

# Armidale

Regional Council

BUSINESS PAPER

ORDINARY MEETING OF COUNCIL

To be held on

Wednesday, 16 November 2016  
9am

at

Armidale Council Chambers

**Members**

Administrator, Dr Ian Tiley

AGENDA

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**10.1 Provision of Temporary Labour Hire**

*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.*

**10.2 Quarterly Debt Recovery Report**

*As this report deals with the personal hardship of any resident or ratepayer (Section 10A(2)(b) 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.*

**Item:** 7.1.1 **Ref:** AINT/2016/07810  
**Title:** Modification to DA-19-2009 - Deletion of Condition 36B **Container:** DA-19-2009:03  
**Author:** Acting Director Planning and Environmental Services  
**Attachments:** Nil

**RECOMMENDATION:**

**That Council delete Condition 36B from DA-19-2009 and allow for the consideration of the remainder of the proposed modification under delegation.**

**Introduction:**

Council has received a modification under Section 96(2) of the Environmental Planning and Assessment Act, 1979 in relation to DA-19-2009. DA-19-2009 was approved on the 22 March 2010 and allowed for the undertaking of a 72 lot subdivision on land predominantly located within the R2 – Low Density Residential Zone. The proposed development is considered to have achieved physical commencement. The application (DA-19-2009/A) proposes to make a number of modifications to the existing consent. Some of the proposed modifications are considered to be administrative in nature (e.g. reordering of proposed stages and refining of engineering requirements) while other sought changes are considered to be more significant (e.g. deletion of a requirement to undertake riparian planting along the southern bank of Dumaresq Creek, deletion of internal footpath and reliance upon NBN wireless connections rather than fixed landlines).

This report concerns the deletion of Condition 36B only. Condition 36B reads as follows:

*That the development incorporate an easement 6 metres wide for a future shared path for public access adjacent to the alignment of Dumaresq Creek, at an exact location to be determined in consultation with Council's Director of Engineering and Works or nominee, to connect Tombs Road and Inces Road.*

Confirmation is also sought from Council that the remainder of the proposed modification may be dealt with under delegation as the layout of the approved subdivision will remain largely unchanged.

**Report:**

DA-19-2009 was determined at a Council Meeting held on the 18 March 2010. At that meeting, the Councillors passed a resolution that an additional condition be included on any consent issued in relation to the creation of an easement for a future shared pathway. The minutes of that meeting reflect the following passed resolution:

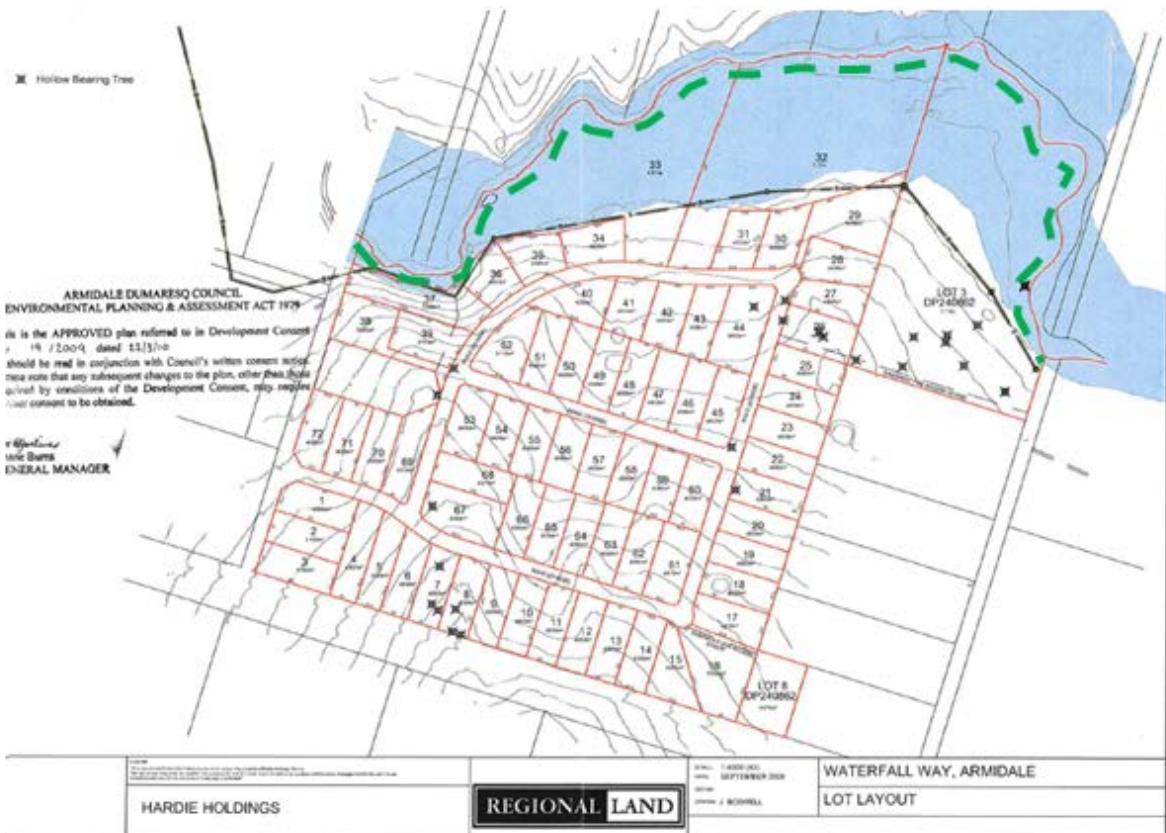
*That an additional consent condition be included that an easement be provided for future construction of a shared pathway for public access from Tombs Road to Inces Road.*

This requirement became Condition 36B with the following more detailed emphasis:

*That the development incorporate an easement 6 metres wide for a future shared path for public access adjacent to the alignment of Dumaresq Creek, at an exact location to be determined in consultation with Council's Director of Engineering and Works or nominee, to connect Tombs Road and Inces Road.*

The applicant is seeking the deletion of this condition, having provided the following justification:

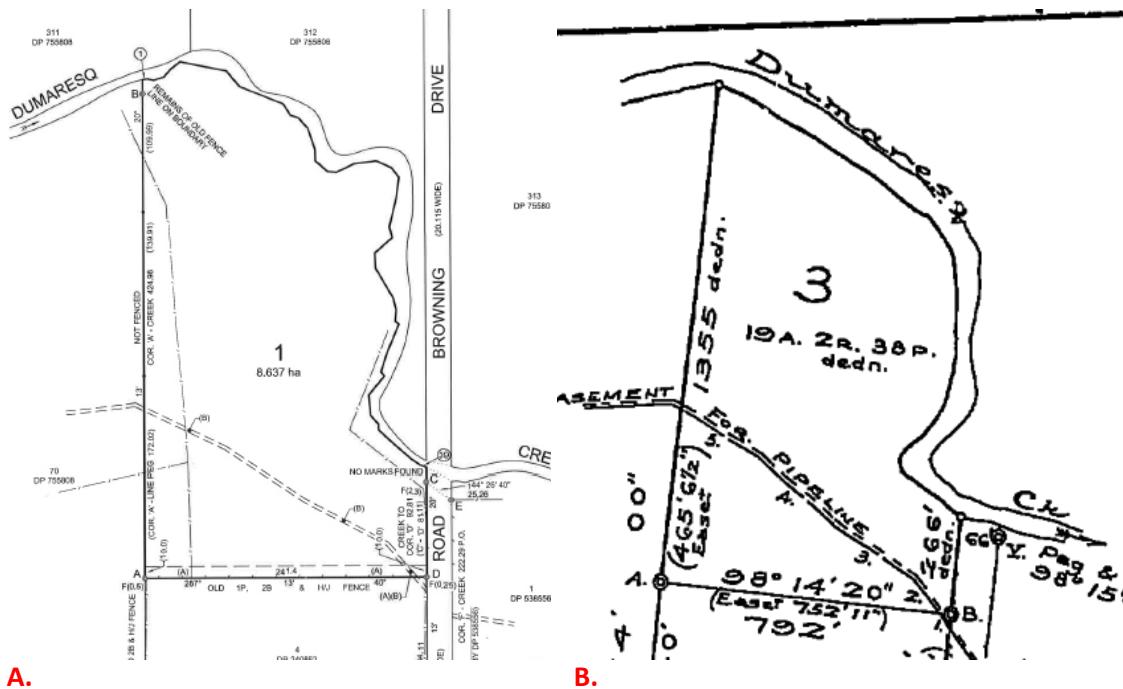
*Not in the Public's interest to include this provision and detrimental to future sale and value of Lots fronting Dumaresq Creek. Also difficult and expensive to create or maintain a gravel footpath due to flood-prone land and inherent soil profile (silty clay).*



*Figure 1: Approved plan of subdivision. The green dotted line indicates the approximate location of the proposed shared pathway easement giving effect to Condition 36B.*

The required easement would pass through future Lots 32 and 33 and an existing allotment known as Lot 3 in DP240862. The easement would therefore pass through three parcels of private land for the purpose of public access.

The necessity to consider the fate of Condition 36B has been brought forward ahead of the full determination of DA-19-2009/A due to the submission of a redefinition plan in relation to Lot 3 in DP240862 (redrawing of creek boundary to follow the natural alignment of the creek – the top of the creek bed forms the northern and eastern boundaries of the allotment). The redefinition plan shows the creation of a new easement along the southern boundary of the allotment which will provide future emergency access to the development as a whole (being a requirement of DA-19-2009). It does not show the creation of the required shared pathway easement in accordance with Condition 36B. As a decision has not been made in regard to the deletion of Condition 36B, it is not possible to sign the proposed redefinition plan on behalf of Armidale Regional Council.



*Figure 2: A = Proposed redefinition plan for Lot 3 in DP240862 and B = Current plan of subdivision for Lot 3 in DP240862.*

The concept of a shared pathway along Dumaresq Creek is considered to be a good outcome from a planning and community perspective, however the reasons below need to be also taken into consideration is the assessment of deleting Condition 36B:

- The landowner does not consent to the creation of an easement for public access purposes.
- Council's current bicycle strategy (Armidale Bicycle Strategy and Action Plan, 2012) does not explicitly refer to the creation of a shared pathway along this Southern section of Dumaresq Creek. Strategic justification for the creation of the easement is considered to be limited given future bicycle linkages along Dumaresq Creek have not been accounted for within the strategy.
- The creation of an easement for public access purposes across private land is considered to be a potential source of future land use conflict.
- Any easement would likely require fencing in order delineate between the private and public realm. Land along the creek frontage is considered to be flood liable meaning that the replacement or repair of fencing following a flood event is likely and would place additional costs upon Armidale Regional Council.
- DA-19-2009 does not require the developer to construct a shared pathway within the easement. The purpose of the easement is to merely set aside land for the construction of a future easement. It is understood that the construction of a shared pathway along this Southern section of Dumaresq

Creek does not form part of Council's capital works programme. As such, there is uncertainty as to when a shared pathway would be constructed, which is further complicated by the lack of justification within Council's current bicycle strategy.

- It is noted that internal discussions held prior to the determination of DA-19-2009 focussed upon the possible creation of a public reserve along Dumaresq Creek. It was decided at officer level that Council could not legally impose such a requirement given the then landowner was not amenable (unless satisfactory compensation was made) and Council was not administering a contribution plan which sought to collect funds for the construction of a shared pathway. In some ways this situation remains unchanged. It is considered to be legally precarious to impose a requirement to create an easement for public access purposes over private land where there is not strong justification (e.g. a bicycle plan which seeks to create future linkages along this section of the creek). Arguably some justification for the creation of the easement can be derived from the former Development Control Plan (DCP), 2007 (under which DA-19-2009 was determined). Section C1 of the former DCP, which refers to urban residential subdivision, contains a section in relation to public open space. The provision does not contain a threshold at which public open space must be provided instead deferring to any open space strategy administered by Council or the DCP itself. Given the former DCP makes no specific reference to the location or size of future public open space, the assessing officer would have turned to possible open space strategies developed by Council's Parks and Gardens Department. The assessing officer in respect of DA-19-2009 provided the following commentary in relation to public open space:

*It is not proposed that this development would provide any additional public open space. Council's Civic and Recreational Services staff have indicated that provision of additional public land in this location is not desired due to existing amount of open space controlled by Council and associated maintenance costs.*

*The preference in this instance was for land adjacent to Dumaresq Creek to be incorporated into allotments and maintained privately.*

*Additionally, it was considered that in the context of the low density residential subdivision (with allotments in excess of 4000m<sup>2</sup>), demand for passive recreational pursuits could be accommodated within individual allotments. Active recreational pursuits could be carried out at existing facilities within the urban area.*

Council's position at officer level in relation to the creation of new public open space remains unchanged.

- The more appropriate mechanism would be to consider some form of future acquisition following a resolved position upon bicycle linkages along Dumaresq Creek. Without such a position, it is difficult to defend a connection between the imposition of the condition and its purpose.

### **Community Engagement and Internal Consultation**

DA-19-2009/A has not been subjected to public notification. It is noted that the original application attracted five submissions. Public notification was not undertaken due to the layout of the proposed subdivision remaining unchanged. The proposed modification does not introduce any new impacts to adjoining residents beyond that already considered under the original consent. The deletion of the easement for public access along Dumaresq Creek in one sense can be considered as a loss for the community however the consent did not require the actual pathway to be constructed and there remains opportunity for Council to consider extending linear connections along Dumaresq Creek through a process of consultation and acquisition. It is noted further that part of the modification seeks to remove an estimated five to seven poplar trees from the Grafton Road reserve due to current Roads and Maritime Services specifications in terms of intersection works (being the intersection of Tombs Road with Grafton Road). A plan showing the intersection works and proposed tree removal was received by Council on the 25 October 2016. The majority of poplar trees located along this section of Grafton Road are identified as being Heritage Items (No. I244 – AIF Memorial Avenue of Trees WW1). Consultation with the Armidale RSL will be undertaken prior to determining the modification. If an objection is received from the Armidale RSL in relation to tree removal, the modification will be returned to Council for a decision.

### **Financial Implications**

There is considered to be possible financial implications for Armidale Regional Council as a public authority. Possible financial implications do not appear to have been costed but would include costs associated with the construction of a shared pathway (to bitumen standard in accordance with relevant engineering code), fencing and replacement/repair of fencing following flood events.

### **Good Governance**

All relevant sections of the Environmental Planning and Assessment Act, 1979 have been taken into consideration in the preparation of this report and will be taken into the consideration during the assessment of the remainder of the proposed modification.

### **Integrated Planning and Reporting Framework**

Not applicable.

### **Sustainability Assessment**

Although this report considers the deletion of a shared pathway, which can be considered to promote a healthy community, the development will still make provision for cycling along new internal roads and will extend an existing bicycle link along Grafton Road.

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<b>Item:</b>	7.2.1	<b>Ref:</b> AINT/2016/07453
<b>Title:</b>	Crown Land Management Bill 2016	<b>Container:</b> ARC16/0262
<b>Author:</b>	Governance Officer	
<b>Attachments:</b>	Nil	

**RECOMMENDATION:**

**That the report on the NSW Government's review of Crown land management and the introduction of the Crown Land Management Bill 2016 into Parliament be noted.**

**Introduction:**

The Crown Land Management Bill was introduced into the NSW Parliament on 19 October 2016. The introduction of the Bill follows a major review of Crown land management and legislation that commenced in 2012. The Bill is the first stage in a process that consolidates eight existing pieces of legislation into a single legislation.

**Report:**

Crown land includes sports and recreational land, waterfront land, Crown public roads, beaches, caravan parks, travelling stock routes, green space and recreational facilities and cemeteries. Across NSW, there are 580,000 individual Crown land parcels, covering about 34 million hectares or around 42% of NSW but does not include national parks or state forests.

Local government currently manages around a quarter of the State's 33,000 crown reserves.

In 2012, the NSW Government initiated a review with the aim of improving management of Crown land. In 2014 a review report, government response and a White Paper with policy options were published. In 2015 the Government published their response to more than 600 submissions on the white paper.

In 2016 the Parliamentary Inquiry into Crown land was conducted with over 350 submissions being received.

The NSW Upper House inquiry examined:

- Crown land in NSW, its uses and management;
- The adequacy of community consultation on commercial use and disposal of Crown land;
- The best way of protecting and managing Crown land in the future; and
- Aboriginal land claims over Crown land and how to improve Aboriginal involvement in its management.

The recommendations from the inquiry were:

1. That the NSW Government consider additional legislative protections to ensure Local land is retained as public land and managed in the public interest.
2. That the Department of Industry – Lands prepare a strategic plan, in consultation with local governments, that establishes how Crown land will be effectively managed, maintained and resourced under the new Crown land legislative framework.
3. That the NSW Government include a provision in new Crown land legislation for the appointment of a Crown Lands Commissioner to oversee the implementation and management of new Crown land legislation.
4. That the NSW Government develop a proposal to be included in new Crown land legislation that will recompense local councils for owning and managing Crown land as

- Local land, including transferring to local government equitable access to funds from any money generating capabilities on the land, such as telecommunication towers.
5. That the NSW Government include a provision in new Crown land legislation for showgrounds, travelling stock routes and reserves and Scout/Girl Guide halls to be classified as State land.
  6. That the NSW Government include in new Crown land legislation consultation methods based upon plans of management that currently operate in the *Local Government Act 1993*, including model plans of management for different classes of land.
  7. That the Department of Industry – Lands develop guidelines to ensure that plans of management and leases on Crown land are flexible enough to allow for small community-oriented commercial activities (for example pop-up diners or coffee vans) to operate for the benefit of both the community and the manager or lessor of the land.
  8. That the NSW Government consider introducing a shared equity scheme for affordable housing on Crown land.
  9. That the Department of Industry – Lands undertake a stocktake of all Crown land in New South Wales before any land is transferred to local government as Local land under proposed new Crown land legislation.
  10. That the Department of Industry – Lands undertake a digitisation project of maps identifying Crown land in New South Wales and publicly release an accurate register of Crown land.
  11. That the NSW Government, when implementing the stocktake of Crown land in New South Wales at recommendation 9, must consider an audit of its ecological value including its local, regional and state environmental significance.
  12. That the Department of Industry – Lands report to General Purpose Standing Committee No. 6 in March, July and December 2017 regarding the implementation of recommendations made by the Auditor-General in the report entitled ‘Sale and lease of Crown land’, published 8 September 2016.
  13. That the Department of Industry – Lands explore the feasibility of including an appeals mechanism, adjudicated by an independent arbiter, for decisions regarding Crown land plans of management, sales and leases.
  14. That the Minister for Lands and Water increase staffing levels for the Crown roads disposal program, increase the minimum time for publication of the proposal to dispose of Crown roads and consider methods to widen the scope of public notification so that a broader group of interested stakeholders are made aware of proposed land sales.
  15. That the Minister for Lands and Water ensure that Crown roads will only be transferred as Local land on a voluntary basis to local government once the Department of Industry – Lands has reduced the current backlog of closure applications to a manageable level.
  16. That the Minister for Lands and Water increase the funding for the Local Land Services and amend its governance structure to allow input from drovers and graziers at board level.
  17. That the Minister for Lands and Water:
    - ensure that the Local Land Services adopt consistent State-wide policies and practices regarding travelling stock routes and reserves
    - amend the Local Land Services permit process for drovers and graziers accessing travelling stock routes to introduce a one-stop-shop, which provides an annual permit and an ability to pay online
    - amend the Local Land Services licencing process for beekeepers on travelling stock reserves to introduce a one-stop-shop, with uniform State-wide fees, and consider issuing licences for more than one year
    - introduce a Local Land Services ranger internship program where all rangers must

- complete training with drovers and graziers.
18. That the NSW Government ensure the new Crown land legislation recognises the fact of prior and continuing Aboriginal custodianship of Crown land and operates together with the *Aboriginal Land Rights Act 1983*.
  19. That the Department of Industry – Lands prioritise the conduct and completion of the Aboriginal Land Agreements pilot program in the local government areas of Federation Council, Northern Beaches Council, Tamworth Regional Council and Tweed Shire Council, with an evaluation of the pilot to be made publicly available by the end of 2017.
  20. That the Minister for Lands and Water develop a policy to prioritise Aboriginal land claims for economically viable land.

### **Community Engagement and Internal Consultation**

In 2012, the NSW Government commenced the review, with multiple consultative processes occurring since and resulting in over 600 submissions.

There was extensive consultation with local government during the review process. LGNSW strongly advocated for reform of Crown land management for many years and many of the changes sought by local government have been taken up in the Bill.

The NSW Parliament's Legislative Council General Purpose Standing Committee No.6 undertook an inquiry into Crown land, with more than 340 submissions received.

Throughout the reform process and the parliamentary inquiry, community input clearly and consistently highlighted the expectation of stronger community engagement, consultation and information sharing on Crown land decisions. The Bill mandates the implementation of a community engagement strategy that will provide a framework for improved engagement.

The timetable for development of the Crown land community engagement is:

- 2016 – new Bill introduced into NSW Parliament
- 2017 – development of strategy, after legislation has passed
- 2018 – strategy implemented by start of new legislation

### **Financial Implications**

The NSW Upper House inquiry was held in an attempt to address fears raised about the Crown Land Bill before it was tabled in Parliament, including concerns that local councils could collapse under extra responsibilities for land and roads and that it will become easier to sell off Crown Land to private interests.

The new Act would divide Crown lands into state and local lands and transfer all local land to councils. The remainder (classed as Crown lands) will be transferred to the relevant government department to be managed.

### **Good Governance**

LGNSW argued that any transfers of Crown land to councils must be subject to council agreement, to protect councils from cost and responsibility shifting. LGNSW advocacy has resulted in this condition being provided for in the Bill.

Other key elements advocated by LGNSW that are included in the Bill include:

- Streamlining Crown lands legislation with the repeal of 8 existing Acts and consolidation into one single Act;

- Land with predominantly local value may be vested in councils by the Minister, subject to agreement of councils;
- Less red tape with Crown lands managed by councils, to be managed as public land under the Local Government Act; and
- Recognition and facilitation of Aboriginal involvement in Crown land management.

#### **Integrated Planning and Reporting Framework**

A key theme of the Bill is that it involves local councils, which are best placed to own and/or manage locally significant Crown land.

#### **Sustainability Assessment**

Crown land is central to every community across NSW and it is used by many people and delivers widespread social, cultural, environmental and economic benefits for our state. Land currently managed by councils is most commonly open space and provides for a range of activities including passive and active recreation, sports facilities, caravan and camping parks and other public amenities.

Local Government NSW considers that the objective of protecting Crown land will be best served by responsibility and ownership sitting with the spheres of government and community that have the most stake in it.

The management of Crown land has become overly complex and having one piece of legislation to cover the Crown estate would help to streamline the processes and provide a simpler framework.

<b>Item:</b>	7.2.2	<b>Ref:</b> AINT/2016/08060
<b>Title:</b>	Supply and Delivery of Bitumen Emulsion	<b>Container:</b> ARC16/1135
<b>Author:</b>	Chief Finance and Information Officer	
<b>Attachments:</b>	1. Tender Evaluation Report - October 2016- <i>As this attachment 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; AND deals with commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i) of the Local Government Act 1993). Council closes part of 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>	

**RECOMMENDATION:**

- a) That Council accepts Fulton Hogan Industries for the Supply and Delivery of Bitumen Emulsion for the period 1 January 2017 to 31 December 2018.
- b) That a provision be allowed for a 12 month extension based on satisfactory supplier performance, taking this contract through to 31 December 2019.
- c) That the General Manager be delegated authority to sign any relevant documents on Council's behalf.

**Introduction:**

The current contract for Supply and Delivery of Bulk Cationic Bitumen CRS is due to expire on 31 December 2016 and approval is sought to accept tenders for a new contract. As a result of discussions with participating councils regarding their requirements for the Supply and Delivery of Bulk Cationic Bitumen CRS, Regional Procurement has called an open Single Source by Council tender.

**Report:**

The proposed contract was arranged by Regional Procurement Initiative (Division of Hunter Councils) for Council. The existing contract was also arranged by Regional Procurement, between Guyra and Armidale Dumaresq Council as it represents a cost effective way of contracting and provides opportunity for aggregation of supply. The items required are mainly operational requirements for Council's depots and Engineering.

The proposed contract is for two years from 1 January 2017, with an option to extend for twelve (12) months. Tenders closed on the 4<sup>th</sup> October 2016 and three tenders were received. No late tenders were received and no tenders were deemed non-compliant. The tender process has been conducted in accordance with Clause 166(a) of the *Local Government (General) Regulation 2005*. Tenders were assessed by a panel including relevant Council staff. A report is available detailing the number received, the method of evaluation and recommendations.

Following evaluation, prices offered by Fulton Hogan Industries are recommended to be accepted.

### **Community Engagement and Internal Consultation**

Community engagement was extended to potential suppliers in and around the Council area to discuss the supply of bitumen to Armidale Regional Council. Regional Procurement liaised with Council staff prior to advertising this tender in the necessary newspapers and on Tenderlink.

### **Financial Implications**

This contract spend is estimated at over \$430,000 for the contract period, gauging past use. There are no financial implications other than accepting the most competitive contract price. By tendering collectively with many Local Government organisations we have been able to lock in low pricing for bulk purchasing across the region.

### **Good Governance**

Out of this consultation process, Council have ascertained competitive prices via contract due to bulk purchasing arrangements. Council will be purchasing this product from one organisation for proven value for money as an outcome of the tender process.

### **Integrated Planning and Reporting Framework**

- Delivery Program 2015-2019:  
Strategic Objective – Ensure efficiency and innovation in all practices undertaken by Council.  
Strategy 1 – Strive for productivity improvement and efficiencies  
Action – Encourage continuous improvement of Council's operations
  
- Operational Plan 2016/17:  
Strategy – Develop internal processes for efficient services  
Action – Integrate business processes with the Integrated Planning and Reporting Framework  
Activities – Administer Council's Policies

### **Sustainability Assessment**

Strategic procurement requires accountability for the spending of Council funds which is justified, planned and transparent. Goods and services procured must be 'fit for purpose' and represent value for money while being socially responsible and ensuring probity in the procurement process.

Council can have a leading role through its procurement to encourage good practices by its suppliers by using its purchasing power to achieve environmental and social benefits and at the same time reduce costs.

Joint tendering across many local government areas has allowed Council to obtain the best price to assist with financial sustainability and value for money.

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**Item:** 7.2.3 **Ref:** AINT/2016/08221  
**Title:** Armidale Showground Trust Request For Rate Relief **Container:**  
ARC16/0176-1  
**Author:** Governance Officer  
**Attachments:** Nil

**RECOMMENDATION:**

- a) That the interest accrued on the Armidale Showground Trust Rate Assessment 168120, totalling \$8,543.33 for the period 2007 – 2016, be written off.
- b) That the Armidale Showground Trust be advised that the write off is a one off and no further requests for financial relief will be considered.

**Introduction:**

Consideration of a request from the Armidale Showground Trust to waive the interest accrued on their Rate Assessment for Annual Charges.

**Report:**

The Armidale Showground is an important community asset and the appointment of an Administrator to improve the financial viability of the facility, along with the development of a Business Plan are positive steps towards the future sustainability of the asset.

Financial assistance from Council will greatly assist the financial position of the Showground.

**Community Engagement and Internal Consultation**

In December 2007 the Trust made a formal request for the rates to be totally waived.

The Governance and Risk Committee resolved on 4 February 2008 “*that Council contribute \$2,341.40 towards the rate notice, from the community assistance funding within the 2007/08 budget.*”

The Trustees of the Armidale Showground Reserve Trust addressed Council on 6 April 2009 outlining a number of concerns and followed this up with a formal proposal to Council on 4 May 2009. The proposal included requests for the Trust to be granted an exemption from rates (annual charges) totaling \$6,325.36, based on the current year, and a 50% rebate on water charges as the other 50% was recoverable from user groups.

Council on 22 June 2009 resolved “*that Council offer to waive half of the rates of the Armidale Showground Reserve Trust and take the sum of \$3,000 off the cost of the water rates for 2009-2010.*”

The wording of the resolution is a bit ambiguous as to the quantum of the financial assistance and a search of council records indicates that the council decision was not actioned.

Management has had further meetings with the Trust Administrator in August and September this year in regard to the financial management of the facility. During those discussions the Trust expressed the view that they had an agreement with Council that while the overdue amount was being paid off there would be no interest charged. However both Council and the Trust have been unable to locate documents that can verify that such an agreement was in place.

### **Financial Implications**

Total interest accrued on the Annual Charges Assessment, from 1 July 2007 to 30 June 2016 was \$8,543.33. Note that in the 5 years 2007/08 – 2011/12 only 20% of the accrued debt was paid off compared to 80% settlement over the last 4 years to 30 June 2016.

The 2016/17 Rate Notice includes annual charges for Water Access, Water Closets (43), Sewerage – Urinal (18), Domestic Waste Management, Landfill and Drainage.

### **Good Governance**

Armidale Dumaresq Council had been appointed to the Trust Board of the Armidale Showground Reserve Trust as an Ex-officio member and in 2014 the Minister administering the *Crown Lands Act, 1989* approved “the person for the time being holding the office of Mayor” for a term commencing on 7 March 2014 and expiring on 6 March 2017.

On the 1 May 2015 an Administrator was appointed as the Trust did not meet its membership requirements due to a number of resignations.

A key focus of the Administrator has been to improve the financial management of the facility, including the payment of outstanding Council water consumption bills and annual charges.

### **Integrated Planning and Reporting Framework**

The Armidale Dumaresq Council Community Strategic Plan 2013-2028, Our Infrastructure Theme identifies the need to improve and maintain parks, open spaces and sports grounds. While it is acknowledged that the Showground is crown land and managed by an Administrator (Trust Board), the facility is regarded as a vital community asset and therefore its future sustainability should be a focus for the Council.

### **Sustainability Assessment**

The Armidale Showground Business Plan December 2015 has reviewed all aspects of the operations of the Showground. In preparing the document consultation occurred with a wide range of organisations and groups including the former Armidale Dumaresq Council.

The Showground has significant potential to be a well used outdoor recreation and event venue and the consultation showed that there is community interest in having the venue succeed and become sustainable.

**Item:** 7.2.4 **Ref:** AINT/2016/08316  
**Title:** Purchase of Lot 1 DP 164017, 149 Rusden Street **Container:** ARC16/0008  
**Author:** IPR and Legal Officer  
**Attachments:** Nil

**RECOMMENDATION:**

**That the outstanding rates for Lot 1 DP164017, 149 Rusden Street for the sum of \$2,319.25 be waived and legal proceedings be discontinued.**

**Introduction:**

Council resolved to purchase the abovementioned property on 15 June 2016.

**Report:**

Council was approached by the owner of the land (Lot 1 DP 1640170, 149 Rusden Street) who offered to sell the property and that all outstanding rates be written off.

A rates notice was issued in respect to the above property to Vacuum Oil Company Ltd (which changed its name in 1962 to Mobil Oil Australia Pty Ltd). Council had issued Local Court proceedings against Mobil for the recovery of outstanding rates levied in respect to this property.

The fact that Mobil owned this property only came to the company's attention upon receipt of the Statement of Claim issued on 14 January 2016.

In recent past, Council has taken control of the subject property; the land in question has been surfaced with bitumen and has been incorporated as part of the Council owned car park.

Mobil had no long-term interest in retaining ownership of the property and offered the property for sale. Council resolved to exercise this option on 15 June 2016. Negotiations indicated that the sale of the property take place on the basis that Council waive the payment by Mobil of all outstanding rates and that the court proceedings be discontinued.

**Community Engagement and Internal Consultation**

Instructions were provided by the rates department (Finance).

**Financial Implications**

Outstanding rates, the cost of the land and the cost of the purchase.

**Good Governance**

Addressing the issues of outstanding rates, and purchasing the lot so that the maintained carpark belongs to Council.

**Integrated Planning and Reporting Framework**

Not applicable.

**Sustainability Assessment**

Not applicable.

**Item:** 7.2.5 **Ref:** AINT/2016/08482  
**Title:** First Quarter Review - Integrated Planning and Reporting **Container:** ARC16/0006  
**Author:** IPR and Legal Officer  
**Attachments:** 1. 2016-2017 Operational Plan First Quarter Review

**RECOMMENDATION:**

**That the report based on the goals from the Delivery Program and Operational Plan be noted.**

**Introduction:**

The document within the attachment is a report based on the goals from the Delivery Program and Operational Plan.

**Report:**

The *Local Government Act 1993 S 404 (5)* states: The General Manager must ensure that regular progress reports are provided to the Council reporting as to its progress with respect to the principal activities detailed in its Delivery Program. Progress reports must be provided at least every six months. Council has built a reporting mechanism within the Corporate Planning Module which allows officers to report on a monthly basis.

Within the attachment is a copy of a report based on goals from the Delivery Program and Operational Plan.

**Community Engagement and Internal Consultation**

Responsible Officers were contacted by email to remind them of deadline for the report.

**Financial Implications**

No financial implications are considered in the report.

**Good Governance**

Complying with the Local Government Act 1993, section 404; Reporting on the progress of the implementation of the Delivery Program.

**Integrated Planning and Reporting Framework**

Complying with Integrated Planning and Reporting legislation.

**Sustainability Assessment**

Environmental implications as set out in the Integrated Planning and Reporting documents are found within the attachment.

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**Item:** 7.2.6 **Ref:** AINT/2016/08508  
**Title:** Minor Local Government Boundary Adjustment Request **Container:** ARC16/0176-2  
**Author:** Chief Finance and Information Officer  
**Attachments:** 1. Locality Plan - 794 Maybole Road, Ben Lomond. Silent Grove Holding

**RECOMMENDATION:**

**That Council approve the minor local government boundary adjustment for Lot 2 DP367106 & lot A DP445762, 794 Maybole Road, Ben Lomond, so that the whole of the property is located within the Glen Innes Severn Council Local Government Area.**

**Introduction:**

Council received a request from the owner of Lot 2 DP 367106 & lot A DP 445762, for a minor local government boundary adjustment between Armidale Regional Council and Glen Innes Severn Council.

**Report:**

The owner of Silent Grove, 794 Maybole Road, Ben Lomond, has requested that the local government boundary between Armidale Regional and Glen Innes Severn Councils be adjusted so that the whole of their property be located within the Glen Innes Severn Council local government area.

The total area of their property, "Silent Grove", is 533.21 hectares, see attached map. 14.08 hectares consisting of Lot 2 DP 367106 & lot A DP 445762 is located within the Armidale Regional Council Local Government Area. The remaining 519.13 hectares of Silent Grove is located within the Glen Innes Severn Council Local Government Area. The property owner has advised that the request has been provided to Glen Innes Severn Council.

**Community Engagement and Internal Consultation**

Should Council approve the boundary adjustment request, the resolution will be forwarded to Glen Innes Severn Council to further the process by that Council.

**Financial Implications**

The rating income for the 2016-2017 financial year generated by Lot 2 DP367106 & Lot A DP445762 being 794 Maybole Road Ben Lomond is \$356.56, consisting entirely of general rate income.

**Good Governance**

The Office of Local Government have advised that an application for a local government boundary change must contain the following:

- a) A resolution from the affected Councils supporting the boundary change, authorising an application being made to the Minister and the Governor. The resolution should also address whether the affected Councils require a provision for rates (see below) to be included in the proclamation.
- b) Copy of a map of sufficient quality that clearly shows the existing and proposed local government boundaries.
- c) Advice as to whether a provision for rates is required.

**Integrated Planning and Reporting Framework**

Not applicable as this is an operational issue.

**Sustainability Assessment**

Not applicable.

<b>Item:</b>	7.2.7	<b>Ref:</b> AINT/2016/08559
<b>Title:</b>	Write off of outstanding debts to Council	<b>Container:</b> A09/4746
<b>Author:</b>	Chief Finance and Information Officer	
<b>Attachments:</b>	1. Debtors Write Offs- <i>As this attachment deals with the personal hardship of any resident or ratepayer (Section 10A(2)(b) of the Local Government Act 1993). Council closes the meeting, in accordance with; AND deals with commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i) of the Local Government Act 1993). Council closes part of 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>	

**RECOMMENDATION:**

**That the bad debts as listed within the attachments be written off.**

**Introduction:**

As part of offering credit to individuals or companies there is an inherent risk of non-payment. While Council actively pursues its bad debts, there are some outstanding debts that are unable to be recovered.

After reviewing the accounts, a number of write offs have been identified as being unrecoverable due to either the age of the debt, the entity being liquidated or the debt deemed as uneconomical to pursue. Periodically, Council needs to review its accounts receivables on the balance sheet and write off any debts that are unlikely to be resolved, so as not to overstate receivables in the financial reports.

This report identifies debts that will not be recovered either due to all possible avenues being exhausted or to attempt to recover will require additional cost greater than the debt.

**Report:**

The attached is submitted for approval to write off as bad debts as at 03 November 2016. Whilst Council has actively pursued the debts through various methods, we have been unable to obtain payment for those debts listed.

Some of the write offs have been identified as being unrecoverable due to the age of the debt. Many factors have played a part in the advanced age of these debts such as:

- data conversion in 2006
- due to political reasons, the New Computer Implementation project was rushed resulting in a period of instability with core business systems that were reported to Council at the time
- during this period there was high staff turnover.

As a result of these factors there is low confidence in the integrity of data due to little or no supporting documentation for invoices that were raised in the period between 2006 and 2008. From 2009 all accounting systems have become stable and up to date.

Included in the attached are also some individuals and local organisation that should not have been provided credit as they had no capacity to pay then or now. Some of the organisations

have since ceased trading. Past practices were that Council Officers would complete the works requested and then place a request for an invoice to be raised. This practice is no longer authorised and was a contributing factor to many of the bad debts and effort required to recover.

Due to the nature and size of some debts tabled, it is in management's opinion that they are uneconomical to recover due to cost and hence are included in the attached report. In all cases Council has been unsuccessful in recovering the debt and a case for legal action could not be justified due to the size of the debt.

To minimise any future bad debts a two-pronged approach has been put in place. Currently, Council has implemented actions to prevent credit being issued to prospective creditors deemed to be high risk. Managers no longer have the authority to extend credit to prospective debtors. All applications for credit must be approved by Finance before credit is given and prior to providing works, goods or services. Further to this, goods and services provided to any prospective debtor for amounts of \$300.00 or less are now to be paid in full and in advance of the work or service being carried out or provided. Also, more resources have been applied to the task of debt recovery.

As all of the cases listed are civil cases, there is no guarantee that Council can recover the legal costs involved in any action.

**Community Engagement and Internal Consultation**

Not applicable

**Financial Implications**

The requested write offs add to a total of \$139,149.21. In writing off the attached debts Council's receivables will be reduced by \$139,149.21 and Council will show a bad debts expense of \$139,149.21.

**Good Governance**

Council needs to manage and reduce its long term debt risks.

**Integrated Planning and Reporting Framework**

Not applicable as this is an operational issue.

**Sustainability Assessment**

Good internal controls and debt recovery procedures contribute to Council's long term sustainability.

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**Item:** 7.2.8 **Ref:** AINT/2016/08706  
**Title:** NSW Government Emergency Services Levy **Container:** ARC16/0116  
**Author:** Chief Finance and Information Officer  
**Attachments:** 1. Letter to Armidale Regional Council - Mr Greg Meyers

**RECOMMENDATION:**

- a) **That the status report from NSW government on the implementation on the Emergency Services levy be noted.**
- b) **That the Memorandum of Understanding with NSW Treasury be approved for signing by the Interim General Manager.**

**Introduction:**

The NSW Government is proposing to introduce legislation to apply a levy to all properties in NSW to fund emergency services. Currently the levy applies on all insurance policies however this does not pick up uninsured properties.

This matter was considered at the Ordinary Council meeting of 14 September 2016 and the signing of the MOU was deferred until clarification was sought on a number of issues. This clarification has now been received.

**Report:**

Attached in this report is a memorandum of understanding from NSW Treasury about the introduction of the Emergency Services levy. The purpose is to commence work around collecting information on property data and levy calculations with the intention to introduce the levy on rates notices in the 2017/2018 financial year.

The NSW Government is undertaking major reform to the funding of fire and emergency services. From 1 July 2017 the insurance-based Emergency Services Levy (ESL) will be replaced by an Emergency Services Property Levy (ESPL) bringing NSW in line with all other mainland states. This proposed reform will result in a fairer and simpler way to fund our critical emergency services while at the same time improving the affordability of property insurance. The Government is preparing legislation under which councils will be responsible for collecting the levy from land owners. From July next year, the Government expects the ESPL will appear as a separate line item on council rates notices, distinct from council rates and charges.

It is intended that the ESPL for individual properties will be based on their ESPL classification and land value. Each council will need to classify all land within their boundaries against one of the ESPL property sectors by 31 December 2016. NSW Treasury is currently working with councils on an implementation plan.

**Community Engagement and Internal Consultation**

It is expected that the NSW government will provide some communication around the introduction of the levy. It will also be important for Council to engage with the community and offer information sessions on the levy as it will be applied to their rates notice.

**Financial Implications**

NSW Finance professionals and Auditors are working with the Office of Local Government on the accounting and how the cash flow will be managed around recovery.

**Good Governance**

The introduction of the levy has to be adopted by the NSW Government.

**Integrated Planning and Reporting Framework**

This is an externally regulated activity.

**Sustainability Assessment**

Council will be required to collect the levy on behalf of the NSW Government to ensure that emergency services are funded by the whole of the community who will benefit from improvements to the services and availability in times of emergency.

<b>Item:</b>	7.3.1	<b>Ref:</b> AINT/2016/06836
<b>Title:</b>	Connection to the Gara raw water pipeline to meet the Armidale Regional Landfill's fire fighting and wheel wash requirements	<b>Container:</b> A05/2410-9
<b>Author:</b>	Manager Waste and Drainage	
<b>Attachments:</b>	1. Utilities Water Supply Policy POL039 2. Connection diagram	

**RECOMMENDATION:**

- a) **That Council approves new connection to the Gara raw water pipeline for the provision of water to the Armidale Regional Landfill Facility to meet firefighting, biodiversity off-set, and wheel wash requirements over the next 50 years.**

**Introduction:**

This report pertains to the request for Council allow a connection to the Gara raw water pipeline to ensure a secure backup water supply is available for the Armidale Regional Landfill Facility.

**Report:**

Construction of the Armidale Regional Landfill Facility is expected to commence in February 2017 and request for tenders for the construction will close on the 23 November 2016. The intersection with Grafton Rd and fencing for the new facility will be completed by the end of October 2016.

A requirement to operate the new landfill is to have water available for fire fighting capabilities for landfilling operations and the biodiversity off-sets and vegetation screens as per the approved Environmental Assessment (EA). Water is also required for the wheel wash facility and to establish native tube stock vegetation plantings which is also a requirement to meet approval conditions.

Whilst it is expected that recycled water from the yet to be constructed sediment basin and storage tanks will meet the majority of the facilities water requirements, a backup water source is required. This was identified in the EA and the option of connecting to the Gara raw water pipeline was identified.

Council's Policy POL039 – Utilities Water Supply states:

*"Prior to 1995, a limited number of private connections were permitted to obtain water from the raw water pipelines. .... Since 1995, no new connections have been approved to untreated water supplies."*

This by inference prohibits new water service connections to the raw water pipelines. It should also be noted that in recent years, Council has installed at Council expense, a number of fire hydrants on the raw water pipelines for the use of the rural fire service. A hydrant was installed on the Malpas pipeline near Trelawney Road and the entrance to the Pine Forest, Rockvale Road, for the benefit of that neighbourhood. In addition, Council resolved to approve a connection on the Malpas raw water pipeline for the Waldorf School for the provision of a fire hydrant within the school grounds.

It is considered reasonable to make a water connection to the Gara raw water main for the provision of backup fire fighting capabilities and other operation requirements for the landfill

facility. The facility is critical Council infrastructure intended to serve the community for the next 50 years, but it will require Council resolution to make a one off exception to the inferred prohibition in POL039 on new connections to the raw water pipelines.

It should be noted that currently the Gara water pipeline is ‘back charged’ with potable water from the Water Treatment Facility in Armidale and hence the Landfill facility will receive treated water if connected. However, if Council in future wishes to return the Gara pipeline to raw water this will not impinge on the landfill facility’s operations as a potable water source is not necessarily required. Furthermore, if Council decides to make the pipeline redundant, the 1320m section between the landfill connection and the Gara Dam could be maintained by Waste Services to continue to ensure water is secured for the life of the landfill facility (see attachment).

All of the above points ensure that a resolution to make an exception to the inferred prohibition in POL039 on new connections to the raw water pipelines will not set a precedent or complicate future decisions regarding the Gara raw water pipeline assets.

#### **Community Engagement and Internal Consultation**

This report has been written following consultation with Council’s Water Services Manager and Director of Regional services. The connection to provide water to the landfill facility is not considered to require community consultation as the landfill facility has been through a robust engagement process as part of the planning and approval process.

#### **Financial Implications**

The cost of this connection is budgeted for in the 2016/17 landfill capital construction budget.

#### **Good Governance**

Whilst Council could simply connect to its own water pipeline it was determined that in the interest of good governance and transparency a resolution should be sought for an exception to the inferred prohibition in POL039 on new connections to the raw water pipelines.

#### **Integrated Planning and Reporting Framework**

Construction of the Armidale Regional Landfill is identified in the Integrated Planning and Reporting Framework

#### **Sustainability Assessment**

The use of recycled water at the landfill facility will be the primary source of water. However, a guaranteed water supply will ensure that fire risks associated with landfill operations are minimised and biodiversity off-set vegetation and tree screens are protected. In addition, the wheel wash will maintain required hygiene for our community.

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<b>Item:</b>	7.3.2	<b>Ref:</b> AINT/2016/07452
<b>Title:</b>	Adoption of 2016 Engineering Design Code	<b>Container:</b> A10/4935-2
<b>Author:</b>	Director of Regional Infrastructure	
<b>Attachments:</b>	Nil	

**RECOMMENDATION:**

- a) That the Armidale Regional Council Engineering Design Code 2016 (the Code) and accompanying standard drawings be commended to Council for adoption and that the full suite of documents is placed on Council's Planning and Development Section of the website commencing on 1 December 2016.
- b) That the quarterly updating of the Code be added to the job description of a nominated employee in the Design Section of the Engineering Department; and
- c) That neighbouring Councils be invited to use the Code with a view to adopting it as a Regional Code for Councils within the New England Region.
- d) That a notation be included in Council's Development Control Plans indicating that any reference to Armidale City, Armidale Dumaresq Council or Guyra Shire Council's Engineering Standards shall be taken to refer to the new adopted Armidale Regional Council Engineering Code 2016 (the code) from date of adoption.

**Introduction:**

Armidale Regional Council is currently operating under a 1986 specification and the Armidale Dumaresq Council Development Control Plan 2012 (DCP 2012) for engineering design specifications in development assessment and Council engineering design functions.

The merger of Guyra Shire Council and Armidale Dumaresq Council has provided the opportunity to review the current design standards, specifications and standard drawings and bring them into line with industry best practice.

This report details a brief history of the original source of the base documents used in creating the code, the reasons for its use and the positive attributes the new code will have on the efficient operation of Council's Planning, Development Assessment and Engineering functions and the benefits that will accrue for the external users of the documents.

**Report:**

The merger of Guyra Shire Council and Armidale Dumaresq Council has provided an opportunity to review the current design standards within the engineering and development assessment areas of Council.

The current engineering design standards are sourced from the Armidale City Council Draft Engineering Code based on the 1986 Department of Housing Road Manual (released in June 1987) which was an update of the previous 1976 manual. Engineering standards are also contained in DCP 2016 and in some instances conflict with standards contained within the current engineering design code.

In any development and design code it is imperative that the text of the code is kept up to date to ensure that current Australian Standards and Best Practice are reflected in its content. Whilst

this has been done informally by senior design staff, the code documents and DCP have not been reviewed regularly when standards and procedures for best practice have changed.

Some important and valuable work has been undertaken by Council's Engineering Department technical staff in the development of some draft codes, specifically water reticulation, sewerage reticulation and stormwater design, but these were not completed and have remained as draft documents for some time.

A decision was made by senior management to totally review the Engineering Design Code (the Code) and to prioritise the completion of the Code in the most efficient and pragmatic way. Relevant sections of the previously completed draft work undertaken by Council staff were to be included in the new Code.

The basis for the new Code is the Northern Rivers Local Government Development and Design Manual. This manual was developed over a two year period by representatives from the six (6) Northern Rivers Councils during 2007 and 2008 from the original Ausspec specification documents. The original Ausspec documents were initially available to NSW local government Councils from 1997 and were developed and provided by the then Institute of Municipal Engineers Australia NSW Division (now IPWEA). Most NSW Councils purchased the documents in hard copy some time after 1997 but most of the documents remained on book shelves and were not widely used.

The intention of the distribution of the Ausspec documents to NSW Councils was to set up a consistent approach to development and design standards and to allow the documents to be sourced by consultants and developers within each Council area at minimal cost if any.

The sale and distribution of the Ausspec documents has undergone several changes since 1997 and the replacement specification for Ausspec, Natspec, is now promoted and sold by SAI Global.

The Ausspec document variation used in the development of the new Code has been chosen for several reasons:

1. There is no requirement to re-invent the wheel i.e. why not use the Northern Rivers document to develop Council's when it is known that the Northern Rivers document has been successful in its implementation since launching in 2009;
2. There are no copyright issues in using a document which has undergone many changes since its inception in 1997 and was intended for wide distribution in any case;
3. The author of the new Code was the driving force behind the Northern Rivers Manual and prepared the full suite of documentation;
4. The Northern Rivers documents were provided freely without any conditions to use;
5. Most Councils still use a form of the original Ausspec documents and have retained the numbering sequence in the clauses so specifications and standards are directly comparable throughout the document wherever in NSW it is being used;
6. The formatting of the original Ausspec document is written in plain English, is easily comprehended and presents well as a professional document;
7. There is no ongoing cost for regular updates and use, as all amendments will be undertaken in house; and
8. The use of the Ausspec document which is well known by many councils could be a precursor to a regional specification in the northern part of the New England Region.

The suite of documents which make up the new Code include 12 technical specifications for engineering design, a quality assurance specification, a guide to development and subdivision , a stormwater design handbook and a driveway access handbook.

In the development of the new Code, consultation with parties who were to implement and use the Code was considered to be mandatory and, comments were sought from 12 Council staff who are directly involved in engineering and development work and from six (6) consulting engineering/surveying firms operating generally within the Armidale Regional Council area. Further, three (3) internal workshops were convened where consensus was received on the content of the various documents that make up the new Code.

A further positive by-product of the development of the Code has been the production by the Engineering Design Section of Council, of a comprehensive set of detailed standard drawings which will complement the new specifications in the Code. It is proposed that the full set of completed standard drawings will be released with the Code on 1 December 2016. A list of the standard drawings is appended to this report.

Further developments in the standardisation and integration of design and development documents will be the future review of DCP 2016 and the Guyra DCP into one combined DCP with all engineering standards removed and the review of engineering Development Consent conditions to include references to the new Engineering Design Code 2016 and the standard drawings.

An important part of the management of a design code is ensuring that the information contained therein is current and reflects changes in industry Best Practice and the regular revisions of the Australian Standards as they apply to the Code. For this to be successful, the responsibility for the maintenance of the Code must be placed with one person, preferably a member of the Engineering Section of Council. The task must be a specific duty to be undertaken at quarterly intervals and must be included in the job description for the specific staff member. The person should be accountable for the management of the Code and standard drawings and part of any performance assessment should include a review of the success of the management of the Code updates.

Council is currently revising the Engineering Construction Code which is expected to be completed early in 2017.

#### **Community Engagement and Internal Consultation**

Consultation was sought from six (6) consulting engineering/surveying companies operating in the Armidale Regional Council area. Limited response was received but the responses provided were incorporated into the code where appropriate.

Internal consultation was sought from 12 Council officers across the engineering, planning and management functions of Council which resulted in much valuable information being provided for inclusion into the code. Three (3) workshops were also convened during August and September 2016 with Council design and construction staff in attendance. Again this was a valuable process and resulted in a very positive and consultative outcome in the finalisation of the new Code.

Consultation with the general public is proposed to be through a media release from the Administrator after the adoption of the Code by Council. Advice of the release of the Code and

the standard drawings will be provided to development consultants and building contracting organisations working within the Armidale Regional Council area.

### **Financial Implications**

The financial implications in the adoption of the new Engineering Design Code 2016 are positive and will result in a net saving in officer time currently used in providing assistance to consultants and developers. Officer time will be more effectively spent in other areas of development assessment and control resulting in a higher level of customer satisfaction thus saving time in dealing with customer queries and complaints. Whilst it is difficult to place a monetary value on the increase in efficiencies in the engineering and development areas, there will be opportunity for savings.

It is proposed to appoint one person within the engineering department to be responsible for the quarterly audit and updating of the code as part of the normal engineering role of the person. As salaries will be required to be paid for the majority of this person's time on other engineering matters, there will be no noticeable financial burden on the engineering budget.

### **Good Governance**

The adoption of a detailed suite of Engineering Design Codes is considered to satisfy the requirements of the Local Government Act in that it will provide for a consistent standard of development design for the foreseeable future and will remove the risk of claims of conflicts of interest in the development assessment process.

### **Integrated Planning and Reporting Framework**

The 2016 Engineering Design Code has been designed to integrate with the proposed new Development Control Plan which will combine the Guyra DCP and DCP 2012 into one integrated DCP.

Currently DCP 2012 includes engineering standards throughout the text which has resulted in the doubling up of engineering conditions which has resulted in conflicting advice being provided to Council customers. Difficulty then arises in officers having to determine what standard to apply and provides a source of conflict between customers and Council in setting design and construction standards.

Further, the engineering standards have been difficult to source as they have historically been contained within several different documents.

The 2016 Engineering Design Code will also integrate with a new set of engineering Development Consent Conditions which are being developed concurrently with the new code and the revised Development Control Plan.

A new set of standard drawings for engineering and development works have also been developed in conjunction with the Engineering Design Code and will be released on Council's website concurrently with the new Code on 17 November 2016.

### **Sustainability Assessment**

The adoption of best practice standards for engineering design will ensure that valuable time and resources will not be wasted in having to undertake re-design and in some circumstances the need to remedy poor construction practices. This is sustainable in ensuring that human resources are effectively and efficiently engaged in the design process which will result in the optimum use of material resources in the construction phase.

Best practice design will also benefit the environment in ensuring that water sensitive design is implemented in future developments which will improve the water management cycle in Armidale Region. Further, improvements in designing for the elderly, the disabled and the young in access to facilities and within the road and street networks will enable the residents of Armidale to enjoy a better standard of living and retain a sustainable future.

The document has been designed to be a living document and will be amended from time to time to ensure that current standards and best practice procedures are kept up to date in engineering design.

It is considered that the adoption of the code will be environmentally, financially and professionally sustainable now and into the future.

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**Item:** 7.3.3 **Ref:** AINT/2016/08249  
**Title:** Development of a Chronological Historical Display at the Armidale Regional Airport **Container:** ARC16/0757  
**Author:** Administration Officer  
**Attachments:** Nil

**RECOMMENDATION:**

**That a Chronological Historical Display be established at Armidale Regional Airport in conjunction with planned developments.**

**Introduction:**

Over the past two months Council has been approached to recognise past citizens who have been involved in the development of what is now known as the Armidale Regional Airport.

**Report:**

At the Council meeting on 5 October 2016, minute 154/16 was passed which stated that a new structure or other facility at the Armidale Regional Airport be named after the late Peter Moffatt in recognition of his contribution to the development of the airport whilst he was a Councillor for the former Dumaresq Shire Council. Mr John Harvey (a former Mayor and Councillor with the Dumaresq Shire) also addressed this meeting where he asked that other citizens who had contributed to the development of the airport also be recognised.

Following further discussions with Mr Harvey and Mr Angus Cameron (also a former Councillor with the Dumaresq Shire) they have provided a formal submission with a suggestion that a Chronological Historical Display be established at the airport when current planned developments are completed.

The display would recognise those individuals and organisations that have been involved in the evolution of the airport over the past 70 years. There is a long history of individual efforts starting with the early transfer of airport ownership from the Commonwealth government to the then Dumaresq Shire Council and the efforts by that Council, its Councillors and staff to improve the airports operations up until 2000. Since that time the Armidale – Dumaresq Council and now the Armidale Regional Council have continued the development of the facility.

The late Don Shand who owned and lived on a property just north of Armidale and a Board member of the then East West Airlines (formed after the war) was also instrumental in gaining and promoting air services from Armidale to Sydney and beyond. The company continued to develop services over the years until the license was transferred to Eastern Airlines, which then became part of Qantas. There is also a history of other airlines involved with air services from Armidale to Sydney and Brisbane up until the present day, where REX and Corporate Air have joined QANTAS in servicing the Armidale region and beyond.

The airport also has numerous tenants who have played an active part in developments at the airport over many years. That history should also be recorded.

The display, while requiring further research and being completed in a professional fashion, would be another attraction for the redeveloped airport following completion of the extensions.

**Community Engagement and Internal Consultation**

The project has and will involve community engagement and internal consultation.

**Financial Implications**

The display will require inclusion in a future airport operating budget for its completion.

**Good Governance**

The display will be part of Armidale Regional Airport current developments reflecting the input of past and current involvement of citizens and organisations.

**Integrated Planning and Reporting Framework**

The project will be assessed against current criteria.

**Sustainability Assessment**

The issues identified for inclusion in the plan will need to be assessed against sustainability criteria.

**Item:** 7.3.4 **Ref:** AINT/2016/08368  
**Title:** Armidale Women's Shelter donation request for "Reclaim the Night"  
event 25 November 2016 **Container:** ARC16/0076  
**Author:** Director of Regional Infrastructure  
**Attachments:** Nil

**RECOMMENDATION:**

**That Council approve a Section 356 donation of \$216 to provide the Armidale Women's Shelter with eight x ten swim passes for children at the Monckton Aquatic Centre, as a donation towards the "Reclaim the Night" fund-raising event on 25 November 2016.**

**Introduction:**

The Armidale Women's Shelter acts to empower women to access and maintain safe, stable homes and to build and maintain independent lives for themselves and their children, free from abuse and characterised by responsible self-determination.

The Armidale Women's Shelter provides a range of services to women free of charge, including assistance with financial difficulties and crisis accommodation.

"Reclaim the Night" is a global women's protest against sexual violence, held throughout the world generally in October or November each year. In some countries it is known as Take Back the Night.

**Report:**

The Armidale Women's Shelter has in the past purchased swim passes from the Monckton Aquatic Centre and distributed these to families experiencing crisis situations and in need of a positive recreation activity in a safe environment.

As part of the annual "Reclaim the Night" fund raising event, the Armidale Women's Shelter has requested that Council donate a number of free passes for children to use the Monckton Aquatic Centre. It is their intention to either raffle the passes or give them to needy families.

The Monckton Aquatic Centre has 10, 20, and 50 visit passes for both child and adults, but no family passes. The current adopted fees for these passes are as follows:-

Visit passes	Child	Adult
10 swim pass	\$27	\$45
20 swim pass	\$55	\$80
50 swim pass	\$120	\$200

The cost to donate eight x 10 child swim passes would be \$216.

**Community Engagement and Internal Consultation**

Section 356 of the LG Act does not require public notice of a proposed donation unless the recipient acts for private gain. In this case the Armidale Women's Shelter is a not-for-profit service, so public notice is not required.

**Financial Implications**

The value of the donation is \$216 to be funded under the Section 356 Donations vote.

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**Item:** 7.3.5 **Ref:** AINT/2016/08726  
**Title:** Use of the NSW Traffic Education Centre in East Armidale **Container:**  
ARC16/0673  
**Author:** Administration Officer  
**Attachments:** Nil

**RECOMMENDATION:**

- a) **That Dr Brian Connor be thanked for his recent submission in relation to the former NSW Traffic Education Centre.**
- b) **That Council commissions a study into the possible future beneficial community use of the former NSW Traffic Education Centre.**

**Introduction:**

The first half of the report is based on a recent submission to Council by Dr Brian Connor, who was one of the main instigators for the establishment of the NSW Traffic Education Centre in Armidale during the 1980's.

The second half of the report is based on an interview with Mr. Andrew Strudwick, Team Leader Property, Armidale Regional Council.

**Report:**

**NSW Traffic Education Centre – Background**

In the 1970's and 1980's Armidale was searching for a light industry which would fit with the then lifestyle of the community. At that time, road trauma was a major public health problem in terms of lost QALYS (Quality Life Years Lost). It was predominately a rural health issue. Given the presence of several tertiary educational institutions in a rural setting, it seemed appropriate to locate a facility in Armidale which had as its brief the development of programs to help individuals and the community to learn to exist more safely in the traffic system. Thus, the concept of an Armidale Traffic Education Centre for the New England region and ultimately NSW was born.

**Philosophy**

The community based committee entrusted with developing this project met for a decade in the 1980s. There was a realisation the official State policy was that driver training did not necessarily make for safer. At all times the aim was to educate all sections of the community to exist more safely in the traffic system. The committee built upon the work already undertaken by the Armidale City Council Road Safety Committee which met from 1976 to 1988.

Driver training and road safety facilities in other states were inspected before the project commenced in Armidale.

**Siting**

The area selected was a travelling stock route on the eastern side of Armidale. It was agreed by the relevant authorities that this land be set aside for a future facility. Due to protracted negotiations for the land, the adjacent drive-in theatre site was acquired and the proposed traffic education facility moved further to the west.

### **Community Participation**

During the approximate decade of construction, there was community participation in the development of the facility under the guidance of a very committed local Board with assistance from a panel of external advisors. An education committee supervised the development of various strategies, which included the participation by local schools, University of New England and the Armidale College of Advanced Education (CAE).

Many strategies were trialed. Evaluation involved workshops and publications with the assistance of evaluation experts from the University of New England. One aspect of driver education for young adults was the development of an Adult Traffic Education program. The project was assisted by input from the University of Sydney. The aim at all times was to spread the initiatives across as wide an educational and behavioral management field as possible.

### **Facilities**

The project facilities included the former projection house of the drive-in theatre which became the office space for staff. An area for teaching bicycle safety commenced and was followed by an area for motor cycle riding instruction. A fleet of "Careful Cobber" cars was purchased from the Driver Education Centre of Australia in Shepparton. The funding for the cars was raised by local service clubs who also fenced the whole area. A set of traffic lights were installed and the driving circuit constructed with the eventual aim of training ambulance drivers.

The "skid pan" (or driver maneuvering area) was the last major facility established. It was constructed of reinforced concrete and at the time was the best facility in Australia. Trees were planted on site in several areas. The one significant section which was not completed satisfactorily was the gravel area immediately to the east of the office buildings.

### **Staff**

Initially, there was only one staff member who was overseeing the delivery of the education programs. Teachers were employed and they worked closely with the Centre's Education Committee. Local trainers assisted with driver education and motor cycle safety. Later two of Australia's top experts in these fields were employed to continue the work. The New England schools' road safety consultant was also employed in Armidale at that time.

### **Official Opening**

In March 1991, the Premier of NSW, The Honourable Nick Greiner MP, officially opened the Centre. Prior to the opening, permission had been granted for the facility to be known as the "New South Wales Traffic Education Centre".

At the opening, several promises were made including:

- The establishment of a Roads and Traffic Authority Driver Training Unit with five staff members,
- The appointment of one person to oversee the training of motor cycle instructors who would establish similar motor cycle instruction centres in other parts of the state,
- Driver training for all state government employees,
- Ambulance training for NSW would eventually occur at the Centre.

### **What Happened?**

None of the above promises were kept. One person was eventually employed on site and prepared a report which actually condemned driver training. Ambulance training did not occur. The teacher was not offered further employment.

The New England road safety consultant was moved to Tamworth and then to Newcastle and the motor cycle instructor was moved to Sydney. No government employees were trained on site.

The Board in the 1990's, was faced with a very difficult decision as the NSW State Government made it more difficult for the Centre to carry out its driver training brief for the government. Charges to the Centre were increased and employees were forced to do their training closer to Sydney. Employing staff in this situation became impossible and the Centre was forced into administration and closed.

The area then reverted to Council as the Trustee to take overall responsibility for the facilities.

#### **Operation of the Facilities by Council Following its Closure**

Successive Councils as trustee of the land have adopted break even budgets for administration of the area.

Current tenants are:

- New England Community College Inc.
- Armidale Amateur Radio Club
- NSW Fire and Rescue
- Rural Fire Service - New England Zone Control Room

The major tenant is NSW Fire and Rescue with a five year lease recently determined.

The Rural Fire Service as the second major tenant has indicated that subject to future State government funding, it will be moving its facilities to the Armidale Regional Airport where air and land services will be coordinated on a site being developed.

#### **Other Casual Usage**

From time to time, the following organisations utilise the former driver training facilities:

- Roads and Maritime Services
- Sporting Car Clubs
- Hot Rod Club
- Performance driving trainers
- "L" and "P" driving instructors

A major consideration is a development consent condition that there be only driver training with no vehicle racing. The local car clubs encourage younger drivers through the operation of the CAMS system with related discipline and insurance risks covered. This allows time trials (up to six a year) to be conducted. Visitations to the facilities are encouraged on this basis.

#### **Current Issues**

The following current issues are evident with the facilities:

- The highway circuit needs major maintenance estimated at \$300,000.
- The manoeuvring area ("skid pan") requires major maintenance work estimated at \$150,000.
- Management is off site.
- The problem of noise now that there have been residences constructed in reasonably close proximity, compared to when the facility was established. This means activities are restricted to weekdays and Saturdays.

- The need to adopt a ten (10) year program to address civil works including fencing maintenance and the upgrade of the circuits.

### **Opportunities**

It is considered the following opportunities exist for these facilities:

- Training of government departmental staff in driving techniques.
- Training of local government employee in driving skills.
- Training for drivers hauling caravans for the first time.
- Driver tuition for overseas students attending New England University.
- Installation of a driver training simulator.

Discussions could be held with the State MP Adam Marshall, State government departments and agencies, National Motorist Associations (e g NRMA), local private sector driver training firms, service clubs, local and regional Highway Patrol Divisions and any other organisations that would have a shared interest in driver training issues, to provide support for Council revitalizing the Centre.

### **Community Engagement and Internal Consultation**

The community and Armidale Regional Council would be included in any future assessment of the facilities.

### **Financial Implications**

Any future assessment of the Centre would require Council to carefully consider operational budgets and likely short and long term fixed overheads.

### **Good Governance**

As the responsible trustee for the former Centre, Council needs to review operational matters relating to the site and related infrastructure.

### **Integrated Planning and Reporting Framework**

Any decisions regarding the former Centre would need to be assessed against current criteria.

### **Sustainability Assessment**

Discussions on the future of the former Centre would be against a background of established Sustainability criteria.

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**Item:** 7.3.6 **Ref:** AINT/2016/08787  
**Title:** Unsealed Roads Maintenance - adoption of an agreed level of service **Container:** ARC16/0126  
**Author:** Director of Regional Infrastructure  
**Attachments:** 1. Unsealed Roads Level of Service - Nov 2016  
2. Schedule of Unsealed Roads - Nov 2016

**RECOMMENDATION:**

- a) That the attached report "Levels of Service for the Maintenance of Unsealed Local Roads" be placed on public exhibition for a period of twenty eight (28) days from Wednesday 23 November 2016 to Wednesday 21 December 2016 with comments requested from the community, in accordance with the community engagement plan.
- b) That Council adopt an agreed and financially sustainable level of service for the future maintenance of unsealed local roads following the period of community engagement.

**Introduction:**

Armidale Regional Council maintains approximately 1,150 kilometres of unsealed local roads, and currently spends approximately \$2.2 million of its annual budget on the routine maintenance of unsealed roads. This work includes grading, drainage, signs and roadside vegetation.

The development of an agreed level of service for unsealed roads is just one part in a suite of asset management plans being driven by the merger. Council has already commenced a similar process with timber bridges, and over the next six months will be upgrading an existing service level agreement for maintenance of parks and reserves, and developing new service agreements for the sealed road network.

**Report:**

The attached report sets out the details and the process involved in the collection of road data and the costing of a range of five (5) different levels of service for consideration by Council and the community.

It describes how a complete list of roads has been compiled and categorised, how five different levels of service are defined and costed, and how the level of service options compare with Council's current grading frequencies.

In summary,

1. All of the unsealed local roads have been categorised into Road Class B, C or D depending on traffic volumes and road hierarchy. School bus routes were identified for special consideration.
2. The following five (5) options for Levels of Service (LOS) were defined and costed:-

<b>LOS</b>	<b>Grading frequency</b>	<b>Annual cost</b>
1	All roads to be graded twice per year	\$3,655,281
2	Class B &C roads graded twice, D roads once	\$2,980,095
3	B roads & all bus routes graded twice, C & D roads once	\$2,503,861
4	Class B & C bus routes twice, other roads once	\$2,404,537
5	All bus routes once, Class B&C once, Class D roads every two years	\$2,058,485

The adoption of an agreed level of service for the future maintenance of unsealed road will have the following positive outcomes:-

1. Community expectations – having an adopted level of service agreement will narrow the gap between the current levels of intervention and community expectations, and provide the community with a level of certainty and predictability about when and how often they can expect their roads to be graded.
2. Better planning and budgeting – this process will allow Council staff to plan their work and determine the resources required to carry out that work in a predictable way, with an agreed schedule of roads to be maintained, and the ability to prepare accurate and financially sustainable budgets each year.

#### **Community Engagement and Internal Consultation**

A community engagement plan has been developed, focussing on the seeking of opinions with regard to the preferred level of service that the community is prepared to pay for.

The engagement will include newspaper advertisements, web site postings, surveys, and direct mailing to several rural community committees (LACs).

#### **Financial Implications**

Council's current budget for maintenance of unsealed roads is \$2,196,113. Adoption of a particular level of service will impact on future Council operational budgets as outlined in this report.

#### **Good Governance**

The process of developing service level agreements is one of the aims of the merger process, and is regarded as good governance.

#### **Integrated Planning and Reporting Framework**

The adoption of an agreed level of service for unsealed road maintenance will integrate with the IP&R framework and Council's future Operational Plans

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**Item:** 7.3.7 **Ref:** AINT/2016/08836  
**Title:** Access Road to new Rural Fire Services Facilities - Armidale Airport **Container:** ARC16/1148  
**Author:** Administration Officer  
**Attachments:** Nil

**RECOMMENDATION:**

**That the report be noted.**

**Introduction:**

In July 2016 the Administrator wrote to The Honourable David Elliott MP, Minister for Corrections, Minister for Emergency Services, Minister for Veterans Affairs requesting consideration of a proposal that the State Government fund half the cost of upgrading the access road leading to the new Rural Fire Services (RFS) facilities at the northern end of the Armidale Regional Airport. The total estimated cost is \$1,027,051. If this proposal was accepted, it was determined that Council may provide 50% of the upgrade costs via Council's Stronger Communities fund. Council also approached the Member for the Northern Tablelands for support for Council's request for funding.

**Report:**

By letter dated the 30 September 2016 the Minister, Mr Elliott, responded to Mr Marshall's request for consideration of Council's proposal with a copy being forwarded to the Administrator. The Minister advised that all outstanding claims for work completed to date on the construction of the new RFS facilities at the Airport have been finalised.

The Minister also advised that the NSW RFS had undertaken some preliminary works, as part of the airbase construction, to facilitate the addition of a Fire Control Centre (FCC) at some future stage. These works include ensuring that the power supply through an on-site substation is sufficient to address the long term needs of the facility. Permanent fencing of the land allocated by Council for a new FCC site is also included, as perimeter security on a commercial airport is considered of paramount importance.

While construction of a new Armidale FCC is under consideration by the NSW RFS, the Minister advised that priority FCC replacements in other areas will not see this proposal supported in the short term.

The Minister confirmed in his letter that the NSW RFS does not usually fund road works outside the dedicated FCC area and saw this as a Council responsibility. It is noted in the letter that the road would also service commercial premises at the Airport precinct and the area is Council owned and operated.

Following receipt of the Minister's letter the upgrading of the road will need to be reconsidered in Council's forward Airport budgets. One possibility is for funds to be provided from the future sales of land currently leased to Airport tenants.

The efforts of Mr Adam Marshall in approaching the Minister on Council's behalf in relation to this matter is also acknowledged and appreciated.

**Community Engagement and Internal Consultation**

Nil.

**Financial Implications**

The upgrade of the access road (when required) will need to be considered in future Airport budgets.

**Good Governance**

The State Government needed to be approached on this funding issue given the Rural Fire Service is a State agency.

**Integrated Planning and Reporting Framework**

Nil.

**Sustainability Assessment**

Nil.

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<b>Item:</b>	7.3.8	<b>Ref:</b> AINT/2016/08846
<b>Title:</b>	Former Armidale Court House	<b>Container:</b> ARC16/0606
<b>Author:</b>	Administration Officer	
<b>Attachments:</b>	Nil	

**RECOMMENDATION:**

- a) That Council make representations to The Honourable Matt Kean, Parliamentary Secretary for Treasury for reconsideration of the current market valued purchase price of \$1.055m to a nominal amount for the purchase of the former Armidale Court House on the basis that Council maintain the building in perpetuity for future community use.
- b) That Council provide a copy of its letter to the Member for Northern Tablelands, Mr Adam Marshall MP, with the request he again (as he did in 2014) provide support and representations to the Parliamentary Secretary for reconsideration of this matter.

**Introduction:**

When the former Armidale Court House closed in 2014, there were representations by the former Armidale Dumaresq Council to become a Trustee for the building and develop the facility for community use. This approach was rejected by the then Parliamentary Secretary for Treasury, The Honourable Mark Speakman SC MP in July 2014. In mid 2016, a further meeting chaired by the local Member for Northern Tablelands was held with community members and Council representatives which again showed there was a potential for the building's use for local events and by local groups.

**Report:**

The land on which the Court House is located is zoned B3 Commercial Core under LEP 2012 which permits a range of retail, business, office, entertainment and community uses as well as residential use as part of a mixed use development. Further development of the Court House would be subject to the relevant provisions in the Environmental Planning and Assessment Act 1979, Heritage Act 1977 and LEP 2012. Assessment of a development application would also take into consideration the heritage guidelines in Armidale Dumaresq Development Control Plan 2012: chapter 2.3 European Heritage.

The Court House is the oldest surviving public building in Armidale and the New England region. It was built in 1860 with major alterations in 1870 and 1897. The Court House, former sheriff's office, (corner Faulkner and Moore Streets) the monument and tree (corner Faulkner and Beardy Streets) are listed local heritage items and included in the heritage conservation area under the Armidale Dumaresq Local Environmental Plan 2012. The building is not State Heritage listed. The then owner, The Department of Attorney General and Justice, in 2014 advised it considered the building as having only local heritage significance.

The ownership of the building passed to Government Property NSW in 2014. When Mr Marshall wrote on the former Council's behalf to the relevant Ministers, in mid 2014, to ascertain if Council could be appointed Trustee for the building, advice was received from the then Parliamentary Secretary for Treasury that the request could not be supported as it was quote, "inconsistent with government policy". The suggestion was for Council to enter direct negotiations with Government Property NSW to "acquire the site for market value".

In accordance with government's Total Asset Management Guidelines and Treasurer's direction 469.01 (according to the then Parliamentary Secretary) there is an established process for dealing with assets which have been declared surplus. The guidelines state that, in the absence of specific approval to the contrary, market values should be realised on the sale or lease of government assets.

In his communication the then Parliamentary Secretary for Treasury states "An interim trust arrangement with Council could create a public perception that the property has been transferred to the community and compromise the disposal of the site on the open market". What interest on the "open market" the former Court House has attracted since 2014 is unknown.

Given the present condition of the Court House and possible restricted uses, "market value" appears to be overstated. A 2014 communication indicates the Department of Justice is committed to the ongoing maintenance and upkeep on the property "until its disposal".

In mid 2016 a roundtable discussion, chaired by Mr Marshall involving Council and community representatives, clearly showed there was an interest for the building as a community facility for various uses and benefits. On this basis, there is a need to again approach the Government, pointing out that the former Court House is a local heritage building requiring ongoing maintenance that may have some commercial potential but is more suitable for community use on a long term basis. A commercial value of \$1.055m appears to be unrealistic and it should be revalued or receive special approval by the Government for a much lower price to reflect its current condition and potential use as a community asset in perpetuity.

#### **Community Engagement and Internal Consultation**

This matter has been the subject of community consultation and discussion within Council since the closure of the Former Court House in 2014.

#### **Financial Implications**

If purchase of the Former Court House was to proceed it would have to be considered in Council's forward financial planning and budgets.

#### **Good Governance**

The community over a two year period has requested Council take over control of the former Court House building.

#### **Integrated Planning and Reporting Framework**

Any proposed usage of the former Court House would require consideration against Council's current planning and heritage guidelines.

#### **Sustainability Assessment**

Any future usage would need to be assessed against current sustainability guidelines.

**Item:** 7.4.1 **Ref:** AINT/2016/08479  
**Title:** International Volunteer Day Luncheon 2016 - application for fee waiver  
for Armidale Town Hall **Container:** ARC16/0610  
**Author:** Acting Director Planning and Environmental Services  
**Attachments:** Nil

**RECOMMENDATION:**

**That Council waive the \$379.50 hire charge for the Armidale Town Hall for the International Volunteer Day Luncheon 2016.**

**Introduction:**

Council has received a fee waiver request for the hire of the Armidale Town Hall for the 2016 International Volunteer Day Luncheon from Armidale Volunteer Referral Service (AVRS).

**Report:**

Armidale Volunteer Referral Service will be hosting the 2016 International Volunteer Day Luncheon at the Armidale Town Hall to present certificates of appreciation to local volunteers.

**Community Engagement and Internal Consultation**

AVRS receives external funding and is auspiced by Council.

**Financial Implications**

The fee waiver for the event is equal to \$379.50.

**Good Governance**

Opportunity cost has been considered.

**Integrated Planning and Reporting Framework**

This initiative supports the delivery plan objectives.

**Sustainability Assessment**

This recommendation has no significant implications on sustainability.

**Item:** 8.1 **Ref:** AINT/2016/08768  
**Title:** Environmental Sustainability Advisory Committee - Minutes of meeting held 13 October 2016 **Container:** ARC16/0864  
**Author:** Interim General Manager  
**Attachments:** 1. Minutes - Environmental Sustainability Advisory Committee - 13 October 2016

**RECOMMENDATION:**

**That the Minutes of the Environmental Sustainability Advisory Committee meeting held on 13 October 2016 be noted and the following recommendations endorsed:**

**a) That Council:**

- i. note the resolutions in regard to the recommended changes to the Terms of Reference from the ordinary meeting of 5 October 2016; and
- ii. endorse the establishment of an internal sustainable working group within Armidale Regional Council to work with the committee to establish a consultant's brief for a Sustainability Strategy.

**b) That Council:**

- i. Retain Committee members seeking re-nomination;
- ii. Set aside Guyra and Tingha vacancies until filled; and
- iii. Appoint Enis Ruzdic and Maria Hitchcock to the Committee.

**Item:** 8.2 **Ref:** AINT/2016/08252  
**Title:** Access Advisory Committee - Minutes of the meeting held on 20  
October 2016 **Container:** ARC16/0524-2  
**Author:** Acting Director Planning and Environmental Services  
**Attachments:** 1. Minutes - Armidale Regional Council Access Advisory Committee -  
20 October 2016

**RECOMMENDATION:**

**That the Minutes of the minutes of the Access Advisory Committee meeting held on 20  
October 2016 be noted.**

**Item:** 8.3 **Ref:** AINT/2016/08276  
**Title:** Civic Advisory Committee - Minutes of the meeting held on 22 October 2016 **Container:** ARC16/0389  
**Author:** Acting Director Planning and Environmental Services  
**Attachments:** 1. Minutes - Civic Advisory Committee - 22 October 2016

**RECOMMENDATION:**

**That the Minutes of the Civic Advisory Committee meeting held on 22 October 2016 be noted and the following amended recommendations endorsed:**

- a) **That the Committee accept the membership of Mr Bob Bell as a community member.**
- b) **That Council be asked to consider the future of the former Civic Precinct Committee's Working Account, which had been established and sustained by community donations.**

Note: The following recommendations were proposed by the Civic Advisory Committee:

- a) That the Committee accept the membership of Mr Bob Bell as a community member.
- b) That the proposal to move the Armidale Library to 182 Rusden Street flies in the face of this Advisory Committee's responsibility for the future development of the Armidale CBD, and that the Committee strongly urges the Administrator to pursue the attainment of the proposed Civic Precinct in order to most strongly support the revitalisation of the CBD.
- c) That the Chair speak urgently with the local Federal and State Members of Parliament about this development.
- d) That Council be asked to consider the future of the former Civic Precinct Committee's Working Account, which had been established and sustained by community donations.

**Item:** 8.4 **Ref:** AINT/2016/08828  
**Title:** Traffic Advisory Committee - Minutes of the meeting held 8 November 2016 **Container:** ARC16/0168  
**Author:** Director of Regional Infrastructure  
**Attachments:** 1. Minutes - Local Traffic Committee - 08 November 2016

**RECOMMENDATION:**

- (a) That the Minutes of the Traffic Advisory Committee meeting held on 8 November 2016 be noted.

**Special Event Transport Management Plan - Armidale Cycling Club Weekly road race events 2017**

- (b) That approval be granted for the Special Events Transport Management Plan for the Armidale Cycling Club Weekly Road Race Events for 2017 commencing 1 January 2017 to December 2017, in accordance with the provided Transport Management Plan and any additional requirements requested by NSW Police.

**Special Event Transport Management Plan - Autumn Festival 2017**

- (c) That approval be granted for the temporary road closures as requested in the Special Events Management Plan for the 2017 Armidale Autumn Festival in accordance with the provided Traffic Management Plan and any additional requirements requested by NSW Police.

**Special Event Transport Management Plan for Christmas in the Mall 2016**

- (d) That approval be granted for road closures and traffic changes to facilitate the Special Event 'Christmas in the Mall', Thursday, 1 December 2016 from 2pm until 10pm, with road closures to Beardy Street, from Marsh to Jessie Street and Dangar and Faulkner Street, between the intersections of Cinders Lane and Moore Street in accordance with the provided Traffic Management Plan, and any additional requirements requested by NSW Police.
- (e) That temporary modifications to the taxi rank in Barney Street be permitted if necessary.

**Special Event Transport Management Plan -Australia Day 2017**

- (f) That approval be granted for the requested road closures as per the Special Event Transport Management Plan for Australia Day 2017 and any additional requirements requested by NSW Police.

**Tingha Tin Festival - 19 Nov 2016**

- (g) That the Tingha Tin Festival Parade scheduled for Saturday 19 November 2016 be approved in accordance with the provided Traffic Management Plan and any additional requirements requested by NSW Police.

**Special Event Transport Management Plan- New Years Eve Party 2016**

- (h) That the requested road closure of Marsh Street be denied as Marsh Street is an essential route for emergency services. Police will be in force on location on the evening and will monitor pedestrians and vehicle traffic.

**Waterfall Way speed zone at western end of Ebor village**

- (i) That the RMS be asked to investigate a request for an extension to the 50km/hr speed limit on Waterfall Way at the village of Ebor, on the western side of the village further west halfway up the hill, for the purpose of improving safety and also improving safe access to the Showground.

**Request for Work Zone on O'Dell Street, between Barney and Rusden Streets, for hospital construction works**

- (j) That approval be granted for a Works Zone to be temporarily installed for the eastern side of O'Dell Street, commencing from the indented kerbing on the south, for a length of 40m. The remainder of the indented kerb length of 8m will be retained for a newly created (temporary) No Parking zone. The Work zone is subject to the following conditions:
1. Any directive provided by N.S.W. Police is to be complied with.
  2. The Works Zone is to operate between the hours of 6.30 am and 4.00 pm Monday to Friday, and 6.30 am to 1.00 pm Saturdays, for a period of twelve months from Council approval (late November 2016), and to be calculated from signage installation date.
  3. Suitable traffic control measures are to be put in place to manage truck movements to and from the construction site, and if necessary to and from the adjacent street system, in accordance with the RTA's Traffic Control at Work Sites manual.
  4. A Permit to Stand Plant will be required for all concrete pours, deliveries and/or truck occupations in relation to the hospital construction works.
  5. In circumstances where deliveries (e.g. delivery or erection of a crane) need to close a lane on the road, special arrangements and approvals in advance of the works, are required from Council.
  6. Unrestricted 45 degree angle parking (rear to kerb) vehicles under 6 metres only shall be maintained outside of the Work Zones hours of operation.
  7. The applicant must ensure that the traffic lanes, footpaths and driveways, adjacent to the Works Zone, remain free of obstruction at all times during the construction.
  8. A complying pedestrian route with special pedestrian facilities will be necessary. Work Zone as such with associated barriers and signs will need to be designed and installed in accordance with Australian Standard 1742.
  9. Construction materials are NOT to be stored in the Work Zone, and should be deposited inside the work site.
  10. The applicant (Richard Crookes Constructions) must inform Council's Infrastructure Manager when the project is completed and the Works Zone can be removed and current parking restrictions re-instated.
  11. All debris from the work is to be promptly removed from the site which is to be left in a clean and tidy condition. Any debris remaining will be removed by Council at the applicant's expense.
  12. Any damage to Council's pavements, kerb and gutter, street furniture etc. (including oil stains), as a result of the work or heavy vehicle operations, is to be restored to the satisfaction of Council at no cost to Council. Excavations within the roadway shall be restored with asphaltic concrete (AC) or other approved material to the satisfaction of Council prior to the road being reopened.

- 13. Failure to comply with any of these conditions may result in the cancellation of the Works Zone at Council's discretion.**
- 14. Should the Works Zone be required for a longer period than the approved period, or any alteration to the hours of operation, will require written permission from the Director of Regional Infrastructure or equivalent.**
- 15. Applicant to demonstrate that effective communication has been held between the Armidale Regional and Private hospitals, and local residents, advising of the Work Zone proposal.**

**New Library Location – 182 Rusden Street**

- (k) **That the request to investigate the availability of accessible public transport to 182 Rusden Street be deferred until after the relocation of the library has taken place, and a full review of traffic, pedestrian and public transport impacts has been undertaken.**

**Traffic Advisory Committee Meeting Dates for 2017**

- (l) **That the proposed 2017 Traffic Advisory Committee meeting dates of 7 February, 7 March, 4 April, 2 May, 6 June, 4 July, 1 August, 5 September, 3 October, 14 November and 5 December be endorsed.**

**Request to review speed zone on the New England Highway Guyra**

- (m) **That Council advise the RMS of its support for the proposed reduction of the speed limit from 70kph to 50kph for a 1100 m section of Malpas Street (New England Highway) from 100 m south of Lackey Street to 50 m south of O'Donnell Ave.**