



BUSINESS PAPER

ORDINARY MEETING OF COUNCIL

To be held on

Wednesday, 25 July 2018
4pm

at

Armidale Council Chambers

Members

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

AGENDA

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19.2	FOR DECISION: Request for Tender for Engineering and Project Management Services 2018-2020 <i>As this report deals with commercial information of a confidential nature which, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c) of the Local Government Act 1993). Council closes the meeting, in accordance with Council's Code of Meeting Practice, as consideration of this matter in open Council would be contrary to the public interest. (Tender evaluation and pricing confidential.)</i>	
19.3	FOR DECISION: Tenders for Design & Construct contract for a water supply pipeline from Malpas Dam to Guyra Water Treatment Plant <i>As this report deals with commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council (Section 10A (2)(d)(ii) of the Local Government Act 1993). Council closes this meeting in accordance with Council's Code of Meeting Practice, as consideration of this matter in open Council would be contrary to the public interest.</i>	
20	Close of Ordinary Meeting	

Item: 7.1 **Ref:** AINT/2018/14560
Title: FOR DECISION: State Government Funding For Malpas Dam **Container:**
ARC16/0025
Author: Peter Wilson, Acting Service Leader Governance, Risk and Corporate
Planning
Attachments: Nil

RECOMMENDATION:

- a) **That Council write to the Premier and Deputy Premier, thanking the NSW Government for the funding of \$12.375 million for the Malpas Dam to Guyra Pipeline; and**
- b) **That Council place on record its thanks to the Local State Member, Adam Marshall, Mr Ken Gillespie, Mr Don Murray and Mr Gary Barnes for their efforts and assistance with the project.**

Background

Council is extremely grateful the State Government has recognised the tremendous value of this project, with the inclusion of funding in the 2018-2019 State Budget.

Not only will it bring a more reliable water supply to existing residents and businesses, it is fantastic news for the whole Armidale region because this project will open the door for substantial economic development and job creation.

The proposed 15km pipeline would have a capacity to carry up to 4.5 megalitres of water to the Guyra township each day. Malpas Dam also provides the town water supply for Armidale but has capacity to meet the needs of a much larger population.

The NSW Member for Northern Tablelands, Adam Marshall, lobbied tenaciously for this project and he is to be applauded for his efforts to get it included in the budget.

Council should also recognise the efforts of former Australian Army Chief, Lieutenant General Ken Gillespie, in his role as the NSW Government's Regional Infrastructure Coordinator and Mr Don Murray, the NSW Regional Infrastructure Executive Officer. Both were instrumental in assisting Council to shape the awareness of the project within the State Government and assisted greatly in navigating the project through the different approval processes. The support and interest shown by Mr Gary Barnes, Deputy Secretary, Regional NSW is also acknowledged.

Item: 8.1 **Ref:** AINT/2018/14105
Title: FOR DECISION: Removal of Rail Bridge At The McLennan Street Viaduct, off Miller Street, Armidale **Container:** ARC16/0025
Author: Peter Wilson, Acting Service Leader Governance, Risk and Corporate Planning
Attachments: Nil

Submitted by Councillor Galletly

MOTION

That Council writes to the Member for Northern Tablelands, Adam Marshall and Transport for NSW, seeking the removal of the rail bridge at the McLennan Street Viaduct in Armidale in order to facilitate safe passage along McLennan Street and reduce the safety risk of vehicles travelling under the viaduct.

Acting CEO Report

John Holland Rail Pty Ltd manages the State Government's Country Regional Network railway lines on behalf of Transport for NSW (TfNSW). TfNSW have however requested that representations be made direct to them.

Recent media coverage of another high vehicle striking the viaduct, on Thursday 20 June 2018, has again highlighted the need for the viaduct to be removed to ensure the safety of pedestrians and motorists travelling under the viaduct.

Local businesses have started a petition calling for the viaduct to be removed. The businesses argue that the viaduct poses a risk to the travelling public and is an inconvenience to heavy vehicles, as evidenced by the impact by heavy vehicles on the bridge. Council has been contacted directly by businesses including Edwards Coaches, Allingham Removals and Lowes Petroleum supporting the removal of the rail bridge.

The Armidale Express reported on 27 June that New England Police District records confirm that trucks have been *"getting stuck under the viaduct as far back as 2003."*

An initial approach has already been made by the Mayor to the Local Member, requesting the removal of the rail bridge.

It should be noted that Section 99A of the NSW Transport Administration Act does not allow Transport for NSW to close a railway line, unless authorised by an Act of Parliament. A railway line is considered closed if the railway tracks and other works are removed. Where safety due to the asset condition is of concern, TfNSW is entitled to remove discrete pieces of infrastructure as required.

Item:	9.1	Ref: AINT/2018/12651
Title:	FOR DECISION: Boundary Change Joint Proposal - Armidale Regional Council and Inverell Shire Council - Community of Tingha and Surrounding Area	Container: ARC17/1637
Author:	Peter Wilson, Acting Service Leader Governance, Risk and Corporate Planning	
Attachments:	1. Submission on Joint Proposal for Boundary Alteration 2. Map ARC Local Government Area Boundary	

RECOMMENDATION:

- a) That Council reconfirm its support for the joint proposal for a boundary alteration, as contemplated by section 218B of the Local Government Act 1993;
- b) That the Minister for Local Government be requested to include the following standard provision in the proclamation dealing with rating:
 - (1) Appropriate arrangements are to be made in relation to the rates and charges over the rateable parcels of land affected by this Proclamation. The CEO of Armidale Regional Council and the General Manager of Inverell Shire Council are to reach a negotiated agreement on the nature of those arrangements; and
 - (2) In the event that the CEO of Armidale Regional Council and General Manager of Inverell Shire Council cannot come to a negotiated agreement on the matter of rates and charges, the Minister for Local Government will make a determination on that matter.

Such a determination may be made:

- i) by referral to the Minister for Local Government by Armidale Regional Council or Inverell Shire Council or by both of the Councils; or
 - ii) without referral from the Councils, if the Minister for Local Government is satisfied that the matter of rates and charges cannot be determined by agreement between the Armidale Regional Council and Inverell Shire Council, or if the Minister is not satisfied with the agreement between the Councils.
- c) That each Council be responsible for meeting their costs for any procedure necessary to give effect to the boundary change; and
 - d) That the policy position of the State Government not to meet any costs associated with boundary change proposals be noted, and further that this policy position not impede the boundary change process.

Background

The proposal is to effect a change to the existing boundaries of Armidale Regional Council to excise and transfer approximately 800km² of its area to Inverell Shire Council. The area to be transferred would incorporate the locality of the Tingha village.

The proposal arises out of actions taken by the Tingha Citizens Association Inc (TCAI) in August 2016 to initiate a boundary adjustment and Inverell Shire Council's decision to support the Association.

Key Issues and Risks

The proposal is a 'joint proposal' in that it is supported by both councils. The results of community consultation with affected residents and ratepayers indicate that the proposal is supported by the community.

In July 2017 the OLG advised both Councils that a number of matters needed to be addressed before the proposal could be submitted to the Minister for Local Government. These included detailed maps, considered of s263 LGA matters and clarification as to whether Council's support for the proposal was contingent upon the Government agreeing to meet any costs associated with the boundary change, as it was not state government policy to meet the costs.

Integrated Planning and Reporting Framework

Delivery Program 2018 – 2021 Community Outcome – Council has the strategic capacity to understand the key issues for the region both now and in the future.

L4.3 Decision Making - Elected officials can easily access information and support to allow them to make decisions in the interest of the community.

Stakeholder Engagement

The proposal arises out of actions taken by the Tingha Citizens Association Inc in August 2016 to initiate a boundary adjustment. Inverell Shire Council resolved to support the Association's request and commenced discussions with the Administrator, Dr Tiley on the issue.

TCAI made representations to the Minister for Local Government, on behalf of both Inverell and Tingha communities, and enclosed submissions in support of their application for a boundary adjustment. The Petition included 2,770 signatures from enrolled electors of the Inverell LGA and a second Petition included 400 signatures from enrolled electors of the Tingha area.

In February 2017 Council considered the TCAI request and resolved not to oppose the removal of the Tingha township and surrounding area (totalling 393 km²) from the Armidale Regional Council LGA and absorption by the Inverell Shire Council LGA.

Following the February decision a meeting of both councils was convened by the Member for Northern Tablelands, Adam Marshall, which resulted in agreement for the area to be expanded to include the Green Valley Farm locality and George's Creek area and to consult with the affected community.

In April 2017 Council resolved not to oppose the proposed boundary adjustment of approximately 800 km² based on the positive response received from the community consultation.

In May 2017 Inverell Shire Council wrote to the OLG on behalf of both councils requesting consideration of the boundary adjustment.

Advice was received from the Local Member in June 2017 that the NSW Electoral Commission would not accept any council boundary alterations within 6 months of a council election (September 2017).

In December 2017 Inverell Shire Council provided the OLG with all relevant information, acknowledgment that costs would be met by the council and the resolution in respect to the provision of rates.

A briefing on the history of the proposal was provided to Councillors at a workshop held on 6 March 2018.

Additional community consultation with affected residents and ratepayers was undertaken in June 2018, with a majority of respondents supporting the boundary alteration.

Financial Implications

Each council will be required to meet their costs for any procedure necessary to give effect to the boundary change. The New Council Implementation Fund (NCIF) includes a funding allocation of \$10,000.

Next Steps

The lodgement of the submission will allow the Office of Local Government to continue to process the proposal.

If the proposal proceeds the Minister will refer the proposal to OLG or the NSW Local Government Boundaries Commission for examination and report.

Item: 11.1 **Ref:** AINT/2018/11671
Title: FOR DECISION: Armidale Airport Landing Fee Waiver for "Little Wings"
Container: ARC16/0090
Author: Phillip Perram, Service Leader Business Unit
Attachments: Nil

RECOMMENDATION:

- a) **That Council waives airport landing fees for "Little Wings" in accordance with S356 of the Local Government Act 1993.**

Background:

The Local Government Act recognises that Councils need to be proactively engaged in their communities and empowers the Council (Section 356) to offer financial and other assistance. This power cannot be delegated and is specifically excluded in Section 377 (1)(q):

"A Council may, by resolution, delegate ... any of the functions of the council under this or any other than ... a decision under section 356 to contribute money or otherwise grant financial assistance to persons".

Council has received a request for a donation from Little Wings, requesting waiver of landing fees at Armidale Airport, valued at \$16.79 per landing.

Armidale Regional Airport does not charge for Medivacs, Care Flight visits and RFDS Flights and Westpac Helicopters emergency flights. This decision appears inconsistent as it is not reflected in a resolution of Council or the Revenue Policy.

The draft 2018/19 Revenue Policy provides for an exemption of fees for these bodies including Little Wings and if adopted by Council will become effective on 1 July 2018. The loss of revenue however must be captured and reported in the Annual Report.

Report:

Little Wings Mercy Flights is a not for profit registered charity based in Bankstown, that provides free air and ground transport for seriously ill children and their families from regional NSW to the Sydney Children's Hospital. Armidale Airport is the only regional NSW airport which is yet to provide landing fee waivers for Little Wings. The current cost of landing fees for charter flights is \$16.79 per landing, but the total cost to Council would be dependent on the number of times children require transportation to the Children's Hospital, which is likely to be infrequent.

Key Issues and Risks

Currently requests for donations and fee waivers are reported to Council on an ad hoc basis this can cause inconsistencies in the way Council applies exemptions and fee waivers. To respond to this a new Donations Policy is being developed and will be presented to Council at a future Ordinary Council meeting.

Integrated Planning and Reporting Framework

The request from Little Wings Mercy Flights aligns with Council's Health and Wellbeing Commitment as stated in the IP&R framework.

Stakeholder Engagement

Section 356 of the Local Government Act states that Council can financially assist others without public notice where the recipient is not acting for personal gain. In the case of Little Wings, public notice is not required because both are not for profit organisations.

Financial Implications

If approved, the waiver of fees to Little Wings Mercy Flights of \$16.79 per landing would be charged to Airport Fees reducing the revenue received. It is not expected that this will have a material impact on Council's budget.

Next Steps

Should Council approve the request, landing fees for Little Wings will be waived.

Item: 11.2 **Ref:** AINT/2018/13360
Title: FOR DECISION: Transfer of Part Reserve adjacent to Guyra Golf Club
Container: ARC16/0669
Author: Greg Meyers, Casual Development Building Officer
Attachments: 1. Guyra Golf Club - Transfer of Part Reserve

RECOMMENDATION:

- a) That Council finalise the transfer of Lot 1 DP1189931 of 1.807ha Crown Land from the Trusteeship of Guyra Bowling and Recreation Club to Armidale Regional Council.
- b) That the Mayor and Chief Executive Officer be authorised to sign and seal any and all documentation as required to enable the transfer to be finalised.
- c) That as the land is Crown Land and being transferred to Armidale Regional Council as the land manager, the land be classified as Community Land – General Community Use.
- d) That a Draft Plan of Management be prepared for the land to include the use of part of the site for overnight parking and camping and be publicly exhibited pursuant to the Local Government Act 1993.
- e) That following the public exhibition period, a report be prepared and presented to Council before the plan is finally adopted.

Background:

Discussions and negotiations commenced between the Guyra Bowling and Recreation Club (GBRC), Crown Lands and Guyra Shire Council in November 2010 to excise approximately 2ha of land off the Lease that the GBRC held which contains the Guyra Golf Course.

The area in question includes the area regularly used for free overnight caravan and campervan camping, one of the Healthy Highlanders exercise areas, public toilets, bird watching rotunda and carpark area.

The adjacent McKie Parkway road reserve which is quite wide in this location also provides for free overnight caravan and campervan camping and parking area along with the caravan dump point.

Agreement was reached that a subdivision would be undertaken to excise the area off which was completed in September 2013. However, the land has never transferred to Council's responsibility as the Crown land Office are awaiting formal acceptance from Council.

Council will need to resolve to classify the land as Community Land and in this case it is recommended that it be further sub classified as General Community Use and include the use of part of the site for overnight parking and camping.

Key Issues and Risks

The main issues with the current situation is that the former Guyra Shire Council has assumed responsibility and liability for any incident or accident that may occur on the designated area without it having any tenure or responsibility for the site.

A previous insurance claim has been dealt with due to an incident occurring on the site.

Integrated Planning and Reporting Framework

Strategic Direction - Growth, Prosperity and Economic Development.

Community Outcome 3 - The visitor economy generates additional revenue and employment to boost the local economy and creates opportunities for more vibrant cultural activities.

Stakeholder Engagement

There has been ongoing engagement between the GBRC, Crown lands and Council as the main stakeholders. There has also been previous community discussion regarding the camping area and the possible closure of McKie Parkway.

Financial Implications

Council currently maintains the area and improvements on the site. The finalisation of the transfer is unlikely to impact upon the budget.

Next Steps

- Finalise the transfer;
- Prepare, advertise and adopt a Plan of Management for the site;
- Manage the site and associated activities thereon.

Item: 11.3 **Ref:** AINT/2018/14117
Title: FOR DECISION: Black Gully Flying Fox Camp Plan of Management
Container: ARC18/2676
Author: Richard Morsley, Program Leader Parks and Facilities
Attachments: 1. Final Draft Black Gully Flying Fox Camp Management Plan

RECOMMENDATION:

- (a) That the amended Black Gully Flying Fox Camp Management Plan be adopted.**
- (b) That Council approve the waiver of fees associated with Tree Removal Applications in order to reduce costs for residents wishing to remove trees to create a buffer to the Flying Fox camp.**
- (c) That Council approve a subsidy of up to \$50,000 in total for residents based on a percentage of the costs of tree removals that will be borne by the affected residents.**

Background:

The Draft Black Gully Flying Fox Camp Management Plan was endorsed by Council 26 April 2018. The plan was placed on public exhibition and 44 submissions were received.

The submissions were collated and sent to the consultant Ecosure who prepared the draft Camp Management Plan in consultation with the affected residents and Council staff. Council's Parks and Facilities Program Leader requested that Ecosure take the public submissions into consideration when re-drafting the final report.

A revised draft Camp Management Plan was submitted for appraisal. Further minor changes were incorporated and Council received the final draft 5 July 2018. The final draft includes Appendix 6 'Responses to submissions on the Draft Plan' that lists the key community concerns and outlines how they have been addressed in the final document.

The main thrust of the Camp Management Plan as advised by the consultant and the Office of Environment and Heritage (OEH) is that the camp be managed in situ and that Council look at management actions that will reduce the impact on residents should flying foxes return. In addition, that a staged approach is taken to undertaking management actions that is initially limited to reduce the risk of dispersal of the bats into the wider urban area. Because the camp is relatively confined to narrow area, sudden major changes to the camp size and structure may cause dispersal with result that many more residents could be adversely affected.

Residents identified that the creation of a buffer between their private properties and Black Gully, by the removal and/or trimming of roost trees was their preferred management action (Level 2). The cost of management actions undertaken on private land is to be borne by the owner of that land. However, Council has indicated that it would consider providing some financial assistance to residents to help offset the costs associated with the creation of a buffer, by way of a fee waiver for tree removal applications. In addition, a budget has been approved 2018-19 to provide affected residents with some financial assistance with the costs of tree removals associated with the creation of a buffer.

During the public exhibition period, OEH advised Council that a Vegetation Management Plan be developed to provide a staged work plan for vegetation works. Ecosure has begun work on this plan in consultation with staff and a draft will be provided to Council in mid July.

The VMP will provide:

- guidelines for works around a flying-fox camp that ensures welfare of animals;
- guidelines for the removal of vegetation on different tenures including calculations for maximum extent of canopy removal;
- a map delineating stages and management zones;
- staged work plan;
- priorities for weed management particularly along a riparian zone including low toxicity herbicides;
- a description of weed control techniques;
- recommendations for revegetation including species selection, establishment and maintenance.

The final Camp Management Plan together with a Threatened Species licence application under Part 2 of the Biodiversity Conservation Act 2016 to enable management actions to be undertaken. It is anticipated that OEH will provide consent for the actions outlined in the management plan in early August enabling Council and residents to commence buffer works.

Key Issues and Risks

If the Black Gully Flying Fox Camp Management Plan is not adopted, Council will not be in a position to initiate the proposed stage works. Flying Foxes may return to trees overhanging dwellings and Council will be asked to provide a greater level of assistance to residents to reduce the impacts.

Integrated Planning and Reporting Framework

N/A

Stakeholder Engagement

Follows public exhibition period and community engagement by consultant and Council with affected residents

Financial Implications

A budget has been approved for assistance to residents for management actions (up to \$50,000) and a waiver is requested for current applicable fees for 'Application to remove or Prune Trees' for identified trees only that are owned by affected residents.

Additional assistance may increase and be ongoing if Camp Management Plan is not adopted

Next Steps

Undertake approved management actions in consultation with residents.

Provide financial assistance to affected residents.

Initiate staged approach to manage the flying fox camp going forward.

Item: 12.1 **Ref:** AINT/2018/12181
Title: FOR DECISION: Guyra Pre School and Long Day Care Centre - Expansion
Container: G16/22
Author: Krista Schmidt, Service Leader Community and Customer Services
Attachments: Nil

RECOMMENDATION:

- a) That Council accept the two offers of funding from the Department of Education and Training under the Community Child Care Fund Grants – Sustainability Support stream and the Capital Support stream;
- b) That Council further investigate the most cost effective and efficient option, for either a new Greenfield centre or the staged redevelopment of the existing centre in Guyra; and
- c) That should the above investigations identify that a new Greenfield centre is a more cost effective option and within the funds available, then the Chief Executive Officer be delegated the authority to seek the concurrence of the funding body to alter the project from the staged expansion of the existing centre to a new “Greenfield” centre.

Background:

When considering the Guyra Pre School Business Case in December 2017, council was advised that the national funding regime was changing and that Council had submitted two funding applications, one under the Sustainability Support program for \$205,000 over two years and one under the Capital Support program for \$300,000 also over two years.

Council has been successful with both applications which will enable Council to invest into the consolidation and expansion of its early childhood education and long day care operations in Guyra.

Council has relied upon funding support through various channels to assist with the operation of its Pre School and Long Day Care Centre in Guyra. During 2016/17 Council was advised that the methodology and formulas behind the national funding streams was being amended to assist centres to become more sustainable and operate within national guidelines and best practice parameters.

Council was invited to apply for federal funding through a number of specific streams – Sustainability Support;
Capital Support;
Community Support:

To achieve an improved, efficient and sustainable business operation, it was determined that in this round, only two funding streams would be pursued:

1. Sustainability Support for \$205,000 over 2 years (\$105,000 2018/19 and \$100,000 2019/20) as Council meet critical eligibility criteria:
 - Currently operating in an area of limited supply, that is, being the only service provider in the area;
 - Providing an essential service that meets the specific needs of the community.

The activities that Council specifically targeted under the *Sustainability Support* grant are:

- implementing changes to business practices and introducing innovative solutions to improve the sustainability and viability of a child care service
 - developing and implementing an action plan to support transition to a more sustainable business model
 - helping with additional costs of providing child care in unviable markets where a service is providing the most effective model of care for the community
 - meeting standard child care operating costs during transition to a more sustainable business model.
2. Capital Support for \$300,000 over 2 years (\$150,000 in each of 2018/19 & 2019/20) for the purpose of undertaken a staged expansion of the existing centre.

As presented to Councillors at the Workshop in December 2017, the staged expansion of the existing Centre was considered at that time as the most cost effective way to provide a compliant centre. The grants funds of \$300,000 coupled with the \$500,000 held in reserves for the capital expansion of the Guyra Pre School will cover the costs anticipated for the staged expansion at the current site.

Council has been successful with both applications, with the Grant Agreements being signed and returned within the 30 day period imposed by the Department of Education and Training. These agreements contain the terms and conditions for the funding and a schedule which detail the activities to be delivered.

This is an exciting time for Council and the Pre School, as the funding will provide a significant opportunity and community benefit for an improved centre in Guyra without drawing on ratepayer funds.

However, since the Councillor workshop in December 2017, staff have been reviewing the staged expansion of the existing centre and comparing this to a new centre on a "Greenfield" Council owned site in Lochaber Crescent next door to the existing Kolora facility.

There are considerable logistical and operational benefits with a "Greenfield" site and initial estimates are that the grant funds and the funds Council holds in reserves along with income from the sale of the existing centre would cover the costs of a new building.

The Agreement allows for the repurposing of grant funds subject to justification and written agreement. The development of a new "Greenfield" centre would, provided the costs are within the parameters as outlined above, deliver better outcomes within the same time frames.

Key Issues and Risks

There are no issues or risks with the Sustainability Support funding which will assist the centre in moving toward a fully operational compliant centre.

There are however, a number of issues and risks associated with the Capital Support project which were identified in the Business Case report presented to Council in December 2017 and are outlined below:

- Efficient operation of a the centre whilst the staged development is undertaken at the existing site;

- Work Health and Safety exposure for staff and children during the demolition and construction phase at the existing centre;
- Impact of enrolments should parents remove their children during the demolition and construction phase.
- Regulatory compliance for the centre during the redevelopment.

All of the identified risks above would be removed through the construction of a new "Greenfield" centre.

Integrated Planning and Reporting Framework

Community Strategic Plan – Our Community and People

Community Outcome 2 -

- Community services and facilities meet the needs of the community

Community Outcome 5 –

- Events and cultural activities provide the community with an opportunity to celebrate the unique culture and lifestyle of the region Services and activities are provided for all ages and segments of our community to promote life-long learning, healthy living and community well-being

Facilitate and support the delivery of high quality early childhood and out of school hours services across the region.

Stakeholder Engagement

There has been no specific stakeholder engagement at this point in time. However, the expansion of the Guyra Pre School was identified during the former Guyra Shire Council community engagement process when dealing with the Fit For the Future issues during 2015 resulting in the funds being placed in reserves to facilitate the expansion.

The Authorised Supervisor at the Centre regularly consults with and surveys parents and carers associated with the Centre.

In 2016 some 70 survey forms were distributed to parents and carers seeking feedback on numerous matters. Item 6 – Are you happy with the centre play environment?; and Item 8 – Do you support the prospect of the centre increasing its capacity to accommodate more children? Were specifically framed to seek comments/feedback on the centres environment and expansion.

22 surveys (31%) were returned with all respondents indicating that they are happy with the centre play environment and all respondents in support of increased capacity and more children.

A number of respondents took the opportunity to provide free form comments in regard to the above two matters and are reproduced below as written:

- **Item 6:**
 - Really great range;
 - Stop moving furniture (fridge, sign on, bag spaces) so much!!;
 - Great variety;
 - Really enjoy the hands on craft that the children do;
 - Thank you for running and managing such a warm and friendly centre.
 - Could do some more gardening and getting hands dirty:

- **Item 8:**

- I would question whether there is actual physical room for this to happen?;
- Although you need more space to enable this;
- Yes please, the more children that can be accommodated the better, of course a new location would be required;
- Although – if this was to happen it would need a larger centre (especially indoors space);
- This town needs it;
- I really can't fault this service for my children. I just hope with growing numbers in this town, increased places can be offered in the future;

Financial Implications

The offer and acceptance of the two grants will assist Council to improve its early childhood services to the community of Guyra being the only such centre available.

Council has approximately \$500,000 in reserves for the redevelopment of the Pre School Centre and with the injection of a further \$300,000 this would enable a new/expanded centre to be constructed.

The Sustainability funding will enable the development and refinement of business processes without impacting upon council's normal operational budget.

Next Steps

Formal acceptance of the two grants.

Investigate the possible "Greenfield" new centre option and report back to the Chief Executive Officer.

Item:	12.2	Ref: AINT/2018/13261
Title:	FOR DECISION: Plan of Management - New Kolora Property Community Land	Container: ARC18/2668
Author:	Krista Schmidt, Service Leader Community and Customer Services	
Attachments:	Nil	

RECOMMENDATION:

- a) That Council note the report and proceed to finalise a Draft Plan of Management for the Community Land that the new Kolora Aged Care Facility is constructed on, along the terms outlined in this report.
- b) That the Draft Plan of Management be exhibited and notified as required by the Local Government Act.
- c) That a report be prepared and submitted to Council following the public exhibition period to enable all submissions to be considered.

Background:

Guyra Shire Council compulsory acquired the land that now accommodates the new Kolora Aged Care Facility in Guyra from the NSW Department of Health in 2015.

As can be seen in the attached copy of the Government Gazette notice (13/03/2015), the purpose of the land being acquired was specifically identified for an aged care facility

GUYRA SHIRE COUNCIL

LOCAL GOVERNMENT ACT 1993

LAND ACQUISITION (JUST TERMS
COMPENSATION) ACT 1991

Notice of Compulsory Acquisition of Land

Guyra Shire Council declares with the approval of His Excellency the Governor that the land described in the Schedule below, excluding any mines or deposits of minerals in the land, is acquired by compulsory process in accordance with the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991* for an aged care facility.

Dated at Guyra this 11th day of March 2015.

PETER STEWART, General Manager

Schedule

Lot 3 DP 1202857

[7882]

The land was compulsory acquired pursuant to Part 1 of Chapter 8 of the Local Government Act and in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 for the specific purpose of an Aged Care Facility.

Notwithstanding, it is incumbent upon Council to classify the land pursuant to Part 2 of Chapter 6 of the LGAct by resolution after acquiring land. A search of Council records has not identified any such resolution and as a consequence the land reverts to a Classification as Community Land.

A Plan of Management must be prepared for all Community Land which can be an individual Plan or identified in a generic Plan covering varying parcels of community land.

The timing of the 2016 Local Government mergers impacted upon the finalisation of the development of a Plan of Management for the acquired land and this now needs to be completed.

Notwithstanding, the position was taken that as the land was specifically acquired for an aged care facility and will remain under the ownership of Council, Council would proceed within the scope of Clause 44 of the LGAct to call EOI's and undertake a full tender process for the operation and management of the facility:

Clause 44 Use of community land pending adoption of plan of management

Pending the adoption of a plan of management for community land, the nature and use of the land must not be changed.

Clause 46A and the Local Government Tendering Regulations guided the process for the Calling of EOI's and Full Tender. Noting that at the time, Council was not 100% sure that a Not for Profit or a commercial operator would be engaged to operate and manage the facility, as there are concessions provided in Cl 46A(3) below for entering into a lease with a Not for Profit organisation:

46A Means of granting leases, licences and other estates

- (1) A plan of management is to specify, in relation to the community land to which it applies, any purposes for which a lease, licence or other estate may be granted only by tender in accordance with Division 1 of Part 3.*
- (2) Nothing in this section precludes a council from applying a tender process in respect of the grant of any particular lease, licence or estate.*
- (3) A lease or licence for a term exceeding 5 years may be granted only by tender in accordance with Division 1 of Part 3, unless it is granted to a non-profit organisation.*

It is now proposed to proceed to finalise a Plan of Management for the site pursuant to Part 2 of Chapter 6 of the Local Government Act 1993, which will amongst other things include the leasing of the operation and management of the facility, connection to the Guyra MPS, maintenance and management of the outer areas of the site including the stormwater retention basin.

Key Issues and Risks

There are no considered risks due to the land being used for the purpose it was compulsory acquired and supported by the community.

Integrated Planning and Reporting Framework

Strategic Direction - Our People and Community.

Community Outcome 5 - Services and activities are provided for all ages and segments of our community to promote life-long learning, healthy living and community well-being.

Stakeholder Engagement

The Draft Plan of Management is required to be publicly exhibited in accordance with the provisions of the Local Government Act 1993 which will be carried out once the draft plan is ready for public exhibition.

Financial Implications

There are no financial implications with the Plan of Management that are not ordinarily covered by Council's adopted operational and capital budgets for Kolora.

Next Steps

- Finalise the Draft Plan of Management;
- Place the Draft Plan of Management on public exhibition and notify adjoining landowners;
- Consider all public submissions made;
- Prepare a further report for Council's consideration identifying any recommended changes as a result of submissions and proceed to adopt the Plan.

Item: 13.1 **Ref:** AINT/2018/13550
Title: FOR INFORMATION: Cash & Investments Report for June 2018
Container: ARC18/2774
Author: Leah Cook, Service Leader Asset Planning and Design and Acting
 Service Leader Finance and Information Technolog
Attachments: 1. June 2018 Cash and Investment Dashboard

RECOMMENDATION:

That Council note the Cash & Investments Report, as at 30 June 2018, reporting Investments held of \$59,336,157.83 and a consolidated Bank Account balance of \$4,901,241.75, excluding the Trust Fund.

Background:

Cash and Investments for the month of June 2018.

The following is the cash and investments particulars for the period 1 June 2018 to 30 June 2018. At the end of the June period, Council held \$59,336,157.83 in investments and a consolidated bank account balance of \$4,901,241.75 excluding the Trust Fund.

During the month of June, total payments and receipts were \$16.6 million and \$14.6 million respectively. Council's bank account balance as per bank statements at the end of the period 30 June 2018 are as follows:

Bank Accounts	
General Fund	4,901,241.75
Trust Fund	1,213,141.35
Total Bank Balances	6,114,383.10

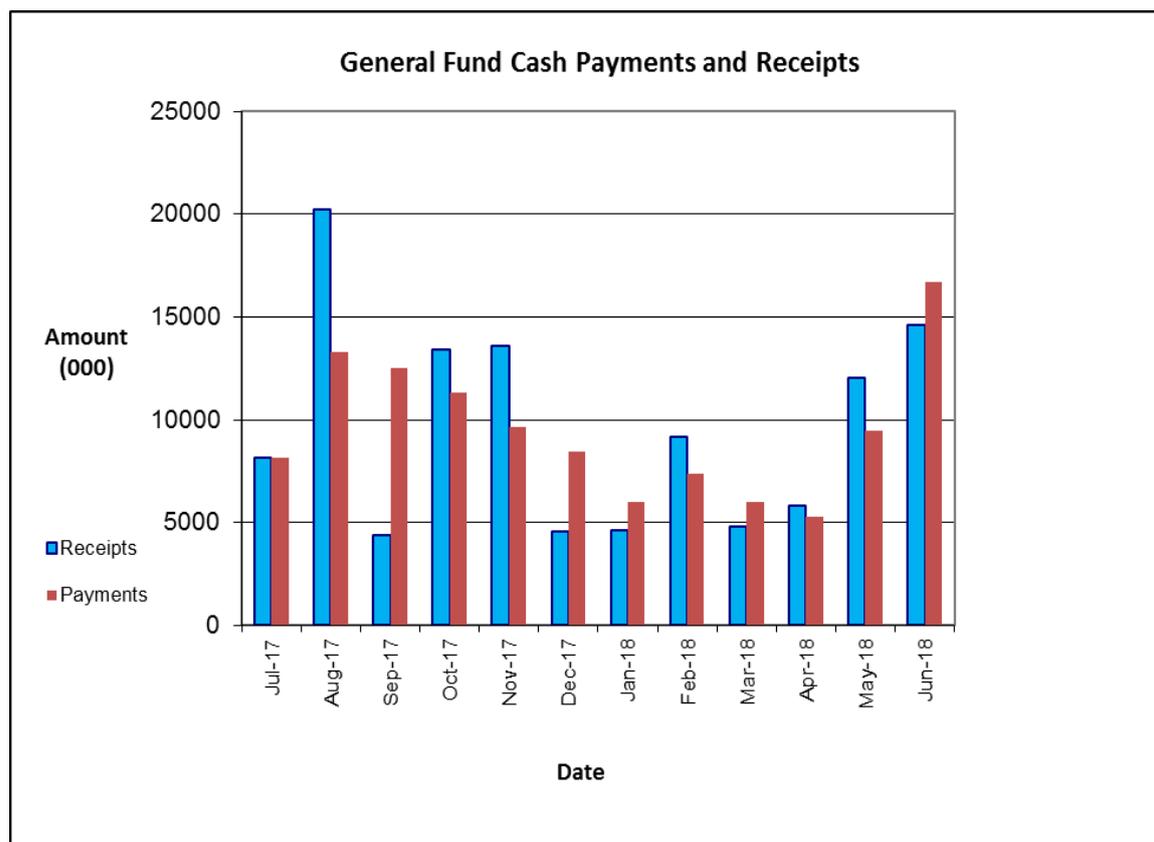
	%
30 day BBSW Index	2.02
Average Interest Rate on Term Deposit Investments	2.63

Investments Register

At the end of the June period Council held \$59,336,157.83 in investments, this is an increase of \$9,922.77 from the end of the May period. General fund bank account balances have decreased by approximately \$1,965,302.76

Investment Summary

Opening Balance at the beginning of the Period	59,326,235.06
Redemption term Deposit to NAB General Fund	(4,000,000.00)
Funds Transferred from NAB General and Business to Saving account	2,000,000.00
Increased principal from roll over of funds	2,009,922.77
Closing Balance at the end of the Period	59,336,157.83



Investment	Sum of Investment at Market Value	Average of Interest Rate %
AMP	7,000,000.00	2.75%
Beyond Bank	5,000,000.00	2.58%
Credit Union Australia	4,000,000.00	2.63%
ING	7,000,000.00	2.55%
ME Bank	5,000,000.00	2.68%
NAB	12,565,824.00	2.65%
Rural Bank	5,000,000.00	2.62%
Westpac	5,000,000.00	2.55%
Term Deposit Total	50,565,824.00	2.63%
T-Corp Hour Glass Account	5,116,183.53	
High Interest At Call Savings Account	3,654,150.30	
Grant Total	59,336,157.83	

Key Issues and Risks

It should be noted that the end of year figures are still being calculated, the position of unrestricted and restricted cash will be reported at the Ordinary Council Meeting August 2018.

Integrated Planning and Reporting Framework

Community Strategic Plan – Leadership for the Region

L2 – Council exceeds community expectations when managing its budget and operations

L2.1 – Financial sustainability is maintained through effective short and long term financial management

L2.1.3 – Develop effective financial management systems

Stakeholder Engagement

An Investment Report is required to be tabled at the monthly Ordinary Meeting of Council.

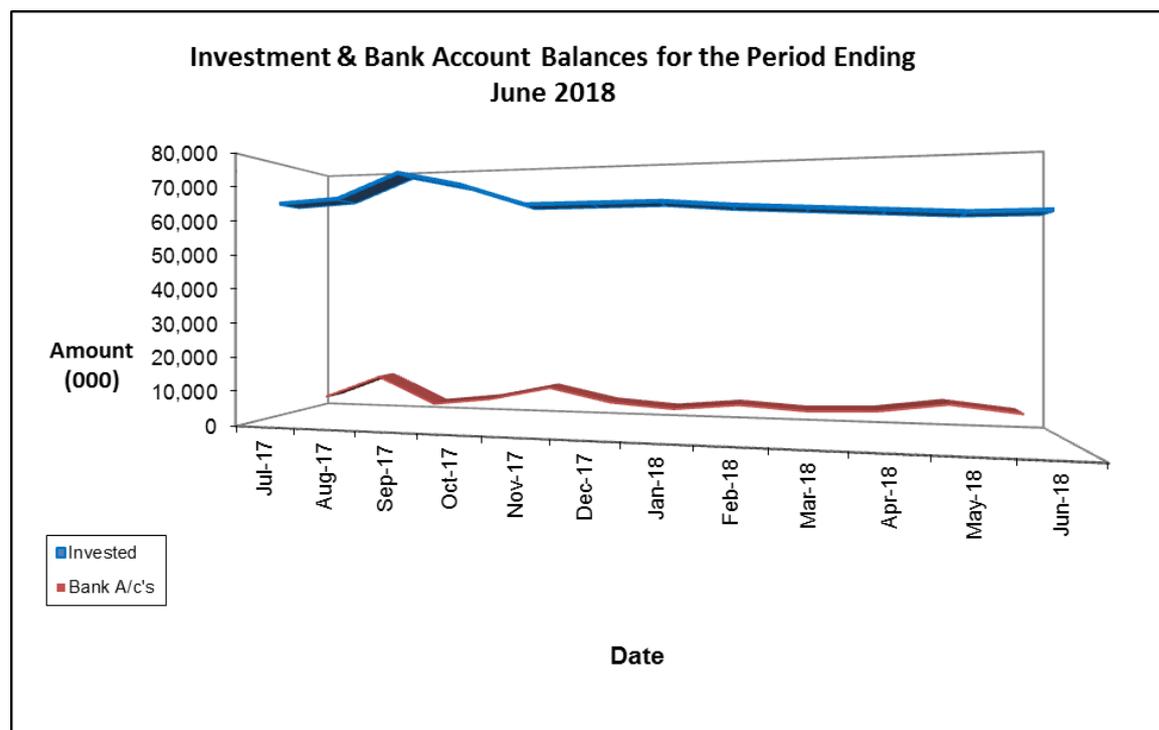
All of Council’s investments for the period ending are in accordance with:

- Council Investment Policy POL152.
- 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.

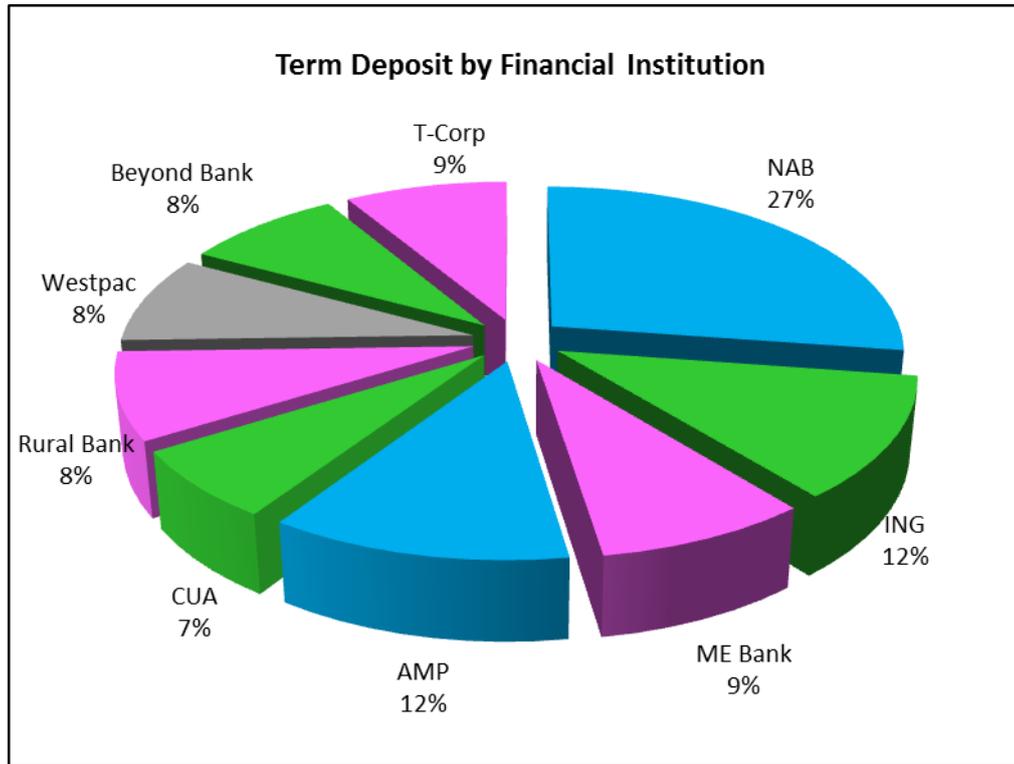
The Investment Policy covers aspects of risk associated with interest rates and bank security.

Financial Implications

That sufficient working capital is retained and restrictions are supported by cash. Cash management complies with the NSW Local Government (General) Regulation 2005.



It should be noted that at this point in time we have the following term deposits:



Next Steps

Continue to monitor the financial position of Armidale Regional Council, including the cash flow and unrestricted funds.

Item:	13.2	Ref: AINT/2018/13812
Title:	FOR INFORMATION: Kempsey to Armidale Road - support from Kempsey Shire Council for reclassification	Container: ARC16/0134
Author:	Rob Shaw, Service Leader Roads and Parks	
Attachments:	1. Letter from Kempsey Shire Council	

RECOMMENDATION:

a) That the letter of support from Kempsey Shire Council be received and noted.

Reason for report:

Council has received a letter from the mayor of Kempsey Shire Council, Councillor Liz Campbell, advising that Kempsey Shire Council at its meeting on 26 June 2018 resolved to support recent discussion surrounding the classification and funding of the Kempsey to Armidale Road.

Kempsey Shire Council resolved the following:

1. Kempsey Shire Council endorse the current negotiations with Armidale Regional Council to seek the classification of the full length of Armidale Road to regional road status for the purpose of pursuing additional funding to improve the standard of the road.
2. This resolution be conveyed to Armidale Regional Council.

Background:

In 2009 the RMS Road Classification Review Panel changed the classification of the Kempsey to Armidale Road (MR75) from "Regional Road" status to "Local Road" for the section from Bellbrook to Wollomombi.

While the section of road from Kempsey to Bellbrook is still classified as Regional Road, the section within the boundaries of the (then) Armidale Dumaresq Shire, for a length of 66.5km, is now a local road with no financial assistance from RMS.

Current Status:

For the information of Councillors, the following action has been taken:-

1. On 28 April 2018 a meeting was held at Lower Creek with residents, plus the Mayor and staff from Kempsey Shire Council. Mayor Simon Murray plus Councillors Bailey, Galletly, Gray, O'Brian, O'Connor and Widders and staff from Armidale Regional Council attended. At this meeting it was agreed to present a joint submission to Roads Minister Melinda Pavey requesting that the road be returned to Regional Road status.
2. Initial letters have been sent to Roads Minister Melinda Pavey, the Member for Northern Tablelands Adam Marshall, the Member for New England Barnaby Joyce, and the Regional Manager of RMS John Alexander, inviting them to attend a meeting with staff and the mayors of both Councils at Lower Creek, at a time to be confirmed later in 2018. Adam Marshall and Barnaby Joyce have both indicated that they would like to lend their support and attend the meeting. John Alexander has advised that he will attend if possible.
3. Local representatives Morgan Thompson and Paul Lawrence have been invited to attend and speak at the meeting on behalf of the local residents.

4. A map and submission is being prepared along with a covering letter to be signed by both mayors. The submission will be supported by letters from local residents of the Lower Creek area and also from residents of the Wollomombi area.
5. An economic assessment report on the net economic worth of upgrading the road in terms of Net Present Value (NPV) and Benefit Cost Ratio (BCR) has been commissioned as a joint project for both councils, and will be attached to the submission. It is expected that this report will be available by the end of August 2018.

It is proposed that the meeting with Roads Minister Melinda Pavey be held as soon as convenient to all concerned in September or October 2018.

Item: 13.3 **Ref:** AINT/2018/14368
Title: FOR INFORMATION: Status Report on New Council Implementation Fund (NCIF) **Container:** ARC16/0113-3
Author: Leah Cook, Service Leader Asset Planning and Design and Acting Service Leader Finance and Information Technolog
Attachments: Nil

RECOMMENDATION:

That Council note the current status of projects funded by the New Council Implementation Fund.

Background:

On 12 May 2016 Armidale Dumaresq Council and Guyra Shire Council merged to become the Armidale Regional Council. As part of the merger, the newly formed council received \$5 million to streamline administrative processes as part of the Stronger Communities Funding.

Key Issues and Risks

The following table outlines the project completion status of the New Council Implementation fund.

*Please note these figures are a representation of the merger funds at 30 June 2018, they are indicative as the end of year financial position is currently being calculated.

Project Description	Merger Fund Allocations	Project Expenditure	Project Commitment Forecast	Status
Develop the 2017-2027 Community Strategic Plan	135,000	133,525	0	Complete
Economic Development Strategy for ARC	90,000	90,900	0	Complete
Develop an Arts and Cultural Plan	50,000	51,700	0	Complete
Asset Revaluation Program	80,000	82,958	0	Complete
Merged Organisation Structure Implementation	975,000	972,354	0	Complete
Merged Organisation Design Project	340,000	344,293	0	Complete
Develop a Media and Communications Frame work	30,000	31,870	0	Complete
Merger Services Transition	225,000	223,542	0	Complete
Develop Culture Improvement Program	160,000	157,794	0	Complete
HR Services for Recruitment of Leadership Team	100,000	99,805	0	Complete
Develop sound financial sustainability modelling to inform the Long Term Financial Plan	45,000	44,349	0	Complete
Implement streaming of Council meetings and enhance teleconference facilities between the two office locations	100,000	99,210	0	Complete
Develop Strategic Business Plans for the Business Unit services	40,000	40,000	0	Complete
Implement the Corporate Performance Management (CPM) module to enhance reporting on the Integrated Planning and Reporting Framework	30,000	32,375	0	Complete
Implement System (PROMAP) to merge processes	75,000	72,727	0	Complete

Develop an Organisation wide process for Project Management	50,000	51,826	0	Complete
Smart City Plan	54,000	51,822	0	Complete
Integrated SCADA System	120,000	120,000	0	Complete
Review Staff accommodation and future ways of working	100,000	30,952	69,048	In Progress
Asset Management Plan Merger Project Stream	100,000	80,930	19,070	In Progress
New Council Domain - Application servers	250,000	229,282	20,718	In Progress
Development Control Plan including LEP Merge	120,000	6,263	113,737	In Progress
Establish and implement a new Armidale Region Brand including rebranding program implementation	430,000	308,143	121,857	In Progress
Review and Enhance the New Armidale Regional Council Website	40,000	7,610	32,390	In Progress
Develop and Implement a Customer Service Strategy	60,000	0	60,000	In Progress
Undertake WHS Audit and Safety Improvement program	260,000	257,989	2,011	In Progress
Rate Book Merge,Modelling & SRV	125,000	43,681	81,319	In progress
Reconfigure Payroll software	155,000	134,716	20,284	In Progress
Develop and implement a new Intranet	100,000	64,310	35,690	In Progress
Review and consolidate Section 94 and 94A Developer Contribution Plans	75,000	10,933	64,067	In Progress
Review and update the Business Continuity Plan	30,000	16,688	13,312	In Progress
Boundary Adjustment	10,000	617	9,383	In Progress
Organisation wide HR review - systems, processes, policies & plans	190,000	127,708	62,292	In progress
Arts and Culture Precinct Master Plan	25,000	5,115	19,885	In Progress
Dumaresq Creek Master Plan	80,000	65,184	14,816	In Progress
Leadership Development Program & Workforce Management Plan	125,000	11,993	113,007	In Progress
Review and enhance Development Application lodgement processes in line with community expectation and statutory obligations (including digitised lodgement and processing options)	4,000	0	4,000	Not Started
Modules to manage Council owned properties and licences	2,000	0	2,000	Not Started
Certificates of title review and rationalisation / consolidation	20,000	0	20,000	Not Started
	5,000,000	4,103,164	898,886	

Integrated Planning and Reporting Framework

Community Strategic Plan – Leadership for the Region

L2 – Council exceeds community expectations when managing its budget and operations

L2.2 – Council implements a business excellence program across its operations

L2.2.1 – Report on the transition to a Stronger Council

Stakeholder Engagement

The Stronger Communities Fund (SCF) and New Council Implementation Fund (NCIF) Funding Agreement requires Council to submit six-monthly reports to the Office of Local Government.

Financial Implications

With the allocated funding to the projects, the budget for the merger projects will be balanced.

Next Steps

Monitor and regularly review the progress and expenditure of each project to ensure the project is on track and on budget, as unspent funds will need to be reallocated.

Item: 16.1 **Ref:** AINT/2018/12224
Title: FOR INFORMATION: Minutes - Business Advisory Committee - 25 June 2018
Container: ARC17/2172
Author: Peter Wilson, Acting Service Leader Governance, Risk and Corporate Planning
Attachments: 1. Minutes - Business Advisory Committee - 25 June 2018

RECOMMENDATION:

That Council note the Minutes of the Business Advisory Committee meeting held on 25 June 2018, as there were no committee recommendations that require a council decision.

Item: 16.2 **Ref:** AINT/2018/13398
Title: FOR DECISION: Minutes - Traffic Advisory Committee Meeting held 2 July 2018 **Container:** ARC16/0168
Author: Belinda Ackling, Personal Assistant
Attachments: 1. Minutes - Traffic Advisory Committee - 03 July 2018

RECOMMENDATION:

- a) That the Minutes of the Traffic Advisory Committee meeting held on 2nd July 2018 be noted.
- b) That the single parking space in front of the Minto building in Rusden Street be removed and line marked appropriately.
- c) That 2 x 30 minute parking space be installed in Rusden Street in front of 186 Rusden Street.
- d) That Council investigate timed parking both within the Phoenix Centre, and on street within the library precinct.
- e) That Council approve the use of local Armidale roads for the Earl Page College Coast Run occurring from Friday 24th August 2018 to Saturday 25th August 2018, in accordance with the submitted Traffic Management Plans and subject to any special conditions required by NSW Police Force. Additionally the organising committee be advised that approval must be sought from the Roads and Maritime Services for the use of roads under their jurisdiction.
- f) That a 10mt median strip be installed on Dumaresq Street at the (Armidale Plaza) Moore Street Carpark exit.
- g) That the Committee noted the operational actions taken for the physical closure of Isabella Street Hillgrove an unformed and unmaintained Council road.
- h) That the developer of DA-73-2018 Ross St Traffic Impact Assessment Rev B be advised
 - i. That the intersection be converted to a standard tee intersection. Ross Street being the priority road, Markham a give way and all the required signage and line marking.
 - ii. That the extension of Ross Street is to be constructed at a width of 11.6 to ensure sufficient width for parking in Ross Street for visitors to both 244 Markham and 126 Ross park in the unformed section of Markham.
 - iii. That the developer be required to pay for the cost of the changes to that intersection in addition to the new road works.
 - iv. That the changes to the intersection be communicated to the public and the residents of the area.
- i) That the developer of DA-117-2012/E - Cookes Hill Subdivision - Location of Macdonald Drive Pedestrian Footpath and Street Crossing be advised

- I. That options two be the preferred pedestrian path option.
- II. That at the developers cost, a pedestrian refuge to the specification of the RMS be installed on Cookes Road in conjunction with the new footpath location and associated warning signs.

The following requested change for the Marsh/Mann Street intersect were missed from the May report to Council and require endorsement.

- j) That the Marsh Street "Giveaway" signs at the intersection with Mann Street be changed to "Stop" signs and associated line marking be installed.
- k) That the Mann Street "No Stopping" zone on the north east corner of Marsh Street be extended by 5 metres.