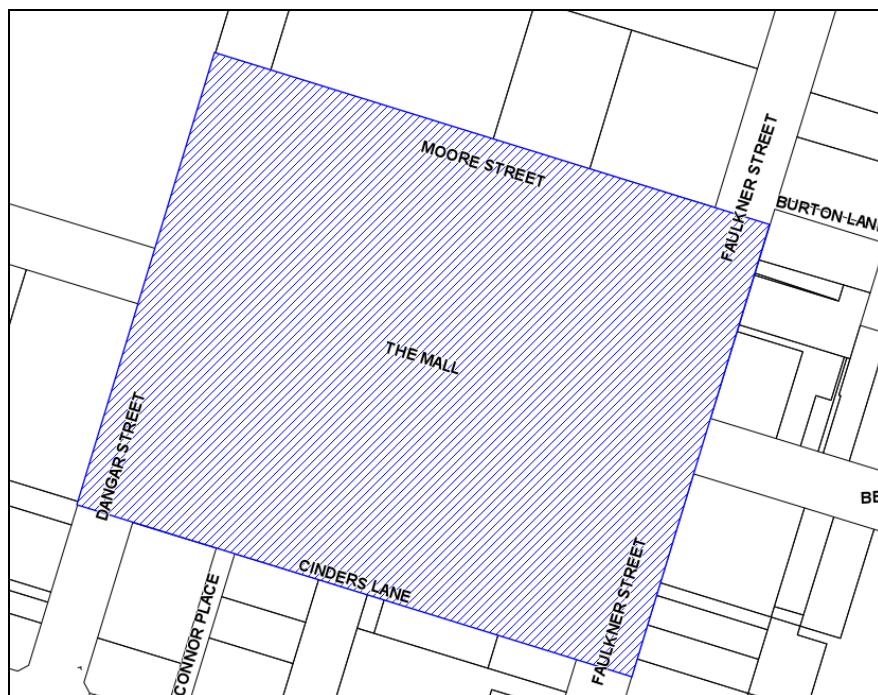


Figure 1 CBD Heart

Pedestrian amenity takes precedence in this zone. Parking supply and traffic access is often prohibited or extremely limited and where on-street parking is permitted, the maximum allowable parking duration is a preferred 1hr or less. Off-street parking is not normally permitted in order to limit traffic movements. This zone contains a total of 16 parking spaces.

Current parking time limits in the CBD Heart are as follows:

Current time limit	15 min	30 min	1 hour	2 hour	3 hour	Unrestricted (all day)	TOTAL
On-street	3	2	0	11	0	0	16
Off-street							0

It should be noted that there are 11 two hr spaces within the CBD Heart in excess of the desired 1 hr time limit.

Suggested options are detailed below:

- Option 1:* Reduce 2 hr parking spaces to 1 hour, retaining all other spaces unchanged.
- Option 2:* Reduce 2 hr parking spaces to 1 hr and increase other spaces to 1 hr.
- Option 3:* Reduce 2 hr parking spaces to 1 hr and increase the 15 min spaces to 30 min.
- Option 4:* Set all spaces in the zone to a maximum 15 mins time limit.
- Option 5:* Retain the existing parking time limits.

Preferred Option:

Option 3 to reduce the existing 2 hr parking spaces to 1 hour and increase 15 min spaces to 30 min will achieve some time limit consistency, resulting in only 30 minute and 1 hour time limited parking spaces being provided in the CBD Heart.

CBD Core

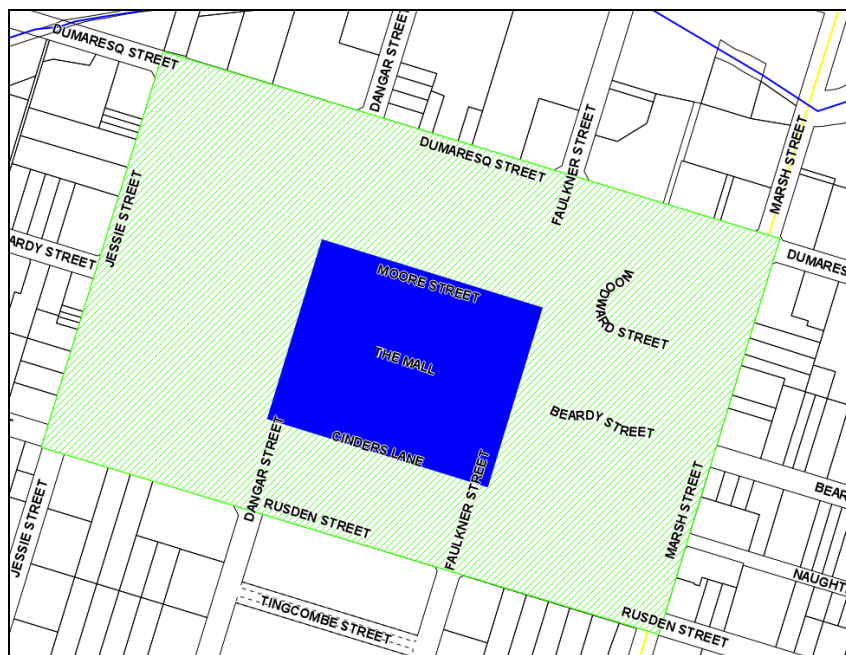


Figure 2 CBD Core

The CBD Core is the zone in which short term parking facilities are usually concentrated for the purpose of serving retail, personal services, restaurants and similar development within the CBD Heart and CBD Core. On-street parking durations are usually limited to no more than 1hr with off-street parking durations of up to 4hrs being appropriate in order to service restaurants, cinemas, personal services etc. This zone surrounds the CBD Heart and is the green hatched area shown within Figure 2

Current parking time limits in the CBD Core are as follows:

Current time limit	15 min	30 min	1 hour	2 hour	3 hour	Unrestricted (all day)	TOTAL
On-street	25	14	65	6	0	0	110
Off-street	0	0	0	0	786	297	1083

As several major shopping centres with a significant number of private parking spaces are located within the CBD Core, Council staff took the opportunity to hold meetings with centre management regarding the potential for joint management and standardisation of parking spaces within shopping centres. Discussions have been positive with centre managers indicating an interest in Council undertaking parking enforcement within their shopping centre spaces. Section 650 of the Local Government Act governs these agreements.

In the CBD Core there again is a number of different options available for the Council controlled spaces with these detailed below:

- Option 1:** Reduce the 2 hour on-street spaces to 1 hour, retaining all other spaces unchanged. Reduce all Council off-street spaces (Jessie, Rusden Streets and Cinders, Woodward Lane carparks) to 2 hours.
- Option 2:** Reduce the 2 hour on-street spaces to 1 hour and increase the 15 minute spaces to 30 minutes. Reduce all Council off-street spaces (Jessie, Rusden Streets and Cinders, Woodward Lane carparks) to 2 hours.
- Option 3:** Reduce the 6 (2 hour on-street spaces) down to 1 hour and increase the 25 (15 minute spaces to 30 minutes, retain the 14 (30 minute spaces) and retain all the Council off-street spaces (Jessie, Rusden Streets and Cinders, Woodward Lane carparks) at 3 hours.
- Option 4:** Retain the existing time limits for both on street and off street parking.

Preferred Option:

Option 2 to reduce the 2 hour on-street spaces to 1 hour and increase the 15 minute spaces to 30 minutes, retain the existing 30 minute spaces and reduce all the Council off-street spaces (Jessie, Rusden Streets and Cinders, Woodward Lane carparks) to 2 hours.

CBD Frame

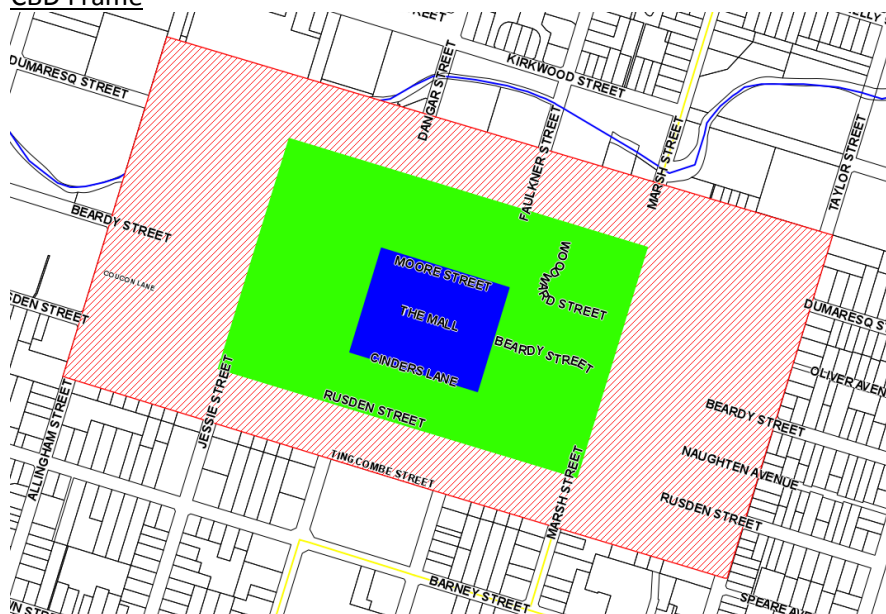


Figure 3 CBD Frame

The CBD Frame is the zone in which medium and long-term parking is usually concentrated for the purpose of serving employee parking demands and medium-term demands associated with office and other commercial development. On-street parking durations are usually limited to 2 hours whilst off-street parking is usually unrestricted in order to service employees. This zone surrounds the CBD Core and is the red hatched area shown within Figure 3.

The existing parking time limits in the CBD Frame are broken up as follows:

Current time limit	15 min	30 min	1 hour	2 hour	3 hour	Unrestricted (all day)	TOTAL
On-street	0	0	183	194	0	0	377
Off-street	0	0	0	0	0	651	651

The CBS Frame has some parking space options which are detailed below:

Option 1: Increase the 1 hour on-street parking spaces to 2 hours and retain the unrestricted off-street spaces unchanged.

Option 2: Retain the existing time limits for both on street and off street parking.

Preferred Option:

Option 1 Increase the 1 hour on-street parking spaces to 2 hours and retain the unrestricted off-street spaces unchanged (including the all day parking in Tingcombe Lane and Naughten Street), in line with the recommendations of the Parking and Mobility Strategy.

Rusden Street Decked Carpark

During the Councillor tour some discussion was held concerning the decked carpark in Rusden Street. The carpark consists of three levels, the top two having restricted access to members of the public, the ground floor being 2 hour time limited parking publicly available. The top two decks have 52 parking spaces, of which 18 are currently leased to members of the public in accordance with lease rates detailed in Councils fees and charges document.

Recommendation:

That the ground floor parking time limit be changed to all day unrestricted parking and the CEO be delegated authority to negotiate any leasing arrangements for car parks on the middle and top deck.

Parking enforcement in shopping centres

At the October 2018 meeting Council also resolved the following in relation to developing a good working relationship with the shopping centres in the Armidale CBD:

- *"Council Officers to work closely with Armidale Plaza and Armidale Centro Shopping Centres Management to achieve a more holistic parking management plan for the Armidale CBD;"*

Ongoing discussions have been held with centre management of all three major shopping complexes (Vicinity, Armidale Plaza and Eastend Market Place). Discussions have been positive and in agreement for Council to undertake enforcement of private parking spaces in accordance with the guidelines set by the then Office of Local Government.

Impact

When Council first introduced parking time limits and in particular reducing the time limit within the Council off-street carparks to 2 hours, some complaints were received and Council increased the time limit to 3 hours, resolving the issue. This issue may arise again however it should be balanced with other complaints Council has received about insufficient parking being available for customers, leading to the Parking and Mobility Study being undertaken.

The Carparking and Mobility Strategy recommendations have been presented to both the Business Advisory Committee and members of the Traffic Committee.

Any changes in time limits should be included in social media activities to advise customers and the community along with erecting new signage.

The implementation of the recommendations will incur costs associated with erecting new time limit signage. This cost would be sourced from within the existing operation of the Rangers unit and would be offset by potential increased in revenue generated via enforcement. It is still planned for contract Rangers to undertake enforcement of the parking limits from time to time.

Summary

The proposed alteration to parking time limits identified within the report is aimed at finding a balance between available parking for business customers of the CBD and longer term parking around the CBD being available to business employees.

Item:	12.2	Ref: AINT/2019/21393
Title:	FOR DECISION: Adoption of Local Approval Policy Street Trading	Container: ARC16/1132
Author:	Ambrose Hallman, Service Leader Sustainability and Development	
Attachments:	Nil	

RECOMMENDATION:

That Council formally adopt the Local Approvals Policy for Street Trading now that the Deputy Secretary Local Government, Planning and Policy has provided consent, to the exemptions contained within the policy, under Section 162 of the *Local Government Act*.

Context

Council resolved the following at its Ordinary Council meeting held 27 February 2019, (Minute No. 1/19):

- a) *That the Draft Local Approvals Policy be placed on public exhibition for 28 days and be open for submissions for a period of no less than 42 days, in accordance with the legislation;*
- b) *That additional public notice be given in accordance with Regulation 77 of the Local Government (General) Regulation 2005; and*
- c) *That the Draft Local Approvals Policy – Local Approvals Policy for Street Trading be submitted to the Departmental Chief Executive of the Office of Local Government for approval, prior to the Policy being adopted by Council, as the Policy contains exemptions for approval under Section 68 Local Government Act 1993.*

These recommendations have all being completed and Council has now received consent to the exemptions contained within the policy from the Deputy Secretary Local Government, Planning and Policy (previously Departmental Chief Executive of the Office of Local Government) under Section 162 of the Local Government Act (LGA).

As such, Council is now required to formally adopt the policy.

Purpose

Any local approvals policy which includes exemptions from requiring an approval under Section 68 of the Local Government Act 1993 needs the consent of the Deputy Secretary Local Government, Planning and Policy prior to Council formally adopting the policy.

Proposal, Research and Analysis

The Draft policy was developed and referred to the Business Advisory Committee prior to being placed on public exhibition. Council received no submissions during the exhibition period. The policy was then forwarded to the Deputy Secretary Local Government, Planning and Policy seeking consent to the exemption contained under Section 162 of the LGA.

Impact

The adoption of this policy should enable street trading to be undertaken in the majority of case without the need for approval from Council in the Armidale Regional Council Local Government Area. Should a business owner not be able to comply with the exemptions an application is required which will be considered on its merits.

Summary

This report enables Council to formally adopt the Local Approvals Policy Street Trading now Council has received the Deputy Secretary Local Government, Planning and Policy consent under Section 162 of the LGA.

Item:	12.3	Ref: AINT/2019/21628
Title:	FOR DECISION: Project Zero30	Container: ARC17/1544
Author:	Sally Thorsteinsson, Sustainability Officer	
Attachments:	1. NCOS High level plan	

RECOMMENDATION:

That Council formally advise the Director of Strategic Research Initiatives at the University of New England of Council's acceptance to partner with UNE to undertake Project Zero30.

Context

The University of New England (UNE) has invited Armidale Regional Council to join it in a partnership to move the Armidale local government area to zero CO₂ emissions by achieving National Carbon Offset Standard (NCOS) certification by 2030.

Project Zero30 is an exciting and unique opportunity as it can leverage the combined networks of UNE and ARC to identify, develop and implement both climate mitigation and adaptation activities through combining research with community participation.

Project Zero30 is ambitious, but provides council with a chance to show leadership in working with the university to act upon an issue that is already having severe impacts on our residents and businesses in the region. It aligns well with both the IP&R and EcoARC, and will assist with achieving many of the outcomes and key success indicators identified in EcoARC.

Purpose

The purpose of this report is to seek support from Council to partner with UNE to undertake Project Zero30.

Proposal, Research and Analysis

During 2018, UNE began to investigate the feasibility of a carbon neutral project. Simultaneously, Council staff were working on the EcoARC strategy. The opportunity arose to connect and discuss the possible overlap and interaction of these initiatives. Whilst EcoARC is broader than purely emissions reduction, a joint carbon neutral project would certainly assist in achieving many of the EcoARC key success indicators. Council staff members were subsequently invited to meet with relevant UNE staff in November 2018, followed by a UNE-organised workshop in February 2019 with ARC, CSIRO, NSW DPI and OEH representatives to brainstorm a carbon neutral process. This resulted in the Project Zero30 proposal as a means to act on climate change: *To achieve net zero carbon emissions by 2030 across our LGA through NCOS certification.*

The Federal Government's National Carbon Offset Standard (NCOS) is a voluntary standard to manage greenhouse emissions and achieve carbon neutrality. Importantly, NCOS provides best-practice guidance on how to measure, reduce, offset, report and audit emissions for organisations, products & services, events, precincts and buildings.

Council already has several enabling strategies in place to support Project Zero30, in addition to the IP&R and EcoARC. Recent collaboration with the Department of Premier and Cabinet on a Renewable Energy Blueprint for northern NSW councils, future opportunities within the Armidale Masterplan and revised DCP, and the Procurement Development Plan are amongst them.

In addition, the State Government has recently initiated a Net Zero Emissions Team within the Department of Planning, Industry and Environment, to support councils and industry to achieve zero emissions. Initial contact with the team indicates that at this stage they can provide workshops and advice but not funding.

Governance of Project Zero30 will be via a Project Steering Committee, consisting of an Independent Chair and a representative from ARC, UNE, local business, agriculture and a community member. The purpose of the steering committee is to provide oversight of the project and ensure that its operations are appropriate to its mission.

Leadership of Project Zero30 will also be provided by a Project Leadership Team consisting of a Project Leader from each of UNE and ARC and a Project Manager.

Community involvement is necessary for Project Zero30 success and will be realised through advocacy and partnerships with community groups, residents, farmers, businesses and state/federal governments. Action in terms of community involvement can be via research projects, citizen science initiatives, workshops, planning and advocacy.

Mitigating activities that change industrial, agricultural, commercial and domestic practices to reduce the release of greenhouse gases into the atmosphere are essential to counter the cause of climate change. However, the existing indicators of climate change and the slow global response suggest that adaptive practices that moderate or exploit the effects of climate change are also essential and will require both new technologies and practices.

Research & Innovation will utilise existing knowledge and initiatives to create new thinking and approaches. It is hoped that citizen science and community engagement, coupled with world leading researchers will create novel approaches to climate adaptation and novel approaches to achieve carbon neutrality. Council combining resources with UNE in this project will optimise the ability of our residents to access resources and knowledge to implement changes.

Impact

The UNE Director of Strategic Research Initiatives has developed an opportunity paper, estimating administrative cash costs and year-by-year actions (see attached NCOS High Level Plan). The NCOS certification fee is \$18,000 per annum which is indexed at 2.5%pa. This fee is payable annually once NCOS is notified that the certification process is underway. Once NCOS certification has been achieved an official audit is required every 3 years.

The anticipated direct administrative cash cost for the operations of Project Zero30 over ten years, shared between UNE and ARC are:

Item	Cost	Number	Total (\$k)
Workshops	\$500pa	10	5
Travel	\$5000pa	10	50
CSRaIN activities			10
Web			10
Reports	\$3000 each	7	21
Final Audit			20
NCOS fee	\$18000		180
Total			296

To cover Council's share of the direct cash costs, a reoccurring budget of \$15,000 per year for the next ten years (indexed at approximately 2.5%) would need to be allocated.

Should Council proceed with Project Zero30, Council's share of the NCOS fee, reports, any travel and workshops (\$9,000 for January – June 2020), will be additional cost to the current year budget, however, it may be able to be accommodated in Sustainability and Development.

In-kind contributions from UNE include:

- The Project Manager and a Project Leader
- Several post-doctoral researchers
- Provision of Kirby Station, Newholme Station, Tullimba feedlot and the SMART Farm for research, development and extension activities.

In-kind contributions from ARC include:

- A Project Leader will be the role of being the main contact within Council to coordinate actions and resources.

There will be costs in reducing emissions within council, such as energy efficiency and renewable energy projects. However, as these are documented within the current CSP, they are objectives within Council's delivery plan. Generally they have short payback periods, certainly within the timeframe of Project Zero30. Each of the initiative future identified should be supported by business cases.

It is anticipated that:

- The Project Steering Committee will be made up of participating organisations/individuals
- Community sponsorship from local business will supplement the direct cash costs
- UNE and ARC with state and federal government agencies will seek grant funding to cover research and innovation projects.

Should Council agree to participate, the first year (see attached NCOS High Level Plan) will establish the parameters of the project. These will be reported back to Council to receive confirmation to proceed to the next step.

The Intergovernmental Panel on Climate Change has estimated that the earth will warm by 1.5oC somewhere in 2030-2050 and by 2oC by the end of this century¹. It states that to limit climate change catastrophe, it is necessary to act with strong measures to reduce net CO2 emissions by 2030. Project Zero30 is therefore important, and timely. It would be proposed that Council's Sustainability Officer would undertake the coordinating role of this project within our organisation. The Sustainability Officer is currently spending a considerable amount of time on Councils drought response, however this position is best suited to support the over the duration of the Project Zero30 initiative.

It is foreseen that some areas of our operations may need to be adapted over the ten years to reduce emissions. As other councils are committing to similar initiatives, there will be opportunities to share experiences and methods.

The open and transparent nature of Project Zero30 will provide communication pathways to ensure other communities can also use the research and innovation as it progresses.

¹ <https://www.ipcc.ch/sr15/>

Summary

Project Zero30 is an ambitious and exciting project. It is essential to be undertaking action on climate change and this opportunity will allow us to embark on a project that is not only impactful, but is positive, innovative, and facilitating a cooperative ongoing partnership with UNE.

Item:	12.4	Ref: AINT/2019/21752
Title:	FOR DECISION: DA-91-2019 Industrial - Erection and Construction of Silos/Addition of Elevators and Augers - Warehouse and Distribution at 5-7 and 9 Drew Street, Armidale	
Author:	Sonia Broun, Town Planner	Container: DA-91-2019
Attachments:	<ol style="list-style-type: none">1. Section 4.15 Assessment Report2. Development Application for silo addition, Statement of Environmental Effects and Plans3. Public submissions received4. EHO Response to Additional Information 9 Drew Street5. Acoustic Works - Drew Street - 13 September 2019	

RECOMMENDATION:

That having regard to the assessment of DA-91-2019, that:

- a) Council refuse the Application for the reasons set out in this report, and as detailed in Appendix 1.**
- b) Notify all those who made a submission on the Application of the determination.**

Context

Council Officers responded to a noise complaint from an adjoining resident in Shambrook Avenue in October 2018. Following an investigation by Council's Environmental Health Officer (EHO) and Town Planner, it was identified that the source of the noise was from the activity being undertaken at No.s 5-7 & 9 Drew Street.

It was identified that silos had been erected on 5-7 Drew Street, which were connected to the existing building at 9 Drew Street and the operator's were using the silos in connection with their activity on that site to process and bag horse feed. The use of augers on the site were considered to be the main source of the noise. Following further searches by Council staff it was identified that the activity/use had commenced without the appropriate approvals.

Nine months after Council initially became aware of the unauthorised activity being undertaken on the site and after undertaking numerous meetings advising the proprietor that a DA was required to be lodged and the information to support the proposal, an application was lodged with Council on 9 July 2019.

The application was notified to adjoining properties from 11 July 2019 to 25 July 2019, with ten (10) submissions being received by Council. The matters raised in the submissions can generally be summarised as concerns relating to amenity impacts to adjoining and surrounding residential properties due to increased noise, dust, vermin, impact on property values, trucks being unloaded/loaded on Drew Street and by reversing into the site. Significant concern has also been raised as to how the use can continue to operate without consent. These matters have been discussed in detail in the attached assessment report.

Until the application is determined, Council facilitated the Applicant to continue to operate if in accordance with the conditions under a previous consent for a general engineering workshop (D 78/26) approved by Council on 25 July 1978.

Purpose

Council is fielding calls most days from adjoining and surrounding residents detailing the hours at which the use is operating and the impact of the development on their daily lives in terms of noise and trucks reversing into the site for loading/unloading. The continued operation of this use would be an on-going compliance issue for Council. Refusal is recommended, as it is considered that the use can not be approved and managed by conditions to ameliorate the concerns of the residents. Furthermore, it is not believed that the development can continue to operate under the previous consent from 1978, as the use can not meet the strict noise requirements prescribed by condition, as copied into the attached planning report.

In recommending refusing the application for the erection and construction of silos/addition of elevators/augers – Warehouse and Distribution, it is considered that the site selection for this development has been poor. A more suitable site in the heart of an industrial zone that does not have adjoining or nearby residences would be a better location for the use.

Proposal, Research and Analysis

The proposed development is described by the Applicant as follows:

- » *A wholesale distribution warehouse for the purpose of supplying, storing and formulating grains for the equine distribution.*
- » *The erection of silo's, elevators and augers to mix/bag horse feed and pellets.*
- » *No retail sales will occur on site.*
- » *The hours of operation will typically be 6.30am to 5.30pm 6 days per week.*
- » *The maximum number of employees working on site at any one time will be 3.*
- » *It is anticipated that unloading will occur three times weekly with loading frequency to occur 5 – 10 times weekly.*
- » *The types of vehicles will range from table top trucks to semi's. These vehicles will be unloading in a reversing movement and departing site in a forward movement.*

Impact

Any impacts from the proposal have been considered in detail in the attached assessment report.

Summary

For the purposes of section 4.16(1) of the Act, it is recommended that DA-91-2019 be refused on the following grounds:

1. The use does not give satisfactory regard to the objectives for development in the IN2 Light Industrial zone, to minimise any adverse effect of industry on other land uses, through the development failing to protect the residential values of the surrounding area, therefore being inconsistent with the requirements of Clause 2.3 (Zone objectives) of the Armidale Dumaresq Local Environmental Plan 2012.
2. That having regard to Armidale Dumaresq Development Control Plan 2012, the proposal does not comply with the provisions of Part 2 and Part 5 of Chapter 2.1 of the Plan, particularly in regards to:
 - » The Applicant could not demonstrate that any site analysis had been undertaken in identifying that the site was appropriate for the development and to identify land-use conflicts in their Statement of Environmental Effects.
 - » The Application was not furnished with a professionally prepared noise (acoustic) assessment to detail the impact of the development on the amenity of adjoining and

surrounding residential land uses. And no mitigation measures were proposed to ameliorate the negative impact on these properties.

- » The proposal did not demonstrate thoughtful planning to consider the site constraints to maximise the effective use of the site in terms of the availability of on-site manoeuvrability.
3. That having regard to Chapter 5.2 of Armidale Dumaresq Development Control Plan 2012, the proposal is inconsistent with the following requirements of the Plan:
 - » The development does not satisfy the objectives under Part 1.2.
 - » The development does not provide safe access into the site for all vehicles.
 - » Adequate area can not be provided for vehicle manoeuvring on-site, so that all vehicles can enter and exit in a forward direction.
 - » The history of the hours of operation do not account for the proximity to adjoining areas zoned for residential use.
 4. That as a result of the non-compliance with Armidale Dumaresq Development Control Plan 2012, it is considered that the proposed development would adversely impact on the amenity of the locality.
 5. That in the circumstances, the granting of consent would set an undesirable precedent and would not be in the public interest.

Item: 13.1 **Ref:** AINT/2019/21919
Title: FOR DECISION: Amendment to 2019/20 Fees and Charges, Guyra
Preschool and Long Day Care and Guyra OSHC Vacation Care
Container: ARC17/1962
Author: Greg Meyers, Casual Development Building Officer
Attachments: Nil

RECOMMENDATION:

- a) That Council endorse for public exhibition, the proposed amendments to attendance fees for the Guyra Preschool and Long Day Care as outlined in this report.
- b) That the proposed amended attendance fees be publicly exhibited in accordance with the Local Government Act 1993.
- c) That a further report addressing any matters raised though the public exhibition period be brought back to Council for consideration prior to finalising the proposed amended attendance fees. Should no submissions be received during the public exhibition period, the proposed and advertised amendments be adopted and implemented from 1 January 2020 without a further report to Council.
- d) That the daily attendance fee be increased for each of the 3 age groups of the Guyra Preschool and Long Day Care Centre and Guyra OSHC Vacation Care service by \$2 per day. The proposed fees from 1 January 2020 are:

Date	Daily fee Increase	3-6 year old daily fee	2-3 year old daily fee	0-2 year old daily fee
1/1/20	\$2.00	\$76.00	\$79.00	\$82.00
Date	Daily fee Increase	Vacation care daily fee		
1/1/20	\$2.00	\$62.00		

Context

This report deals with the current adopted attendance fees for the Guyra Preschool and Long Day Care Centre and Guyra OSHC Vacation Care in the current 2019/20 adopted fees and charges which are recommended for increase.

Current Guyra Pre School and Long Day Care Centre and Guyra OSHC Services daily attendance charges:

Service	Current Rate	Proposed Rate
• 3 – 6 Year olds;	\$74/day	\$76/day
• 2 – 3 year olds;	\$77/day	\$79/day
• 0 – 2 Year olds.	\$80/day	\$82/day
• Before School Care	\$10/session	\$10/session
• After School Care	\$24/session	\$24/session
• Vacation Care	\$60/day	\$60/day

Purpose

The Guyra Preschool and Long Day Care Centre and Guyra OSHC continuously monitors its fees and charges and have over the past several years adjusted them each 6 months . A recent

review has been undertaken and it is recommended that a small increase be applied across several of the centre's operations from 1 January 2020.

Proposal, Research and Analysis

Council undertakes a review of its annual Fees and Charges during February and March each year for the following financial year. However, throughout the year circumstances arise which warrants an immediate review, whether this is through operational needs or the need to establish a new or amend a fee or charge as the case may be.

The following Table outlines the current daily charges by other Early Childhood Centres in the region, with Guyra being the last row and highlighted yellow.

Opening Hours	Baby	Toddler	Preschool	Provide food and nappies?	National Rating
6.30am-6.30pm= 12 hours	\$107	\$107	\$101	Yes	Meeting
6.30am-6.30pm= 12 hours	\$118	\$118	\$115	Yes	Meeting
8am-6pm= 10 hours	\$87	\$87	\$87	No	Exceeding
7am-6pm= 11 hours	\$90	\$90	\$85	Yes	Meeting
8am-6pm= 10 hours	\$78	\$78	\$78	Afternoon tea	Meeting
8am-5.45pm= 9.75hours	\$94	\$94	\$88	Food only	Meeting
7.45am-5.45pm= 10 hours	\$79	\$79	\$79	Yes	Meeting
7am-6pm= 11 hours	\$102	\$102	\$98	Yes	
7.30am-6pm= 10.5hours	\$82	\$79	\$76	No	Meeting

As identified above, the proposed increases generally align with other Centres in the area after considering the services that the Guyra Centre provides.

Historically, both services have increased their fees and charges by the same or similar increments in the past.

To ensure the new or amended fees are lawful Council must follow the public consultation process as prescribed before it may finally adopt and implement the amended fees.

It is proposed that the commencement date of the amended fees will be 1 January 2020, to align with the start of the new school year.

The modest increase is not likely to cause any undue concern within the community for the provision of excellent child care services.

Impact

The revenue streams of Council are achieved through numerous avenues. Fees and Charges are an important income stream and it is essential that Council monitor such fees to support financial sustainability of our services.

Over the last financial year the total cost to run the Guyra Preschool and Long Day Care Centre, including Guyra OSHC, was \$716,933 (excluding overheads). The income raised from providing this service was \$610,597. This equates to an overall loss of \$106,336.00 which is subsidised from General Fund.

The proposed amended fees for attendance at the Guyra Preschool and Long Day Care Centre including Guyra OSHC minimise the impact of more significant annual increase each July.

While the changes to fees provide a minor increase to the overall income it will not cover the total shortfall, it is anticipated that the small increase to fees will be more manageable for families to accommodate.

As required by the Local Government Act, the proposed amended fees must be publicly advertised which provides the mechanism for community engagement and feedback.

Once Council endorses the proposed amendments a public exhibition process must be followed. Following the exhibition period Council must consider all submissions received before adopting the new and amended fees and charges.

This report aligns with the community outcomes listed under “Our People and Community” within the Strategic Community Plan.

Our People and Community	
Community Outcome 1	Community services and facilities meet the needs of the community
Community Outcome 2	Events and cultural activities provide the community with an opportunity to celebrate the unique culture and lifestyle of the region
Community Outcome 3	Services are provided to ensure inclusiveness and support the vulnerable members of our community
Community Outcome 4	Services and activities are provided for all ages and segments of our community to promote life-long learning, healthy living and community well-being

Summary

Once Council endorses the proposed amended fees and charges, a public exhibition process must be followed. A further report will be prepared should submissions be received during the exhibition period and presented to a future Council meeting. If no submissions are received, then the new fees and charges will commence on 1 January 2020.

Item: 14.1 **Ref:** AINT/2019/21731
Title: FOR INFORMATION: Cash and Investment Report August 2019
Container: ARC16/0001-4
Author: Deborah Walls, Accountant
Attachments: 1. Curve Securities Reporting Pack - 2019-08-31

RECOMMENDATION:

That Council receive and note the Cash and Investment Report August 2019.

Context

As at 31 August 2019 Council held \$78,877,119 in cash and investments excluding the Trust Fund.

Purpose

The Cash and Investment Report provides an overview of cash and investments for the period 1 August 2019 – 31 August 2019 and compliance with Council policy.

Proposal, Research and Analysis

Cash and Investments

Council's at call account balances were as follows:

Bank Account	August 2019	July 2019 comparative	Movement
Cash at Bank			
General Fund	0	0	0
Trust Fund	1,435,108	1,460,838	(25,730)
Total	1,435,108	1,460,838	(25,730)
High Interest Savings and IM Funds			
High Interest Account	16,627,260	11,520,744	5,106,516
TCorp	5,249,859	5,245,981	3,878
Total	21,877,119	16,766,725	5,110,394

A daily sweep occurs to clear the balance of the general fund bank account to a nil balance with excess funds deposited into the High Interest Earning account.

During the month the following cash flows occurred. This also includes the transfers to and from the High Interest Account for the daily sweep.

	August 2019	July 2019 Comparative
Receipts	24,162,897	16,221,935
Payments	(24,188,627)	(16,233,617)
Net	(25,730)	(11,682)

There is a net increase in total cash and investments of \$6,074,535 from the previous month, as a result of rates falling due at 31 August 2019.

Opening Balance 1/8/2019	70,770,603
Redemptions of Investments	(6,000,000)
Reinvestments of funds	7,000,000
Net transfer to High Interest Account	5,074,535
Increased principle due to maturities	2,031,981
Closing Balance	\$78,877,119

Restricted Reserves are currently under review, with an up to date calculation being included as part of the annual financial statement audit.

As per the attached investment register (refer Attachment 1 section 2), the investments are diversified across a range of institutions, with no one institution exceeding 35% of average annual funds invested to ensure the portfolio is in line with the Investment Policy.

Investments with a S&P Long Term Rating of BBB have been utilised to their limit, as these Investments are providing a higher return. The exposure to these investments is now over 60% of the Term Deposit Portfolio and 44% of the entire Investment portfolio. The exposure to BBB rated investments has increased due to the rating of AMP being downgraded from A rated to BBB rated on 27th August 2019. The downgrading was a result of the entities reliance of its lower-rated subsidiaries. A media release from AMP outlined a *negative outlook on AMP group as it transitions to a less diversified and less capital intensive group with its expected sale of AMP Life*. As these investments mature over the next 12 months, investments with an alternate rating will need to be sourced to ensure the exposure across the rating system is in line with the Investment Policy. ARC has already begun the process of moving to higher rating investments from September.

Investment Yield

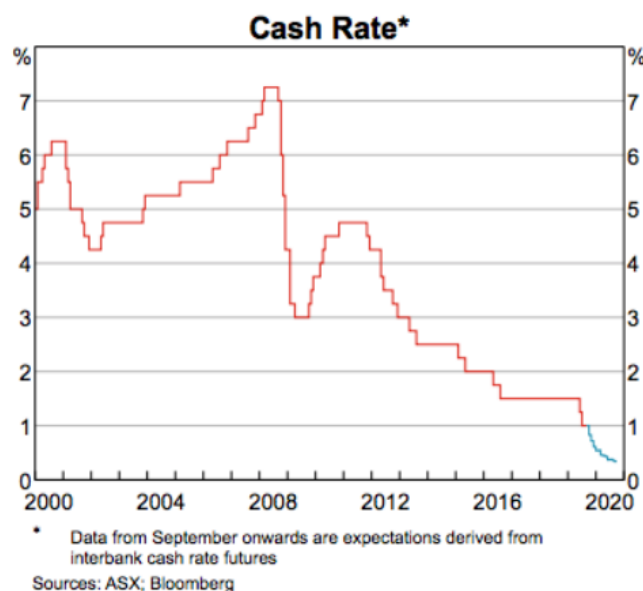
The Council has invested in Term Deposits which have rates of return higher than the 30 Day BBSW Index. By investing in High Interest Savings Accounts this reduces the average yield across the entire portfolio to be more in line with the 30 day BBSW index.

Armidale Regional Council has out performed the RBA Cash rate, the 3 month BBSW and the AusBond Bank Bill Index, for all 12 terms up to August 2019. At the end of August ARC outperformed the 3 month BBSW by 1.49%.

The Council is continually researching and identifying ways to invest excess funds. With the RBA electing to hold the cash rate at its lowest point of 1.00%, investment in Term Deposits for a term of less than 12 months, it is becoming more difficult to realise returns of more than 1.7% for new investments.

At its September meeting (3 September 2019) the RBA indicated that *it would be reasonable to expect there will be an extended period of low interest rates in Australia, as this will be required to make progress in reducing unemployment and achieve more assured progress towards the inflation target*.

The RBA's forecasts suggest we are going to see a more accommodative monetary policy setting, implying two more cuts to the cash rate. The timing of these cuts are still a little uncertain, however market pricing at the time the assumptions were made suggested one cut by year end and a follow up in the first half of next year. With this expectation ARC may need to consider a longer term outlook when investing.



The Council's adopted Long term Financial Plan (LTFP) should be drawn upon as the basis when investing Longer Term. This will ensure adequate funds are available for the projects identified in the LTFP at an appropriate time.

Impact

The current Institution Rating split across the S&P Long Term Rating Scale will require additional attention as the investments fall due. This is due to, the amount invested with any one Institution, based on their S&P rating, has been reduced to restrict single exposure. This will impact the return on investments, as typically the lower credit rating investments have a higher return. It should also be noted that some high term credit rating investments (such as AMP) have set limits on how much we can invest with them. This adds an additional hurdle when investing.

The Council has again branched out to find new institutions to invest funds. During August a new Term Deposit was entered into with Macquarie Bank. It has a long term credit rating of "A" and falls in line with the Council's Investment Policy. Macquarie Bank offered a rate of 1.65% for 12 months. Investing with Macquarie Bank provided Council with an opportunity to spread exposure across another institution, in a more conservative investment, to begin the realignment to meet the requirements of the Investment Policy.

All of Council's investments for the period ending 31 August 2019 are in accordance with:

- Council Investment Policy
- Local Government Act 1993 – Section 625.
- Local Government Act 1993 – Order of the Minister dated 12 January 2011.
- The Local Government (General) Regulation 2005 – Reg 212.

The investment of surplus funds must remain in line with Council's Investment Policy. This will ensure sufficient working capital is retained and restrictions are supported by Cash. Cash management complies with the NSW Local Government (General) Regulation 2005.

Summary

The Cash and Investment Report provides an overview of cash and investments to 31 August 2019 and demonstrates compliance with Council policy. Investment yields for new investments are lower than previously available; however, all investment options are being investigated with consideration of longer term investment options to be assessed for suitability.

Item: 14.2 **Ref:** AINT/2019/21949
Title: FOR INFORMATION: Monthly Financial Report August 2019 **Container:** ARC19/3334
Author: Kelly Stidworthy, Service Leader - Finance
Attachments: 1. Monthly Financial Report August 2019

RECOMMENDATION:

That Council receive and note the Monthly Financial Report August 2019.

Context

Monitoring of YTD actual performance to budget is important to ensure that expenditure remains within available financial resources.

To assist with better monitoring of budgets, budget phasing has been introduced allowing a comparison to be made against YTD budget rather than the Annual budget.

An update on the financial impact of the current drought situation is also included in this report.

Purpose

The monthly financial report is provided to assist with monitoring the financial position of Armidale Regional Council; and ensure that sound financial management practices are employed to ensure expenditure remains within available financial resources.

Proposal, Research and Analysis

The monthly financial report is provided for the following funds:

- General Fund
- Water Supply Fund
- Sewer Supply Fund
- Consolidated

More detailed operating and capital budget reports are also provided. Information relating to the financial impact of the drought is also included in this report.

General Fund

As at 31 August, the General Fund achieved a \$21.9m operating surplus against a YTD budget of \$19.5m. The operating surplus is high because rates have been levied and recognised as income in the July period. As the year progresses expenditure will increase and will offset the surplus to bring the result into closer alignment with the Annual forecast operating position.

Most revenue and expenditure categories are on track to meet budget with the exception of interest revenue, which is tracking lower across all funds due to lower investment rates being achieved. This will likely need to be reviewed at the first quarter budget review.

Land sales are also flagged as possibly not achieving the full year forecast without the sale of the former Kolora facility being achieved.

The net budget position represents the forecast cash impact of Council's operating and capital results for the year. Council's forecast is for a positive cash impact in 2019/20 to assist with reducing cashflow risk and improving the level of unrestricted cash. The main risk to the forecast

cash position at this time is that the budget for land sales included the disposal of the former Kolora building, which may not be realised.

Water Supply Fund

As at 31 August, the Water Fund achieved a \$2.5m operating surplus against a YTD budget of \$1.2m.

Most revenue and expenditure categories are on track to meet budget with the exception of interest revenue and lower income is expected from user charges and fees due to drought conditions resulting in restricted water use. The likely impact of this on the Water Fund financial position is not yet known.

Council has budgeted for a negative cash impact in 2019-20 of \$2.0m due to the requirement to undertake capital works. These works will be funded from the water supply reserve fund.

Sewer Supply Fund

As at 31 August, the Sewer Fund achieved a \$5.4m operating surplus against a YTD budget of \$4.7m.

Most revenue and expenditure categories are on track to meet budget with the exception of interest revenue.

Council has budgeted for a negative cash impact in 2019/20 of \$886k due to the requirement to undertake capital works. These works will be funded from the sewer supply reserve fund.

Consolidated

As at 31 August, the Consolidated position achieved a \$30.4m operating surplus against a YTD budget of \$26.9m.

Council's has budgeted for a negative cash impact of \$1.6m in 2019/20, which relates to capital works to be undertaken on water and sewer infrastructure. These works will be funded from the water and sewer supply reserve funds.

Drought Financial Impacts

Drought relief works are ongoing and the year to date direct costs and commitments are estimated at \$891,000. It is expected that expenditure in the first quarter of 2019-20 will exceed \$1 million. Indirect costs are estimated to be approximately \$178,000. This expenditure will be recurring in future quarters and relate to the managing of communications, implementation of strategies to reduce water usage and water carting (direct costs claimable). Additional modelling will be required for additional capital expenditure impacts.

These costs exclude individual project initiatives such as Potable Water Supply, Guyra Malpas Dam Pipeline, Construction of Bore Water, Malpas Dam capacity upgrade or investigations into upgrades of current infrastructure to assist with water security. A high level forecast on the borewater project could see up to \$4 million cost outlay required in the second quarter of 2019-20. The real costs of this project are difficult to forecast until the results of the drilling are known. However, this is likely to be only a fraction of the overall costs of that project. Council are likely to need to construct pipeline from the wells to the treatment plants, and the costs are dependant on proximity of the viable wells to the treatment plant.

Additional costs to the water fund are likely to be incurred as a result of increased management costs should drought conditions worsen and further restrictions on water usage become necessary and, based on water volumes flowing through the treatment plant, revenue related to water usage charges will also significantly decrease as the community have reduced their water consumption. However, data to accurately forecast this impact is not yet available.

Impact

The adopted budget does not have provision for overspends or for initiatives not included in the original budget and, as a result, must be closely monitored to ensure that actual expenditure remains within available financial resources. Introduction of any new initiatives requiring expenditure or overspends will require us to make adjustments to either the quantum or quality of projects and services to accommodate. Any overspends or new initiatives identified outside of the original budget must have an accompanying funding source.

Summary

The monthly financial report provides information on Council's actual to budget performance.

Item:	14.3	Ref: AINT/2019/22065
Title:	FOR INFORMATION: Summary of Resolutions of Council March 2019 - August 2019	Container: ARC16/0001-4
Author:	Jessica Bower, Executive Officer	
Attachments:	1. Resolutions of Armidale Regional Council - March 2019 to August 2019	

RECOMMENDATION:

That the report outlining resolutions of Council from March 2019 to August 2019 and actions carried out, be noted.

Context

The attached document is a progress report on the implementation of resolutions of Council.

Purpose

This report aims to inform Councillors on the work carried out by Council Officers on the implementation of Council resolutions.

Proposal, Research and Analysis

Not applicable.

Impact

The resolutions outlined in the attachment have been previously adopted by Council. The impacts of each of the resolutions are varied and were outlined in the original reports to Council.

Summary

This report is for information purposes only and will be provided on a monthly basis for the previous six months.

Item: 17.1 **Ref:** AINT/2019/21772
Title: FOR INFORMATION: Minutes - Aboriginal Regional Advisory Committee
- 28 August 2019 **Container:** ARC16/0605
Author: Cyril Green, Aboriginal Community Development Officer
Attachments: 1. Minutes - Armidale Regional Aboriginal Advisory Committee - 28
August 2019

RECOMMENDATION:

That the Minutes of the Aboriginal Regional Advisory Committee meeting held on 28 August 2019 be noted.

Item: 17.2 **Ref:** AINT/2019/22000
Title: FOR DECISION: Minutes - Traffic Advisory Committee - 3 September 2019 **Container:** ARC16/0168-4
Author: Belinda Ackling, Personal Assistant
Attachments: 1. Minutes - Traffic Advisory Committee - 03 September 2019

RECOMMENDATION:

- a) That the Minutes of the Traffic Advisory Committee meeting held via email be noted.
- b) That the Chartered Accountants Australia & New Zealand Tour de North West being held on 27 October 2019, be endorsed in accordance to the provided Transport Management Plan and any further requirements from Police.
- c) That the requested temporary road closure of Faulkner Street between Kirkwood Street and Dumaresq Street for the Culture Fest 2019, 2 November be endorsed.
- d) That the loading zone on the north western Corner of Marsh & Rusden Street's (In front of Grant McCarroll Service entry) be changed to unrestricted time limit.
- e) That the request to install a 'No Parking' zone on the southern side in the Beardy West Mall at the intersection of Beardy Street & Jessie Street be denied.
- f) That a No Parking zone be installed on the norther side of Dumaresq Street, from 101 to 107 Dumaresq Street be endorsed.

Item: 17.3 **Ref:** AINT/2019/22401
Title: FOR DECISION: Minutes - Sports Council - 10 September 2019
Container: ARC16/0330
Author: Amy Biggs, Sports Coordinator
Attachments: 1. Minutes - Sports Council - 10 September 2019

RECOMMENDATION:

That the Minutes of the Sport Council Committee meeting held on 10th September be endorsed and the following recommendations considered:

- a) Sports Council recommend that Council conduct further investigations into sourcing ground water to enable sport to continue in the region for the sake of community wellbeing and the vital role sport and recreation play in community and individual health.**
- b) Sports Council recommend that Council conduct further investigations into sourcing ground water to reduce or eliminate reliance on the use of treated water for sportsfield irrigation as a strategy to conserve valuable potable water resources**
- c) That the provision of adequate funds to renovate Councils sportsfields as a result of damage following the drought be an important consideration for the 2020/2021 Parks budget**

Management Comment:

The report to be delivered during the meeting to allow the most current information to be provided to the committee.

Richard Morsley provided an update to the committee. It was advised that level 5 water restrictions are expected to be imposed within 2 weeks resulting in a cessation of irrigation of fields. The implications of this are as follows:

- Water will not be available to prepare the turf wickets that could result in the cancellation of senior first grade cricket competition and upcoming regional cricket carnivals e.g. Water Taylor Shield. The loss of these events will translate into a loss of income for city.
- Without irrigation or regular rainfall the turf will die and a continuation of sport will result in bare ground and surface deterioration. Considerable costs will be incurred in renovating the fields when the drought is over (\$20-30,000 per field).
- Exposed soil on fields with potential soil contamination will result in closure of these fields on safety grounds.
- Every effort will be made to accommodate summer sporting fixtures on alternative bore watered fields e.g. Guyra and The Armidale School where possible.
- Council has engaged a Hydrogeologist to identify possible bore locations to provide additional potable water. As part of this work, a site on Harris Park and on Rologas Sportsfields look promising for bores that may have the potential to supply irrigation to those fields in the future.

The ensuing discussion centred around the potential for bore water to ensure a continuation of sport under future water restrictions and as importantly as way of reducing or even eliminating the use of treated water for irrigation for all sportsfields.

Item:	19.1	Ref: AINT/2019/22284
Title:	Questions on Notice - Cr O'Brien	Container: ARC16/0025
Author:	Debra O'Brien, Councillor	
Attachments:	Nil	

RECOMMENDATION:

Question on Notice 1. (Cr O'Brien)

Has there been any matters before the NSW Industrial Relations Commission in relation to the Armidale Regional Council's transformation process? If so, could the CEO please provide details.

Question on Notice 2. (Cr O'Brien)

Could the CEO please provide information regarding the cost to ARC of the hire of consultants in the transformation process.

Question on Notice 1

Answer:

Yes. Matter No: 2019/00080830 Industrial Dispute s130 notification is currently before the Industrial Commission of NSW between the United Services Union (USU) and Armidale Regional Council. Due to privacy obligations Council is unable and will not provide further information in relation to this matter.

Question on Notice 2

Answer:

The consultant budget was previously advised to Council. The Transformation Program traverses more than 35 projects, with experts employed from time to time ranging from financial modellers for the rates harmonisation project through to process re-engineers. It is not possible to identify the extent to which consultants provide advice and support to the Transformation Program as opposed to the routine business of Council.

Item:	19.2	Ref: AINT/2019/22292
Title:	Question on Notice - Cr Robinson	Container: ARC16/0025
Author:	Dorothy Robinson, Councillor	
Attachments:	Nil	

RECOMMENDATION:

Question on Notice 1. (Cr Robinson)

Page 23 of the 'Call for Expressions of Interest Competitive Dialogue' (ARC18/2977 Revision 11, V13, dated 22 February 2019) gives an expected closing of 27 August for final tenders, and shows a work plan aiming to present a report to Council by 30th October 2019. Councillors have been assured that a workshop will be held prior to any report on the dialogue going to council. Are there any plans for a workshop on the Airport Competitive Dialogue, or plans to present a report to the October, or other, Council Meeting?

Question on Notice 1

Answer:

Yes, the matter will be brought before Councillors prior to a report being presented to Council. The original timelines were indicative only and significant data gathering and analysis is still being undertaken.

Item:	19.3	Ref: AINT/2019/22290
Title:	Questions on Notice - Crs O'Brien, O'Connor, Robinson - 28 August 2019	
		Container: ARC16/0025
Author:	Nathalie Heaton, Service Leader Governance, Risk and Corporate Planning	
Attachments:	Nil	

RECOMMENDATION:

Two Questions on Notice received from Crs O'Brien, O'Connor and Robinson for the Ordinary Council Meeting on 28 August 2019 were deemed unlawful by virtue of clause 3.14 of the Code of Meeting Practice (COMP). They were therefore not included in the Business Paper.