Armidale
Regional Council

ORDINARY MEETING OF COUNCIL

To be held on

Wednesday, 29 June 2016
9am

at

Guyra Council Chambers

ATTACHMENTS

INDEX

7.1 OUR ENVIRONMENT

7.1.1 DA-86-2016, 62 Jessie St ARMIDALE, Street Tree Removal

Attachment 1: DA-86-2016 - Development Application - Proposed Carport - 62 Jessie Street..... 4

Attachment 2: Street Tree Valuation 62 Jessie St 24

Attachment 3: DA-86-2016 - 62 Jessie Street ARMIDALE NSW 2350 - Section 79C Assessment Sheet ADC - Miss C F Durham..... 25

7.2 OUR GOVERNANCE

7.2.1 New England Regional Art Museum Loan Agreement

Attachment 1: Letter from NERAM - 10 June 2016..... 41

7.2.3 Adoption of Plans under the Integrated Planning and Reporting Framework and Making the Rates

Attachment 1: Armidale Regional Council Draft Operational Plan 43

Attachment 2: Submissions to the Operational Plan 2016-17 101

7.2.5 Organisational Structure

Attachment 1: Organisational Structure - 29 June 2016..... 146

7.2.8 Annual Rural Fire Service Contribution

Attachment 1: Letter from NSW Rural Fire Service..... 147

7.3 OUR INFRASTRUCTURE

7.3.1 Deed of Agreement with Air Services Australia re distance measuring equipment

Attachment 1: Executed Deed of Variation to Lease of DME between Airservices Australia and ADC - Lot 17 DP 846301..... 150

7.3.3 Request to waive fees for "A Day on the Gravel"

Attachment 1: Armidale Civic Precinct Committee - A Day on the Gravel 9 October 2016 - Request waiving of fees 160

7.3.4 Exhibition of Draft Guyra Showground Plan of Management 2016-2026

Attachment 1: Draft Guyra Showground Plan of Management..... 161

7.4 OUR PEOPLE

7.4.1 Development of a Cultural Plan

Attachment 1: Cultural Plan Brief 191

Attachment 2: POL228 Community Services - Public Arts - Policy and Program..... 207

8 COMMITTEE REPORTS

8.1 Gayinyaga Aboriginal Advisory Committee - Minutes of the Meeting held on 15 June 2016

Attachment 1: Minutes - Gayinyaga Committee - 15 June 2016 223

135 Rusden Street
PO Box 75A Armidale NSW 2350
P: 02. 6770 3600 • F: 02. 6772 9275
council@armidale.nsw.gov.au
ABN 63 781 014 253

Armidale Dumaresq Council
- 4 MAY 2016
Received

Armidale Dumaresq Council
www.armidale.nsw.gov.au

DEVELOPMENT & CONSTRUCTION FEES QUOTE 2015-2016

Property Information

Property Address

62 Jessie St, Armidale

DA	86 / 2016
CCB	/
CDC	/
s.68	/
SC	/
CCS	/
ZP	/

Estimated Commercial Cost of Development

$ 18,000—

Estimated Cost = sqm x $1,200- (Based on current ADC Building Cost Indices)

Amount Paid	Quote Date	Receipt Number
209—	3/5/2016	958939

Received by	Signature	Date
Donna	L. Graham	3/5/16

Fees List - see Fees and Charges Schedule 2015/2016

Tick ✓	Service Required		Amount
☑	Development Application (+ Planning NSW Fee if over $50,000)	GST Exempt	$ 209.00
☐	Planning NSW Fee		$
☐	Application for Solar Panels/Energy Systems	$50.00	$
☐	Integrated Development		$
☐	Subdivision Certificate	GST Inclusive	$
☐	Complying Development Certificate	GST Inclusive	$
☐	Construction Certificate (Building)	GST Inclusive	$
☐	Construction Certificate (Building) with alternative solutions	GST Inclusive	
☐	Construction Certificate (Subdivision)	GST Inclusive	$
☐	Long Service Levy Commission Long Service Levy Fee (0.35% of construction work costing > $25,000)	$19.80 + LSL Fee	$ $
☐	Inspections (fees vary in relation to type of inspection)	GST Inclusive	$
☐	Driveway Package (AO54)	$70.00 each	$
☐	Specification Books (AO22)	$6.50 each	$
☐	Privately Certified Development – Certificate Registration Fee	$36.00	$
	Section 68 Applications:		
☐	Water Connection Application – vacant lot (A131)	$140.00 (inc GST)	$
☐	Sewer Connection Application – vacant lot (A141)	$128.00 (inc GST)	$
☐	Private Water/Sewer/Stormwater Drainage Work Application	$155.00	$
☐	On-site Waste Water System Application (new or amended)	$307.00	$
☐	Installation of a Domestic Oil or Solid Fuel Heating Appliance Installation of a Domestic Oil or Solid Fuel Heating Appliance (installed by an approved installer)	$120.00 $65.00	$
☐	Other		$
		TOTAL APPLICATION COST	$ 209.00

pe of Development – DO NOT INCLUDE THIS LUMN IN PATHWAY TITLE	TERMINOLOGY FOR ENTERING APPLICATIONS INTO PATHWAY Use Capital letters for each main word/Do not use &	Items that come under this description
w Dwelling	New Dwelling Rural Workers Dwelling	New Dwellings Rural Workers Dwelling
al Occupancy	Dual Occupancy – 1 Existing Dwelling Dual Occupancy – 2 New Dwellings	Dual Occupancies, Granny Flats
erations and Additions - <insert the type of eration/addition>	Alterations and Additions – Laundry and Kitchen or Alterations and Additions –Bedroom and Bathroom, or Alterations and Additions – Carport, Alterations and Additions – Retail Fit Out etc NOT – Alterations and Additions – Existing Dwelling!!	Additions and Alterations to a dwelling Additions and Alterations to other structures
bdivision ways register No. of ORIGINAL Lots in Pathway	Subdivision – 1 to 10 Lot Residential/Rural Residential/Rural/Commercial/Industrial Subdivision – 8 to 2 Lot Residential Consolidation Subdivision – 4 Lot Strata Subdivision Subdivision – Boundary Adjustment Subdivision – 10 to 3 Lot Consolidation	Residential Subdivision = R1 and R2, Rural Residential = R5, Rural = RU1 and RU4 Strata Subdivision Consolidation Boundary Adjustment
her	Signage – Business Identification Sign or Building Identification Sign or Advertising Sign – No. of Signs	Signage
ange of Use	Change of Use – From X to Y	Any change of use that is identified IN THE LEGISLATION AS PERMISSIBLE
nsent Modification	Alterations and Additions - Cafe and Delicatessen Fit Out - Consent Modification	Whatever the original application said + Consent Modification
ılti-Unit Dwellings	Multi-Unit Dwellings – 3 Units Multi-Unit Dwellings – 6 Units including 1 Adaptable	Residential flat buildings Multi dwelling housing ie townhouses/villas
urist Accommodation	Caravan Park Tourist Facility	Caravan Parks Tourist Facilities
ordable Housing	Boarding House – No. of Rooms X Group Home – No. of Rooms X Secondary Dwelling	Categories under Affordable Housing SEPP
nior's Living	Senior's Living – X Units	Categories under Senior's Living SEPP
anufactured Home Estate	Manufactured Home Estate – No. of Lots X	Manufactured Home Estate
mmercial/Retail/Office	Commercial Premises – <insert the type of commercial premises> Restricted Premises Medical Centre Retail Shop	Office, business or retail premises
xed Use	Whatever the mixed use relates to	Any mix of: Residential; Commercial; Tourism; Retail
rastructure	Solar Installation - <no. of panels/kw/type of installation> Wind Turbine Installation Telecommunications Facility	Transport Utilities Telecommunications proposals
dustrial	Industrial – Rural Industry - <Type of Industry> Industrial – Warehouse or Distribution Centre Industrial – Extractive Industry - <Type of Extractive Industry>	Rural Industry Warehouse or Distribution Centre Extractive Industry
mmunity Facility	Educational Establishment Community Facility - <Type of Community Facility>	Educational Establishments Library
3	Solid Fuel Heater – Eureka Stockade On-Site Wastewater Management System – RELN Tank and Trenches On-Site Wastewater Management System – Modification to Existing System Water and Sewer Connection – Internal and External Sewer Connection – External and Stormwater Drainage Connection Caravan Park or Camping Ground Operation Mobile Food Vending Vehicle	Solid Fuel Heater – <Brand of Heater> On-Site Wastewater Management System – <Brand or Type of System> Modification to On-Site Wastewater Management System Water, Sewer and Stormwater Operating a camping ground Use a standing vehicle or any article for the purpose of selling any article in a public place
ilding Certificate	Building Certificate for < Description of why building certificate is being issued>	

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Dumaresq Council

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DEVELOPMENT APPLICATION FORM

Application Information

Please attach all scaled plans (Site Analysis Plan, Site Plan, Floor Plans and Elevations), your Statement of Environmental Effects and all other supporting information to this application. See the notes attached to this application form for guidance.

All applications and plans must be submitted in HARD COPY AND ELECTRONIC FORMAT (Microsoft Word or PDF docs). Please save each part of the application in a separate document, and name it relating to its content eg. DA Form and SEE-Address/LOT DP, Threatened Species Assessment/SEPP44-Address/LOT DP, Traffic Assessment-Address/LOT DP, Site Plan-Address/LOT DP, Floor Plans-Address/LOT DP etc

Type of Application

- ☑ **Development Consent**
  (Please complete Sections A, B & G)
- ☐ **Construction Certificate - Building**
  (Please complete Sections A & C)
- ☐ **Construction Certificate - Subdivision**
  (Please complete Sections A & C)
- ☐ **Subdivision Certificate**
  (Please complete Sections A & E)
- ☐ **Activity Approval under Section 68 of the Local Government Act (See Section G for activities that require approval)**
  (Please complete Sections A & G)
- ☐ **Tree Removal Application**
  (Please complete Sections A & H)
- ☐ **Roads Act Approvals**
  (Please complete Sections A & F)
- ☐ **Modification of Development Consent/ Complying Development Certificate/ Construction Certificate**
  (Please complete Sections A, B & D)
- ☐ **Occupation Certificate**
  (Please complete Sections A & J)
- ☐ **Review of Determination**
  (Please complete Sections A and I)

Section A – General Information

APPLICANT DETAILS

Title (Mr/Mrs, Ms, Dr etc): MS

Contact Name: CHRISTINE DURHAM

Company Name:

Postal Address: 62 JESSIE ST
ARMIDALE 2350

Contact Details:

Phone: 6772 7527

Mobile: 0401313557

Email: cdurham4@bigpond.com

Signature: C Durham

APPLICATION PROPERTY DETAILS

Address: 62 JESSIE ST
ARMIDALE 2350

Lot and DP/SP Number: Lot G on DP22875

DEVELOPMENT DESCRIPTION

Briefly describe everything you want Council to approve:

CONSTRUCTION OF CAR PORT.

Section A – General Information

The genuine estimated cost of work shall be calculated in accordance with Appendix A – Estimated Cost of Works.

Estimated cost of works (including materials and labour) are to be calculated at a minimum of $1200 per m^2 of the new floor area for a standard dwelling.

Floor Area of new works in m^2 _____

Cost of floor area per m^2 _____

Floor Area of ancillary works in m^2 _____

Cost of floor area of ancillary works in m^2 _____

Demolishing costs _____

TOTAL COST OF WORKS:

$ 18 000

PROPERTY OWNER'S CONSENT

NOTE: All owners/Director's of companies must sign this consent. If property ownership has recently been transferred, please also provide evidence of the transfer.

As the owner/s of the above property, I/we consent to the lodgement of this Application.

I/we permit officers of Council to enter the land to carry out inspections as required for the assessment of this application and will provide access where required.

Name: CHRISTINE DURHAM

Signature: C Durham

Date: 3/5/16

Name:

Signature:

Date:

Company Name:

Authorised Officer Signature:

Date:

DISCLOSURE OF POLITICAL DONATIONS & GIFTS

State legislation introduced in September 2008 requires us to ask whether you, or any person with a financial interest in this application, made a reportable political donation or given a gift to any local Councillor or Council employee within the last 2 years.

☐ Yes ☑ No

NOTE: If you have ticked 'Yes' above you must complete the attached disclosure form.

For the meaning of 'reportable political donation', 'gift' and 'person with a financial interest', please see the notes on accompanying the attached disclosure form.

Section B – Development Information

DEVELOPMENT TYPE

☑ Erecting, altering or adding to a building or structure (including a temporary structure)

☐ Demolition of a building or structure

☐ Subdivision of land/building

☐ Change of use of land/building

☐ Other work (please specify)

Do you intend to use the premises as an entertainment venue (cinema, theatre, concert hall or indoor sports stadium) or a function centre, pub, registered club or restaurant?

☐ Yes ☑ No

If yes, what is the maximum number of persons proposed to occupy, at any one time, any part of the building to which that use applies?

TYPE OF DEVELOPMENT CONSENT

If you are unsure, please consult the Explanatory Notes attached to this form

☑ Local development

☐ Crown development

☐ Staged development (please attach information that describes the stages of your development)

☐ Designated development

☐ Integrated Development (please indicate under which Act relevant license/permits are required:

Fisheries Management Act 1994
[ ] s. 144 [ ] s. 201
[ ] s. 201 [ ] s. 205
[ ] s. 219

Heritage Act 1977
[ ] s. 58

Mining Act 1961
[ ] s. 63 & 64

National Parks and Wildlife Act 1974
[ ] s. 90

Protection of the Environment Operations Act 1997
[ ] ss. 43 (a), 47 & 55
[ ] ss. 43 (b), 48 & 55
[ ] ss. 43 (d), 55 & 122

Rural Fires Act 1997
[ ] s. 100 B

Roads Act 1993
[ ] s. 138

Mine Subsidence Compensation Act 1961
[ ] s. 15

Water Management Act 2000
[ ] ss. 89, 90, 91

Section B – Development Information

STATEMENT OF ENVIRONMENTAL EFFECTS

Please attach a Statement of Environmental Effects or Environmental Impact Statement as relevant to your application. All applications require one or the other (see Explanatory Notes for details).

Please indicate what type of statement is attached:

☐ Statement of Environmental Effects
☐ Environmental Impact Statement

THREATENED SPECIES CONSERVATION

Is the land, or part of the land you propose to develop, identified as critical habitat under the Threatened Species Conservation Act 1995?

☐ Yes ☑ No

NOTE: At the date of publication of this form (March 2015) there was no declared critical habitat in Armidale Dumaresq.

Is your proposal likely to significantly impact on threatened species, populations, ecological communities or their habitats?

☐ Yes ☑ No

NOTE: If you have answered 'yes' to either of the above, a 7-Part Test under Section 5A of the Environmental Planning and Assessment Act will be required and a Species Impact Statement may be necessary. This will need to be undertaken by a suitably qualified person.

Does the land you propose to develop have an area greater than 1 hectare?

☐ Yes ☑ No

NOTE: If you have answered 'yes', you will be required to make an assessment under the State Environmental Planning Policy No. 44, as to whether the land is potential koala habitat. This will need to be undertaken by a suitably qualified person.

Current use of site/building:
Are you aware of any activities on the site which may have led to soil contamination?
For subdivision - number of new lots to be created:
For subdivision – provide names of any new roads on site plans and in SEE – see POL071 Local Roads and Place Naming Policy.
Proposed hours of operation - commercial and industrial development:
Monday – Friday:
Saturday:
Sunday:

Section B – Development Information

HERITAGE AND CONSERVATION

Is the building an item of environmental heritage, or in a conservation area in Council's Local Environmental Plan (LEP)?

☐ Yes ☑ No

(This information is available at Council Offices or Council's website: www.armidale.nsw.gov.au)

Are you proposing to demolish all or part of the heritage building, or remove a heritage listed tree?

☐ Yes ☑ No

Are you proposing to alter or add to any part of a heritage building?

☐ Yes ☑ No

NOTE: If you have answered 'yes' to any of the above, you may be required to submit a Heritage Impact Statement.

Section C – Construction Details

BUILDER'S DETAILS

☐ Owner Builder

Following lodgement of your application, you will be required to obtain an Owner Builder Permit and provide a copy to Council.

☐ Licensed Builder

Name: _____

License Number: _____

CONSTRUCTION CERTIFICATE

☐ Building work

Building Code of Australia Class of the proposed building: _____

☐ Subdivision Work

DEVELOPMENT CONSENT

DA Number (if issued): _____

Date of Consent: _____

Section C – Construction Details

CONSTRUCTION STATISTICS (areas in m^2)

Area of site:
Floor area of new work:
Number of dwellings to be constructed:
Number of dwellings to be demolished:
Floor area of existing buildings:
Number of pre-existing dwellings:
Number of storeys:

Will the new dwelling be attached to any new building?

☐ Yes ☑ No

Will the new dwelling be attached to any existing buildings?

☐ Yes ☐ No

Is your proposal for a dual occupancy residence?

☐ Yes ☑ No

Please tick below the construction materials to be used.
NOTE: The numbers after the construction materials are codes for office use only.

FLOOR:
- ☐ Concrete/Slate 20
- ☐ Timber 40
- ☐ Other 80
- ☐ Not specified 90

FRAME:
- ☐ Timber 40
- ☐ Steel 60
- ☐ Aluminium 70
- ☐ Other 80
- ☐ Not specified 90

ROOF:
- ☐ Tiles 10
- ☐ Concrete/Slate 20
- ☐ Fibre Cement 30
- ☐ Steel 60
- ☐ Aluminium 70
- ☐ Other 80
- ☐ Not specified 90

WALLS
- ☐ Brick (double) 11
- ☐ Brick (veneer) 12
- ☐ Concrete/Stone 20
- ☐ Fibre Cement 30
- ☐ Timber 40
- ☐ Curtain Glass 50
- ☐ Steel 60
- ☐ Aluminium 70
- ☐ Other 80
- ☐ Not specified 90

Section C – Construction Details

Do you wish to appoint Council as the Principal Certifying Authority for the purposes of issuing:

Complying Development Certificates;

Construction Certificates;

Occupation Certificates;

Subdivision Certificates;

and carrying out inspections in relation to the above.

☐ Yes ☐ No

NOTE: Council has estimated the cost of undertaking mandatory/compliance inspection based on typical construction processes. Where additional inspections or re-inspections are required to be undertaken by Council Officers, inspection fees in accordance with Council's Management Plan will be required to be paid prior to the inspection occurring.

Section D – Modification of Consent

ORIGINAL DEVELOPMENT CONSENT

DA/CDC/CC Number:

Date of consent:

What did the original consent allow?

Cost of original proposal: $

Cost of original DA fee: $

DETAILS OF MODIFICATION SOUGHT

- ☐ Correction of a minor error/misdescription in original application or consent
- ☐ Modification that will have minimal environmental impact
- ☐ Other modification

Please explain the modification sought:

Does the development involve any building work?

☐ Yes ☐ No

NOTE: If you have answered 'yes' and a Construction Certificate has previously been issued for the development, a new Construction Certificate will be required. Please complete the relevant section of this form.

Section E – Subdivision Certificate

DETAILS OF THE SUBDIVISION

Is Development Consent required for the subdivision?

☐ Yes ☐ No

(Exempt Development - please attach evidence that you meet the requirements for exempt subdivision)

Has Development Consent been granted for the subdivision?

☐ Yes ☐ No

DA number: _____

Has a Construction Certificate (subdivision) been issued for the subdivision work?

☐ Yes ☐ No

If a Deferred Commencement Consent has been issued, have all matters been satisfied that are required before the consent can operate?

☐ Yes ☐ No

Is the land you wish to develop within Council's Water Supply area of operations?

☐ Yes ☐ No

NOTE: If you answered 'yes' above you will need to obtain a Certificate of Compliance.

Has the Land and Environment Court decided that a drainage easement is necessary over other land so your land can be drained or your drainage can be disposed of?

☐ Yes ☐ No

NOTE: If you have answered 'yes' above you need to provide evidence that the necessary easements have been purchased by Council.

Where work is required for the Subdivision, has:

☐ The work been completed?
☐ The Principal Certifying Authority been paid to undertake the work?
☐ A security been lodged with respect to the work?

Please provide detailed evidence where applicable.

CONDITIONS OF CONSENT

Does the Development Consent have conditions that you must meet before a Subdivision Certificate can be issued?

☐ Yes ☐ No

NOTE: If you answered 'yes' to the above, please attach a statement detailing how each of the conditions have been addressed including photos and documentary evidence where necessary.

Section F – Approvals under the Roads Act 1993

USE OF THE ROAD/ROAD RESERVE

What do you propose to do?

☐ Construct road works including drainage
☐ Construct a footpath
☐ Construct a driveway
☐ Connect to Council services (water or sewer)
☐ Control traffic
☐ Pumping of water into a road
☐ Connect to another road
☐ Creation of work zones for buildings
☐ Erect hoardings
☐ Operate a footway restaurant
☐ Hold a road event

NOTE: If you have ticked one of the above activities that involves work being carried out in the road/road reserve, you will be required to submit an Application to Conduct Work on Land to Which Council is the Regulatory Authority Form, and provide relevant details. This form is available at Council's offices or online.

SECTION G - Approval under s. 68 of the Local Government Act 1993

TYPE OF APPROVAL SOUGHT

☑ Nil
☐ Stormwater drainage work
☐ Water supply work, and/or sewerage work (**please complete separate application form**)
☐ Install and operate an on-site sewage management system (**please complete separate application form**)
☐ Install a solid fuel heater (**please complete separate application form**)
☐ Discharge trade waste into Council's sewer (**please complete separate application form**)
☐ Theatrical, musical or other entertainment for the public on community land
☐ Construct a temporary enclosure on community land for the purpose of entertainment
☐ Install a manufactured home, moveable dwelling or associated structure
☐ Other (please specify below):

_____

Section H – Tree Removal

TREE REMOVAL DETAILS

Application to:

- ☐ Remove
- ☐ Prune

NOTE: If your proposal involves any of the above action on a tree identified in the relevant Local Environmental Plan, please address the following in a separate document.

Provide details regarding:

- Whether you intend to trim or remove the tree, and for what reason/s
- A description of the tree including species or variety (if known)
- Whether the tree is dead or potentially dangerous

Provide a plan of the location of the tree/s and distances from buildings and nearby property boundaries. Include the location of, and distances to any underground services such as water, storm water, sewer, telephone and overhead power lines. You may wish to include photographs of the subject tree/s with your application.

A landscape plan detailing proposed replacement of trees is required for heritage listed trees in heritage listed grounds or gardens (refer to the relevant Local Environmental Plan). The plan should address the heritage significance of the tree/s, and propose measures to conserve the heritage significance of the setting. New or replacement plantings must be compatible with the period, genre or style of the original garden and/or heritage listed property. Please attach any plans to the application. A report from a qualified aborist supporting your proposed removal may be required.

Section J – Occupation Certificate

Please indicate the type of Occupation Certificate you wish to apply for:

- ☐ Interim Occupation Certificate
- ☐ Final Occupation Certificate

Details of the building which the Application relates to:

BCA Classification: _____

Please ensure that the following documents are attached to your Application:

- ☐ A copy of the relevant Development Consent or Complying Development Certificate
- ☐ A copy of any relevant Construction Certificate
- ☐ A copy of any relevant Fire Safety Certificate
- ☐ A copy of any relevant Compliance Certificate
- ☐ A copy of any relevant BASIX Certificate

Section I – Review of Determination

DA reference of the development consent you would like reviewed: _____

Property the determination relates to:

_____

_____

Date of issue: _____

Please attach a detailed statement indicating the part of the determination you would like reviewed and the reasons that the original determination is not considered reasonable.

Additional Information

PRIVACY AND PERSONAL INFORMATION PROTECTION ACT 1998 (Section 10)

The information you have provided with this application is considered 'personal information' for the purposes of the Privacy and Personal Information Protection Act (PPIA) 1998, and is being collected as to enable an efficient and accurate assessment of your application. The intended recipients of the information are officers within Council assessing the application, and any other agent of Council. The information required by this application is required by law, and failure to provide the information requested will result in Council being unable to process your application. You may make application to access and correct the information you have provided by contacting Armidale Dumaresq Council.

EXPLANATORY NOTES – YOU MUST USE THIS SECTION TO ENSURE ALL RELEVANT PARTS OF YOUR APPLICATION ARE COMPLETED TO AN ADEQUATE STANDARD FOR SUBMISSION

Plans required for Development Applications

The following plans **are required to be submitted to standard scales** (1:50; 1:100, 1:200 or 1:500) on A3 - 80 gsm paper. Larger sized plans (A1 or A2) are only acceptable for large scale development:

- three copies for Development Applications;
- three copies for Construction Certificate applications;
- three copies for Subdivision Certificate applications.

This allows different members of the assessment team to view plans concurrently. More copies may be required for major development activity and will assist with referrals to other organisations such as the Roads and Traffic Authority, the Rural Fire Services or the Heritage Office.

Plans should be drafted in the form shown in **Australian Standard 1100.301 Technical/Architectural Drawing** and should include the following details:

(a) A **Site Analysis Plan** (minimum 1:200 scale – A3) showing the opportunities and constraints of the property and relationship to surrounding land (including features of adjoining sites). Refer to Figure 1. These items should include:

i) contours;
ii) existing vegetation;
iii) buildings (including any to be retained and neighbouring buildings, including window locations);
iv) buildings to be demolished (please mark – to be demolished)
v) views to and from the site;
vi) access and connection points (including vehicular, pedestrian and cycle);
vii) drainage and services;
viii) orientation, micro-climate and noise sources;
ix) fences, boundaries and easements;
x) any other significant features.

(b) A **Detailed Site Plan** (minimum 1:200 scale – A3) containing the following information. Plans must be **coloured or hatched** where alterations or additions are proposed to existing site. Refer to Figure 2. These items should include:

i) north point;
ii) boundaries and boundary measurements;
iii) existing buildings and natural features such as trees, watercourses;
iv) reduced levels at each corner of the site or contours over the site;
v) reduced levels at the corner of any building;
vi) location of any easements (water, sewer, right-of-way, Transgrid etc);
vii) location of any Council sewer/water on the site;
viii) proposed stormwater disposal from the site;
ix) Australian Height Datum (AHD) levels are required for floor or slab levels of buildings n flood affected areas and in the Armidale CBD;
x) BASIX commitments;
xi) any other significant features.

(c) **Legible Floor Plans** (minimum 1:100 scale). Plans must be **coloured or hatched** where alterations or additions are proposed to existing development. These should include AHD levels of the lowest floor and any yard gully belonging to that floor. Refer to Figure 2.2.

(d) **Detailed Elevations and Sections** (minimum 1:100 scale). Plans must be **coloured or hatched** where alterations or additions are proposed to existing development. These should include AHD levels of the lowest floor and any yard gully belonging to that floor. Refer to Figure 2.3.

(e) **One additional set of neighbour notification plans – A4 or A3 –** do not show internal floor plan configuration on these plans. Indicate by colour or hatching to distinguish any proposed alteration, rebuilding or modification.

(f) For higher density developments or developments of multiple storeys, a shadow diagram may be requested. The plan should show:

i) the location of neighbouring buildings
ii) shadows cast by the existing structures and trees on the site between 9am and 3pm on 22 June (ie. midwinter);
iii) shadows cast by the proposed development at 9am and 3pm on 22 June (ie. midwinter).

Plans required for Subdivision Application

Detailed subdivision plans are to be submitted with a Development Application to subdivide land, showing:

i) the proposed subdivision with both existing and proposed site plan details (including number of lots, area and dimensions);
ii) all existing and proposed land uses;
iii) the location and width of nearby roads;
iv) the location of water, sewer, electricity and telecommunications services;
v) proposed points of entry and exit for each proposed lot;
vi) proposed method of stormwater disposal;
vii) proposed new roads (if any), (including long section and cross section drawings); and,
viii) relative levels for both the subject land and the adjacent streets/footpaths.

Plans required for a Construction Certificate Applications

Applications for a Construction Certificate will require:

i) at least one detailed cross section showing construction details such as roof trusses. Refer to Figure 2.3;
ii) details of provisions for fire safety and resistance (if any);
iii) window size schedule;
iv) structural engineer's details of any footing, concrete slab or proposed retaining walls requiring approval;
v) details of proposed insulation (including 'R' rating); and,
vi) specification details.

Statement of Environmental Effects

A Statement of Environmental Effects is a statement that demonstrates that the applicant has considered the impact of the proposal development on the natural and built environments both during and after construction and the proposed methods of mitigating any adverse effects. This statement does not have to be in any special form, but should address the following matters:

i) the objectives you are hoping to achieve. This will assist Council in understanding the applications intent;
ii) outline any alternatives you considered, and why you preferred the one which you are submitting;
iii) assessment of the likely 'external' effects of your proposal, including any possible adverse effects on your neighbours or the locality;
iv) if the impact could be potentially significant, outline any measures you propose to neutralise or offset that impact. Alternatively explain why you think the likely effect is acceptable;
v) relevant standards and policies applicable to the development as contained in our LEP and this DCP.

Please be as objective as possible. We may ask you to produce evidence in support of any claims you make. The statement, in appraising the suitability of land for development, should address issues (where applicable) such as:

i) flooding, drainage, land slip, soil erosion, mine subsidence;
ii) effect on the landscape, streetscape, national park or scenic quality of the locality;
iii) impact on existing and future amenity of the locality;
iv) how the privacy, daylight and view of other dwellings will be affected, ie.do they overlook or overshadow each other;
v) amount of traffic generated, particularly in relation to the adequacy of existing roads and present volumes of traffic carried;
vi) car access, parking and availability of public transport;
vii) waste disposal arrangements. Location of garbage and storage areas;
viii) methods of sewerage effluent and stormwater disposal;
ix) availability of utility services, power, telephone, water/sewer;
x) social effects and economic effects;
xi) anticipated impact of noise levels to the site locality;
xii) effect on historical and archaeological aspects;
xiii) effect on flora and fauna;

xiv) design and external appearance in relation to the site and locality indicating how the design is appropriate to the site, including a specification of the external materials to be used;

xv) access for people with disabilities (if required);

xvi) potential contamination of the development site and proposals for remediation/clean up of land;

xvii) any special circumstances.

Note: Other matters may be relevant depending upon the nature of the development proposal. In the case of a 'designated' development, an environmental impact statement is required to be submitted in the manner outlined in the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000.

Heritage Issues

A Heritage Impact Statement is required for all demolition, and may be required for alterations and additions to a heritage listed building/garden. This statement should address the following:

i) why the item is of heritage significance;

ii) what impact the proposed works will have on that significance;

iii) what measures are proposed to mitigate negative impacts;

iv) why more sympathetic solutions are not viable.

For further information on the preparation of such a statement visit: http://www.heritage.nsw.gov.au/

Forms and Other Documents

All applications for development can be made on the one standard form which can be provided by our Customer Service staff or online. These enable us to gather information which is used to routinely in the assessment of your application, such as the name and contact details for the applicant, property address and basic details of the development activity for which approval is sought.

In addition to these forms, it may be necessary to provide additional information and where this is the case, the form will prompt you to do so. Examples of such information include:

two copies of specifications for building works, including details of materials to be used and the method proposed for drainage, sewerage and water supply. Please NOTE that we may dispense with this requirement for minor works and that we hold a standard specification for projects such as dwelling construction.

drainage plan application with Construction Certificate (if new sewer drainage is proposed) – may be waived if applicant's Plumbing Contractor agrees to submit 'works as executed' drawings to Council's standards.

Department of Fair Trading insurance receipt for residential building applications for projects to be undertaken by licensed builders over $20,000 in value; for owner-builders, a receipt and Owner Builders Permit is required for projects over $5,000 in value;

BASIX Certificate – the Building Sustainability Index (BASIX) is a web-based planning tool administered by the NSW State Government, designed to assess the potential performance of residential buildings against a range of sustainability indices. A BASIX Certificate identifies the sustainability features required to be incorporated in the building design. These features may include sustainable design elements such as recycled water, rainwater tanks, AAA-rated showerheads and taps, native landscaping, heat pump or solar water heaters, gas space heaters, roof eaves/awnings and wall/ceiling insulation.

You may be required to submit a BASIX Certificate depending on the type of development approval required. This must be submitted with your Development Application. In addition, the BASIX commitments must be included on your plans. The BASIX specifications are to be identified on your plans, and will be checked by a building certifier during construction. Where submitted plans and specifications are inconsistent with the relevant BASIX Certificate, Council will require applicants to submit consistent applications before progressing the assessment process, either by amending the plans and specifications or by submitting a revised BASIX Certificate. Applicants can generate the BASIX Certificate on the Department of Planning's BASIX website: www.basix.nsw.gov.au.

Integrated Development

Integrated Development (at the date of printing this document) comprised development requiring any of the following approvals:

Rural Fires Act

Section 100B – if your proposal requires authorisation in respect to bushfire safety of subdivision of land that could lawfully be used for residential or rural residential purposes, or development of land for special fire protection purposes.

Special Fire Protection Purposes include:

schools, child care centres, hospitals, hotels, motels, other tourist accommodation, homes for mentally incapacitated persons, housing for older people or people with disabilities (within the meaning of SEPP 5), group homes, (within the meaning of SEPP 9) and retirement villages.

Protection of the Environment Act 1997

(a) Sections 43(a), 47 & 55 - if your proposal requires an Environmental Protection License to authorise carrying out of scheduled development work;
(b) Sections 43(b), 48 & 55 – if your proposal requires an Environmental Protection License to authorise carrying out of scheduled development work (excluding any activity described as a 'waste activity' but including any activity described as a 'waste facility';
(c) Sections 43(d), 55 & 122 – if your proposal requires an Environmental Protection License to control carrying out of non-scheduled activities for the purposes of regulating water pollution resulting from the activity.

Roads Act 1993

Section 138 – if your proposal requires consent to carry out any of the following activities on a classified road.

(a) erect a structure or carry out work in, on or over a public road;
(b) dig up or disturb the surface of a public road;
(c) remove or interfere with a structure, work or tree on a public road;
(d) pump water into a public road from any land adjoining the road;
(e) connect to a road (whether public or private).

Fisheries Management Act 1994

(a) Section 144 – if your proposal involves the cultivation of fish, shellfish, crustaceans, seaweeds or other aquatic organisms for commercial purposes;
(b) Section 201 – if your proposal involves the excavation of filling the bed of a natural or semi-natural waterway, whether permanently or intermittently flowing;
(c) Section 205 – if your proposal involves an disturbance, damage or harm to marine vegetation;
(d) Section 201 – if your proposal involves across a natural waterway.

Heritage Act 1977

Section 58 – if your proposal involves work on land affected by a permanent or interim conservation order or a place listed on the State Heritage Register.

National Parks and Wildlife Act 1974

Sections 90 - if your proposal requires approval to knowingly destroy of damage an Aboriginal Object or Aboriginal Place. 'Aboriginal Place' – any place gazetted by the Minister as being of special significance to Aboriginal culture. 'Aboriginal Object' means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.

Water Management Act 2000

Section 89, 90 & 91 - if your proposal requires approval to pump water from a waterway or change the water quality of a natural waterway

Mining 1992

Sections 63 & 64 - if your proposal requires the granting of a mining lease.

Mining Subsidence Compensation Act 1961

Section 15 - if your proposal involves altering or erecting improvements or subdividing land in a mine subsidence district.

Designated Development

Designated Development is a type of development that requires a more significant assessment process including the preparation of an Environmental Impact Statement (EIS). If your development involves any of the activities listed below it may be designated development. Please consult Schedule 2 and Schedule 3 of the *Environmental Planning and Assessment Regulation 2000* for more information on Designated Development and the preparation of Environmental Impact Statements.

Agricultural produce industries	Artificial waterbodies	Aircraft facilities
Electricity generating stations	Cement works	Shipping facilities
Limestone mines and works	Ceramic and glass industries	Extractive industries
Livestock processing industries	Mineral processing or metallurgic works	Chemical industries
Breweries and distilleries	Railway freight terminals	Petroleum works
Bitumen pre-mix and hot-mix industries	Non-domestic composting facilities	Concrete works
Pulp and pulp products industries	Non-domestic sewerage facilities	Coal works
Contaminated soil treatment works	Waste management facilities or works	Coal mines
Crushing, grinding or separating works	Wood or timber milling or processing works	Mines
Drum or container reconditioning works	Wood preservation works	Turf farms
Chemical storage facilities	Aquaculture	

Other Relevant Information

The activities that may lead to contamination are listed below. If any of these activities have been, or are being, carried out on the subject site, it may be contaminated. You should include the land use in the relevant section of the Application Form.

Table 1. Some Activities that may Cause Contamination

Acid/Alkali plant and formulation	Mining and extractive industries	Landfill sites
Agricultural/horticultural activities	Asbestos production and disposal	Airports
Paint formulation and manufacture	Oil production and storage	Panel beating
Chemical formulation and manufacture	Drum re-conditioning works	Council works depot
Pesticide formulation and manufacture	Dry cleaning establishments	Service stations
Electro plating and heat treatment premises	Smelting and refining	Sheep and cattle dips
Spray painting substations (electrical)	Tanning and associated trades	Engine works
Electrical manufacturing (transformers)	Water board plant or depot	Explosives industry
Waste and storage and treatment	Funeral parlours	Iron and steel works
Power stations	Gas works	Metal treatment
Railway yards	Wood preservation	Boatyards
Scrap yards	Defence works	

Managing Land Contamination Planning Guidelines, SEPP 55–Remediation of Land, p12

Plans required for an s.68 Application to Install an On-site Wastewater Management System

The Onsite Wastewater Management System Application must be accompanied by a Site Plan, showing the location of:

i) the sewage management facility proposed to be installed or constructed on the site;
ii) any related effluent application areas; and,
iii) any buildings or facilities existing on and any environmentally sensitive areas of, any land located within 100 metres of the sewage management facility or effluent application areas;
iv) applications for the systems incorporating surface/subsurface irrigation must include a plan of the irrigation layout within the designated disposal area.

Specifications:

The application must be accompanied by a copy of the specification of the sewage management facility proposed to be installed or constructed on the premises including a copy of the Department of Health Accreditation.

Site Assessment and Geotechnical Reports

Applications involving land applications of effluent must be accompanied by a report detailing the topography, soil composition and vegetation of any effluent disposal areas.

Operation and Maintenance

The application must be accompanied by details of the operation and maintenance requirements for the proposed sewage management facilities including details of any action to be taken in the event of breakdown or some other interference in the facilities operation.

Submitted Applications

Fees

Most of the fees applicable for our assessment of applications are set by State legislation. In some cases, fees are set in our Management Plan. Additional fees are payable for inspections carried out by our staff following the issue of a Construction Certificate. Our customer service staff are able to provide a full schedule of fees on request.

Will Council provide pre-application advice?

Yes. We encourage intending applicants to discuss their applications with our staff before lodgement. This is especially important where intending developers are likely to incur significant capital outlay in preparing applications or acquiring land. Advice can be sought from staff on the basis for assessment of a proposal, although this cannot extend to consideration of the commercial viability of a project, which is properly a matter for applicants and their own professional advisors.

Often such enquiries can be resolved by reference to Council's relevant statutory and policy controls. In other cases, proposals may not meet the criteria or standards that would normally apply to a particular site. This will require consideration of any special or offsetting merits of a proposal.

Is any payment required for Council's advice?

Cost recovery for extensive research, especially to respond to enquiries for commercial projects, is becoming increasingly important where we are asked to provide such a service.

Although it is Council's policy not to charge for pre-application meetings, where extensive staff time is required to answer development enquiries, we will reserve the right to charge a consultation or file search fee, at the rate adopted from time to time in our Management Plan for such services.

These fees will apply particularly to repeated enquiries about the same matter or property, to detailed enquiries of a 'speculative' nature, or where the advice would normally be available for a fee from consultancy services. The enquirer will always be notified when we intend to commence charging and given the option not to proceed.

How binding is pre-application advice?

Council staff will respond to specific pre-application enquiries in good faith. However, any pre-application consultation cannot 'pre-empt' detailed consideration and determination of a specific application, which could include consultation with third parties such as your neighbours.

Official advice is only given in writing. If some uncertainty remains, a common practice to make the purchase or lease of land conditional upon the outcome of an application. This is often the best way to protect your interests. This option should be discussed with your legal adviser where appropriate.

Disclosure of Political Donations and Gifts

Under State legislation, any person making a Development Application must also disclose whether they or any person with a *'financial interest'* in the application have made a *'reportable political donation'* or *'gift'* to a local Councillor or Council employee within the period commencing two years before the Application is made and ending when the Application is determined. Any such donation or gift, if applicable, must be disclosed on the form provided with the Council's DA form and lodged with Council.

The form includes further explanatory information on disclosures and the terms in italics.

Failure to make a required disclosure is an offence under state legislation, which may lead to a fine or imprisonment. Should you have any questions about the legislation please contact the NSW Department of Planning – www.planning.nsw.gov.au

Annexure A – Estimated Cost of Works

The genuine cost of the development proposed in a development application or certification application should include costs based on industry recognised prices, including cost for materials and labour for construction and/or demolition and GST. If the estimate is understated, the figure will need to be adjusted. Additional application fees may then be incurred.

Council has developed an 'Estimating Cost of Works for Development Guide' which may provide guidance on what Council considers to be genuine estimated costs of works for development. The figures in the guide have been prepared from Rawlinsons Construction Cost Guide 2012.

1. GENERAL PROJECT INFORMATION

DESCRIPTION OF WORKS		
TOTAL SITE AREA	Gross floor area (commercial)	m^2
	Gross floor area (residential)	m^2
	Gross floor area) (retail)	m^2
	Gross floor area) (industrial)	m^2
	Gross floor area) (other)	m^2
PARKING	Gross floor area (parking)	m^2
	Number of parking spaces	
DEMOLITION WORKS		m^2
OTHER WORKS		

2. ESTIMATED COST OF WORKS

For developments up to $100,000 Council will accept a per m^2 cost in accordance with Council's 'Estimating Cost of Works for Development Guide'. For developments between $100,001 and $3,000,000 a cost estimate must be provided by a licensed builder, a registered architect, a qualified and accredited building designer, or a registered quantity surveyor. The methodology must be detailed in either Table 1 or Table 2 below. If the development is over $3,000,000, a detailed cost report prepared by the registered quantity surveyor should be attached verifying the cost of the development.

Table 1: ESTIMATED COST OF WORKS - BASED ON WORKS COMPONENTS

Cost (applicant's genuine estimate)	
Demolition works (including cost of removal from site and disposal)	$
Site preparation (e.g. clearing vegetation, decontamination or remediation)	$
Excavation or dredging including shoring, tanking, filling and waterproofing	$
Preliminaries (e.g. scaffolding, hoarding, fencing, site sheds, delivery of materials, waste management)	$
Building construction and engineering costs • concrete, brickwork, plastering • steelwork/metal works • carpentry/joinery • windows and doors • roofing	$
Internal services (e.g. plumbing, electrics, air conditioning, mechanical, fire protection, plant, lifts)	$
Internal fit out (e.g. flooring, wall finishing, fittings, fixtures, bathrooms, and equipment)	$
Other structures (e.g. landscaping, retaining walls, driveways, parking, boating facilities, loading area, pools)	$
External services (e.g. gas, telecommunications, water, sewerage, drains, electricity to mains)	$
Professional fees (e.g. architects and consultant fees, excluding fees associated with non-construction components)	$
Other (specify)	$
Parking / garaging area	$
GST	$
TOTAL	$

Annexure A – Estimated Cost of Works

OR

Table 2: ESTIMATED COST OF WORKS - BASED ON FLOOR SPACE ESTIMATES

			Costs
PROFESSIONAL FEES	% of construction cost	%	
	% of development cost	%	
	total cost		$
DEMOLITION & SITE PREPARATION	x/m² of site area	$	
	total construction cost		$
EXCAVATION	x/m² of site area	$	
	volume of material removed		
	total construction cost		$
CONSTRUCTION Commercial	x/m² of commercial area	$	
	total construction cost		$
CONSTRUCTION Residential	x/m² of residential area	$	
	total construction cost		$
CONSTRUCTION Retail	x/m² of retail area	$	
	total construction cost		$
CONSTRUCTION Industrial	x/m² of commercial area	$	
	total construction cost		$
CONSTRUCTION other	x/m² of commercial area	$	
	total construction cost		$
FITOUT Commercial	x/m² of commercial area	$	
	total construction cost		$
FITOUT Residential	x/m² of residential area	$	
	total construction cost		$
FITOUT Retail	x/m² of retail area	$	
	total construction cost		$
FITOUT Industrial	x/m² of industrial area	$	
	total construction cost		$
FITOUT Other	x/m² of retail area	$	
	total construction cost		$
CARPARK	x per space	$	
	x/m² of parking area	$	
	total construction cost		$
TOTAL CONSTRUCTION COST			$
TOTAL GST			$
TOTAL DEVELOPMENT COST			$

3. CERTIFICATION OF THE ESTIMATED COST OF WORKS

I certify that:

1. I have provided the estimated costs of the proposed development and that those costs are based on industry recognised prices; and
2. the estimated costs have been prepared having regard to the matters set out in clause 255 of the *Environmental Planning and Assessment Regulation 2000*

Signed:	
Name:	
Position:	
Date:	
Contact Number:	
Contact Address:	

Statement of Environmental Effects – 62 Jessie Street, Armidale 2350

The objective is to build a two bay carport and walkway to provide accessibility for cars and people to enter the property off Jessie Street.

It was considered to build the carport on Donnelly Street but this was not an option due to the volume of traffic on Donnelly Street and the road rating of Donnelly Street, requiring cars to come out facing forward which was not possible.

The carport will sit in front of the southern part of the house on the eastern side and will be in keeping with several other properties in Jessie Street who have carport/garage access at the front of their property as a result of the steepness of the street. It will not increase the amount of traffic or noise in the locality nor will it deter from the scenic quality of the locality.

The double bay carport will be built using steel posts with a corrugated iron roof, a suspended timber floor supported by steel posts on foundations and have wooden slat walls on the southern and western sides to provide privacy for the neighbouring house and existing house and this will also allow light to pass through to both properties. Water will be captured and returned to the street for run off.

The carport will not impede on any neighbouring properties or services and there will be no social or economic effects, nor any effect on historical/archaeological aspects or flora and fauna. There is no potential for contamination and no other special circumstances.

Regards

Christine Durham

62 Jessie St

Armidale 2350

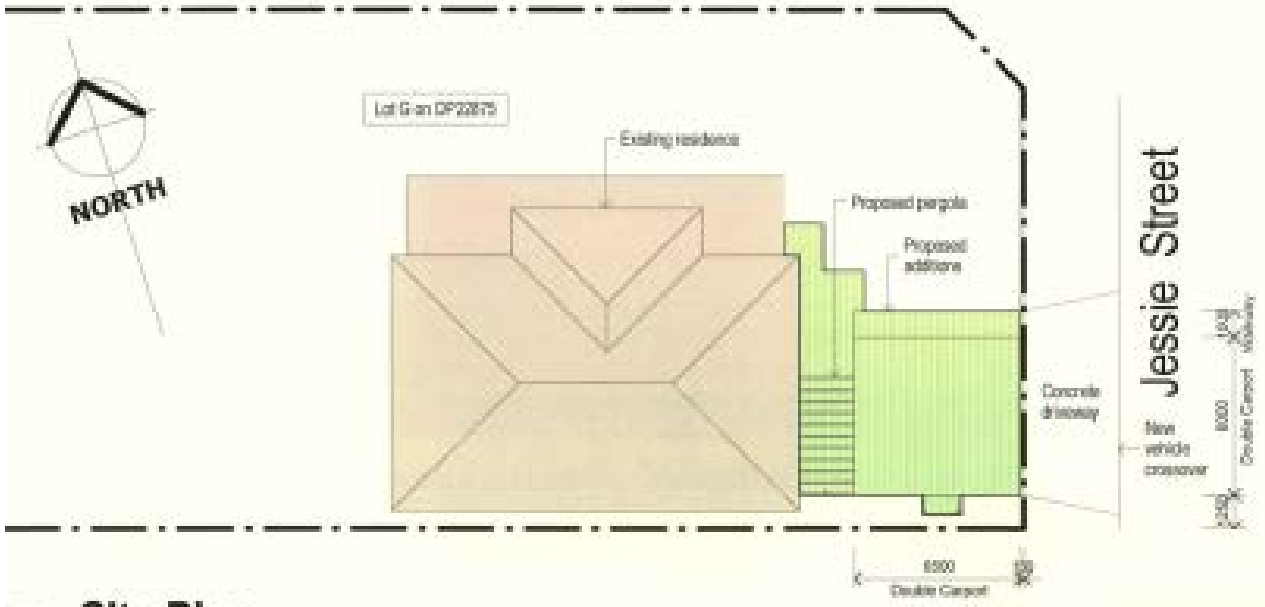
3/5/16

or materials or commencement of construction.

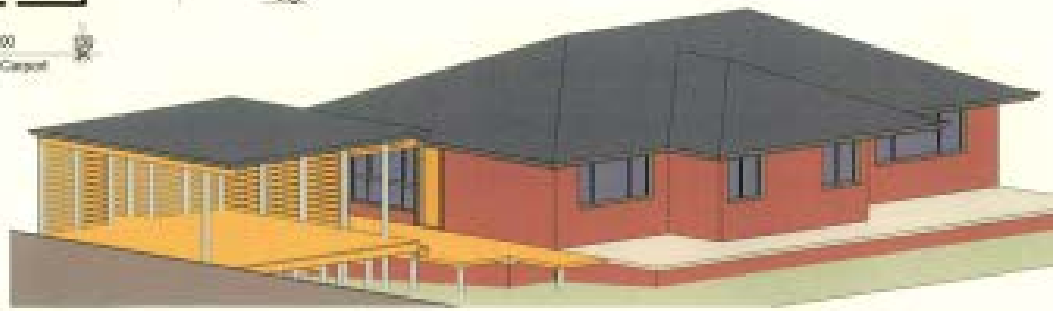
2. All work is to be carried out in accordance with the Building Code of Australia (
and the relevant Australian design standards.
All timber framework to AS1684.
All concrete slabs and footings to AS2870.

Drawing List

Drawing No.	Title	Issue	Issue Type	Issue Da
WD-01	Site Plan, Notes & 3D Views	C	Client Issue	03/05/201
WD-02	Floor Plan	C	Client Issue	03/05/201
WD-03	Elevations	C	Client Issue	03/05/201
WD-04	Typical Sections	C	Client Issue	03/05/201



1 Site Plan
1 : 200



3 3D View 2

2 3D View 1

Marshall Drafting Services
20 Kuranda Avenue
PO Box 4318
Armidale, NSW 2350

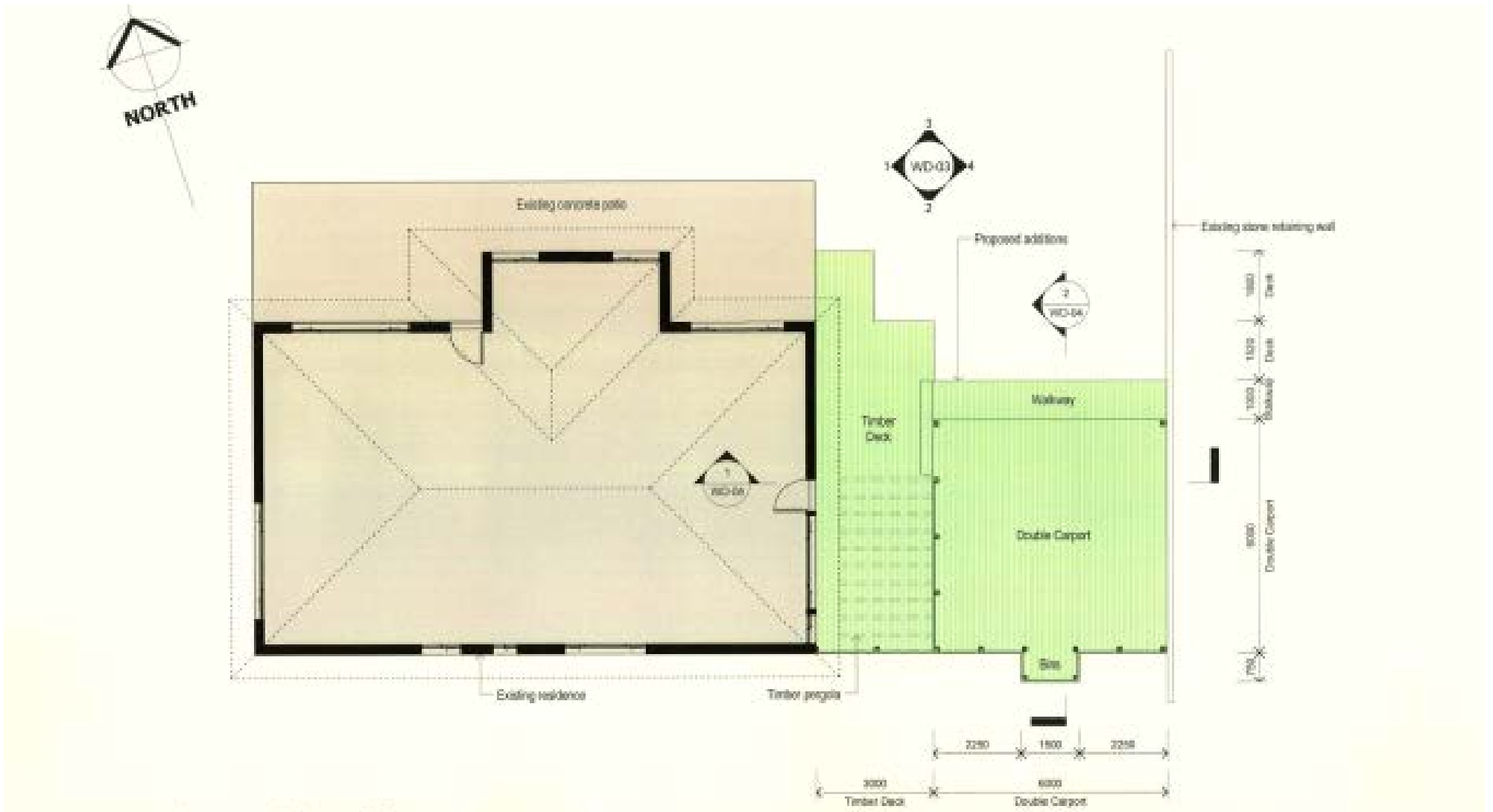
THE BUILDER IS TO LOCATE ALL EXISTING SERVICES AND VERIFY LEVELS AND DIMENSIONS ON SITE BEFORE COMMENCING ANY EXCAVATION OF BUILDING WORKS.

THE BUILDING WORKS WILL COMPLY WITH THE RELEVANT PROVISIONS OF THE BUILDING CODE OF AUSTRALIA AND BP

C. Durham
Proposed carport at

Site Plan, Notes & 3D Views

Project Number 16016



1 Floor Plan

1 : 100

Marshall Drafting Services

20 Karanda Avenue
PO Box 4219
Annandale NSW 2038

THE BUILDER IS TO LOCATE ALL EXISTING SERVICES AND VERIFY LEVELS AND DIMENSIONS ON SITE BEFORE COMMENCING ANY EXCAVATION OR BUILDING WORKS.

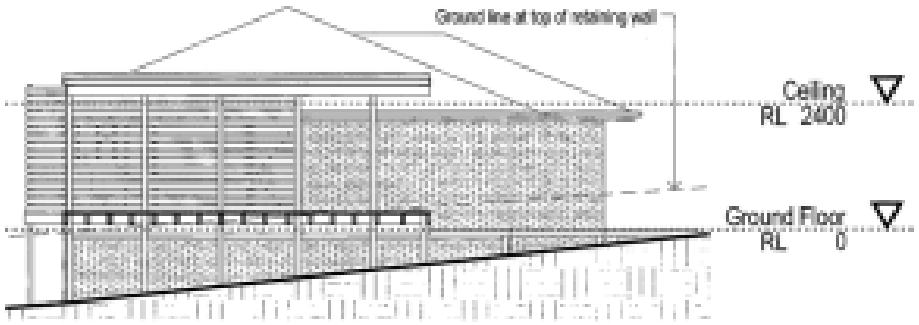
THE BUILDING WORKS WILL COMPLY WITH THE RELEVANT PROVISIONS OF THE BUILDING CODE OF AUSTRALIA AND BY

C. Durham

Proposed carport at

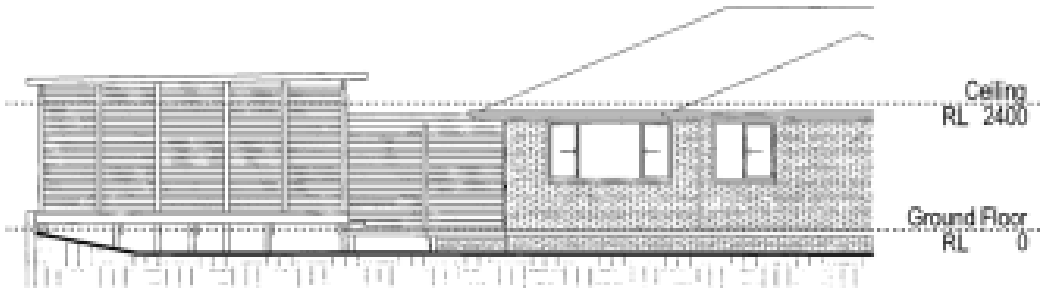
Floor Plan

Project Number 16019



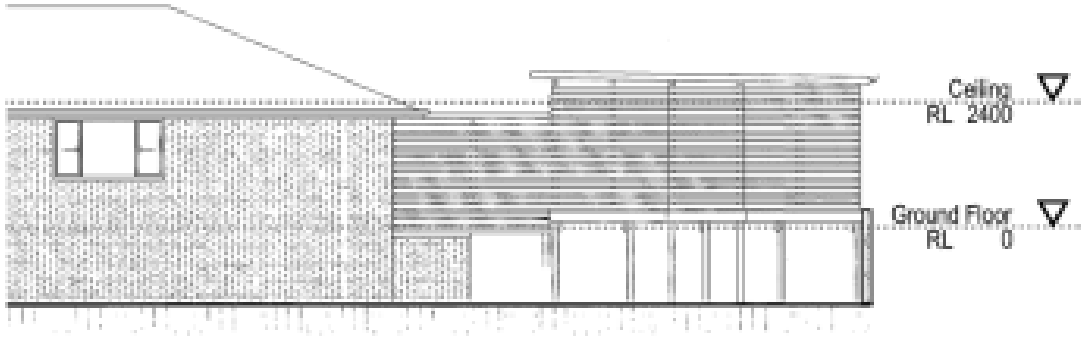
1 East Elevation

1 : 100



2 North Elevation

1 : 100



3 South Elevation

1 : 100

4 West Elevation

1 : 100

Marshall Drafting Services
20 Kuranda Avenue
PO Box 4219
Arncliffe NSW 2205

THE BUILDER IS TO LOCATE ALL EXISTING SERVICES AND VERIFY LEVELS AND DIMENSIONS ON SITE BEFORE COMMENCING ANY EXCAVATION OR BUILDING WORKS.

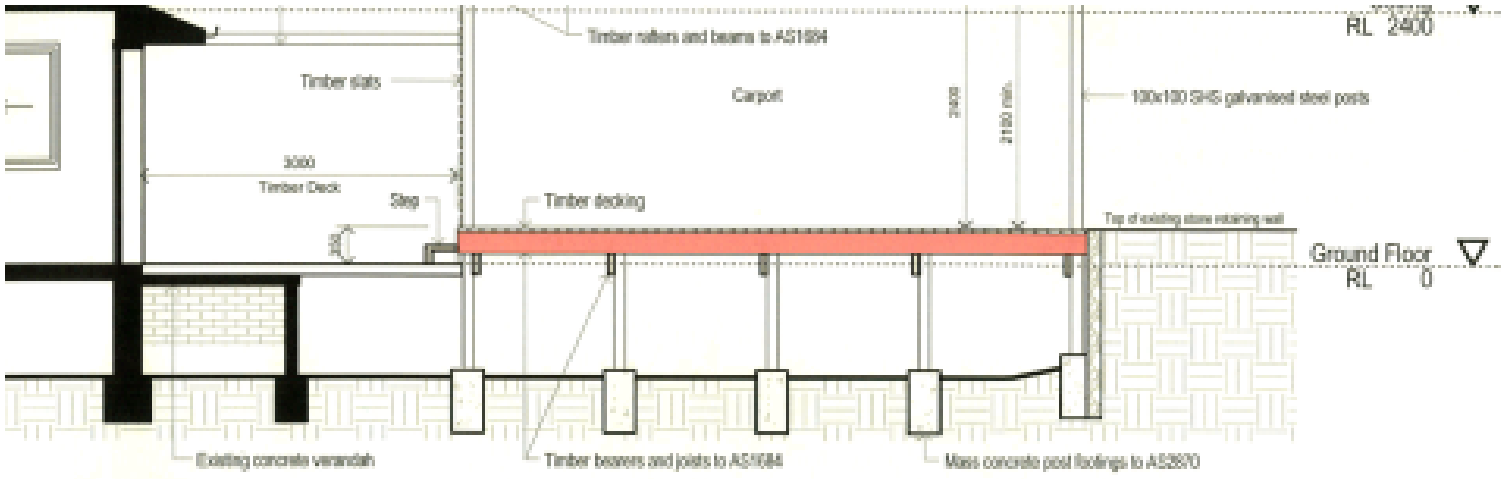
THE BUILDING WORKS WILL COMPLY WITH THE RELEVANT

C. Durham

Proposed carport at

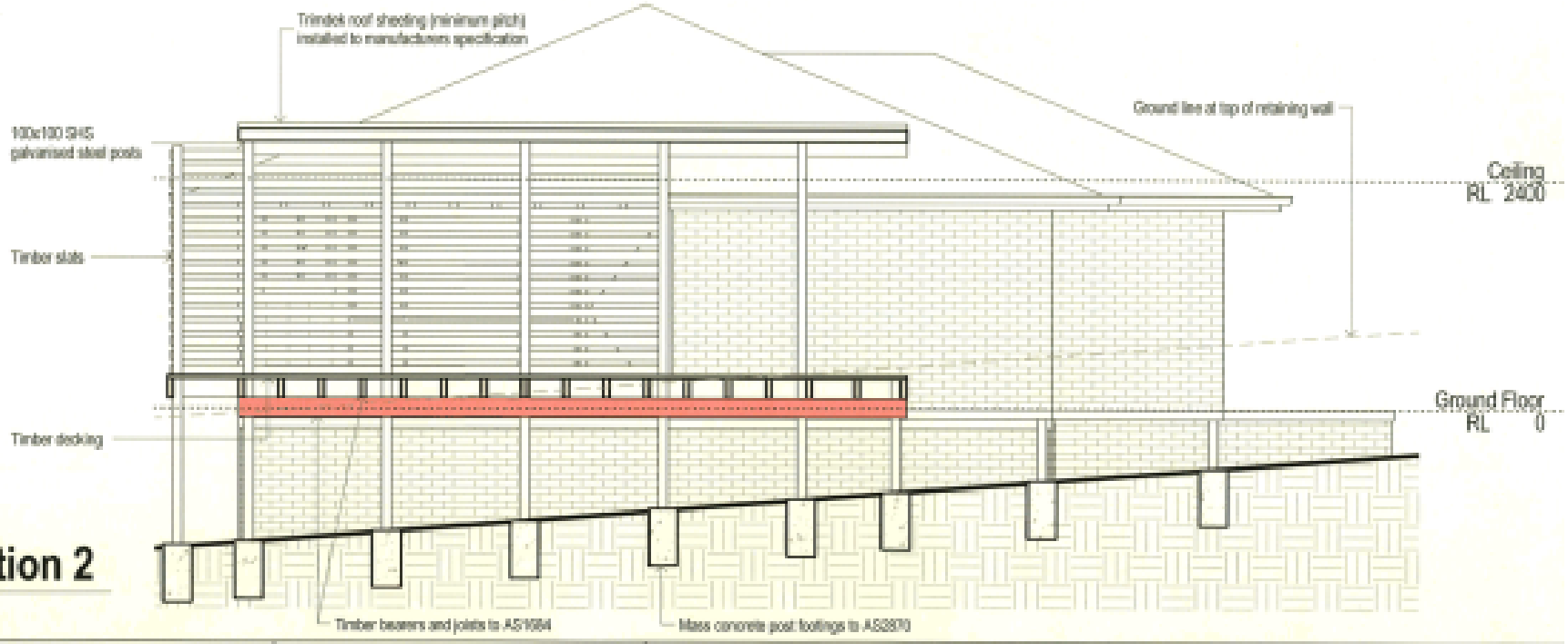
Elevations

Project Number 16019



Section 1

1 : 50



2 Section 2

1 : 50

Marshall Drafting Services
20 Kuranda Avenue
PO Box 4219
Armidale, NSW 2350

THE BUILDER IS TO LOCATE ALL EXISTING SERVICES AND VERIFY LEVELS AND DIMENSIONS ON SITE BEFORE COMMENCING ANY EXCAVATION OR BUILDING WORKS.

THE BUILDING WORKS WILL COMPLY WITH THE RELEVANT

C. Durham

Proposed carport at

Typical Sections

Project Number 16019

STREET TREE VALUATION MATRIX

Referenced to Draft Australian/New Zealand Standard DR99307 -

Armidale Regional Council
135 Rusden Street | PO Box 75A Armidale NSW 2350

NOTE: If previous assessment is older than 2 years then reassessment is mandatory

Location (of tree):	62 Jessie Street Armidale
GIS location	
Assessment requested by:	DA-86-2016 Developer
Reason for assessment:	Owner wished to alter position of driveway and tree is located within proposed driveway access.
Species (and common name):	Pistacia chinensis (Chinese pistacio)
Date of Assessment:	
Comments:	Male tree planting date unknown. Has not performed as well as others in the streetscape. Possible internal fungal decay evidenced by basal shoots. Large wound from removed primary branch at base of trunk, probably from garbage truck breakage that could provide access for decay. Useful life of this tree is unknown however basal shoots can be pruned off and the tree may continue to contribute positively to the streetscape.

Calculated Tree Valuation:	**$233**

Factor	Available Ratings				Rating	
	1	2	3	4		Score
Size	Small	Medium	Large	Very Large	Medium	1
Useful life expectancy	>10<20 yr	>20<40 yr	>40<100 yr	>100 yr	>20<40 yr	1
Importance in its current position	nil	isolated	steetscape planting	memorial planting	steetscape planting	3
Presence of other trees	Many	Some	Few	None	Some	1
Suitability for the position	Barely	Fairly	Very	Especially	Barely	1
Form	Poor	Fair	Good	Especially	Fair	1
Special Factors (Heritage listing, rarity etc.)	nil	Oral history	Significant	Heritage listed	nil	1

Increment Value: (DR99307 $50)	$78	Increment value must be adjusted annually
Total Score (product of value ratings)	3	$50 in 1999 is equivalent to $77.51 in 2014 (RBA Inflation calculator)
Assessment undertaken by: Richard Morsley B.Sc. Senior Officer, Civic and Recreation Services, Armidale Dumaresq Council		Option: Burnley Method Value= base value (1m3, 1.5" caliper)xExVxFVxL : Where V=tree size, E=ULE, FV=form and vigour, L=location: N/A. Thyer 2000 Valuation method N/A.

Attachment 2

DA NUMBER:	DA-86-2016
LOCATION:	62 Jessie Street ARMIDALE NSW 2350 Lot G DP 22875
DEVELOPMENT DESCRIPTION:	Alterations and Additions - Carport
COUNCIL:	Armidale Dumaresq Council : Kayla Clanchy

PLEASE REFER TO REFERENCE DOCUMENT FOR ADDITIONAL INFORMATION

PROPERTY DETAILS / HISTORY	
FILE HISTORY	Building permit no. 83/96 – approved 30/7/96, approved carport in similar location to current proposal. Consent was never acted upon and has since lapsed. 24/3/98 – Request to build a timber fence in front of retaining wall (encroaching onto Council land) was denied.
TITLE PLAN	No easements or restrictions on Lot.
CHECK OWNERSHIP	Title Search on file. Miss C F Durham has signed Application form.

REFERRALS if yes to any question refer to 79C reference document	
Public Authority	
Is the application by/on behalf of Public Authority (this includes UNE)?	**NO**
Airport	
Is the height of the development more than 30 metres above natural ground level and within 30 kilometres of an aerodrome?	**NO**
Is the height of the development greater than 45 metres?	**NO**
Is the height of the development more than 30 metres above natural ground level and located in the PANS-OPS area?	**NO**
Is the development likely to require use of a crane during construction in a location that could potentially affect Airport operations?	**NO**
Power	
Is the development located wholly or partially within a Transgrid easement?	**NO**
Roads	
Does the development gain access from or is adjacent to a classified road?	**NO**

ENVIRONMENTAL PLANNING INSTRUMENTS SECTION 79C(1)(a)(i)	
STATE ENVIRONMENTAL PLANNING POLICIES (SEPPs) (see reference doc for a full list)	
SEPP (BASIX 2004)	No BASIX report required. This is due to the cost of works and the fact that the proposed development is a non-habitable structure.
SEPP (Exempt and Complying Development Codes) 2008	Not exempt or complying. The proposed carport position is too close to eastern and southern boundaries.
ARMIDALE DUMARESQ LOCAL ENVIRONMENTAL PLAN (ADLEP 2012)	
PART 1 PRELIMINARY	
1.2 Aims of Plan	The assessment of this application has been carried out having regard to the aims of the Plan.
1.9A Suspension of covenants, agreements and instruments	n/a
PART 2 PERMITTED OR PROHIBITED DEVELOPMENT	
2.2 Zoning of land to which Plan applies	R1 General Residential
2.3 Zone objectives and Land Use Table	***1 Objectives of zone*** • To provide for the housing needs of the community. • To provide for a variety of housing types and densities. • To enable other land uses that provide facilities or services to meet the day to day needs of residents. Carports and pergolas are permitted with consent.
2.4 Unzoned land	n/a
2.5 Additional permitted uses for particular land	n/a
2.6 Subdivision—consent requirements	n/a
2.7 Demolition requires development consent	D010 applies at Donnelly St frontage to remove vehicle access.
2.8 Temporary use of land	n/a
PART 4 PRINCIPAL DEVELOPMENT STANDARDS	
4.1 Minimum subdivision lot size	Lot Size I - 500m2
4.1AA Community title schemes	n/a
4.1A Minimum subdivision lot size for strata plan schemes in certain rural, residential or environmental protection	n/a

zones	
4.1B Subdivision of lots in both Zones E3 and E4	n/a
4.1C Exceptions to minimum lot sizes for certain rural subdivisions	n/a
4.1D Minimum lot sizes for certain split zones	n/a
4.2 Rural subdivision	n/a
4.2A Erection of dwelling houses or dual occupancies on land in certain rural, residential and environmental protection zones	n/a
4.2B Erection of rural workers' dwellings in certain rural and environmental protection zones	n/a
4.3 Height of buildings	n/a
4.6 Exceptions to development standards	n/a, proposal does not contravene any EPI.
PART 5 MISCELLANEOUS PROVISIONS	
5.1 Relevant acquisition authority	n/a
5.3 Development near zone boundaries	n/a
5.4 Controls relating to miscellaneous permissible uses	n/a
5.8 Conversion of fire alarms	n/a
5.9 Preservation of trees or vegetation	Street trees are included in POL120.
5.9AA Trees or vegetation not prescribed by development control plan	One street tree will need to be removed to facilitate driveway. Street tree occurs approximately 3.5m from perpendicular boundary between 62 and 64 Jessie St (next page):

Figure A, Street Tree (Chinese Pistachio) outlined in red in both images.

	Driveway application is yet to be lodged, and this will be a condition of consent. Richard Morsley has valued tree ($233) as seen in Figure A, and the decision to allow for street tree removal will be decided by Administrator. The outcome of Council meeting on the 29th of June was….
5.10 Heritage conservation	The subject site is not identified as being of European heritage significance.
5.12 Infrastructure development and use of existing buildings of the Crown	n/a
5.13 Eco-tourist facilities	n/a
PART 6 ADDITIONAL LOCAL PROVISIONS	
6.1 Earthworks	Minimal earthworks to be undertaken (limited cut/fill for post footings).
6.2 Flood planning	According to Council's GIS program Enlighten and the Armidale Flood Study 2015, the proposed works at this site are situated above the 1%AEP (+500mm freeboard) and are therefore not considered to be flood prone/liable.
6.3 Airspace operations	n/a
6.4 Development in areas subject to aircraft noise	n/a
6.5 Development within a designated buffer	n/a
6.6 Essential Services	See comments below under DCP 2012.
6.7 Location of sex services premises	n/a
6.8 Remediation of land at former gasworks site and adjoining land, Armidale	n/a
6.9 Development on land bound by	n/a

Queen Elizabeth Drive, Golgotha Street, Niagara Street and Tancredi Street, Armidale	
6.10 Development on land at 118 and 120 Niagara Street, Armidale	n/a

DO EXISTING USE RIGHTS APPLY?	n/a

DRAFT OR UNDER CONSULTATION - ENVIRONMENTAL PLANNING INSTRUMENTS

SECTION 79C(1)(a)(ii)

DO ANY DRAFT SEPPS/LEPs REQUIRE CONSIDERATION: nil.

ARMIDALE DUMARESQ DEVELOPMENT CONTROL PLAN 2012

SECTION 79C(1)(a)(iii)

Section 1 Development Control Plan Introduction	
1.1 Introduction and Public Notification	Complies: The application has been submitted and assessed in accordance with this Chapter. 0 written submissions were received in relation to the development proposal.
Section 2 Site Analysis and General Controls	
2.1 Site Analysis	The subject site is a corner lot on Donnelly and Jessie Streets. An existing driveway occurs on the Donnelly St frontage. Donnelly is a major distributor road and the subject site is located on a crest of this road. For safety reasons, the applicant has chosen to locate a new layback, driveway and carport at the Jessie St frontage. It is also proposed to construct a deck and pergola attaching the new carport to the existing dwelling. The site is already connected to services and utilities:

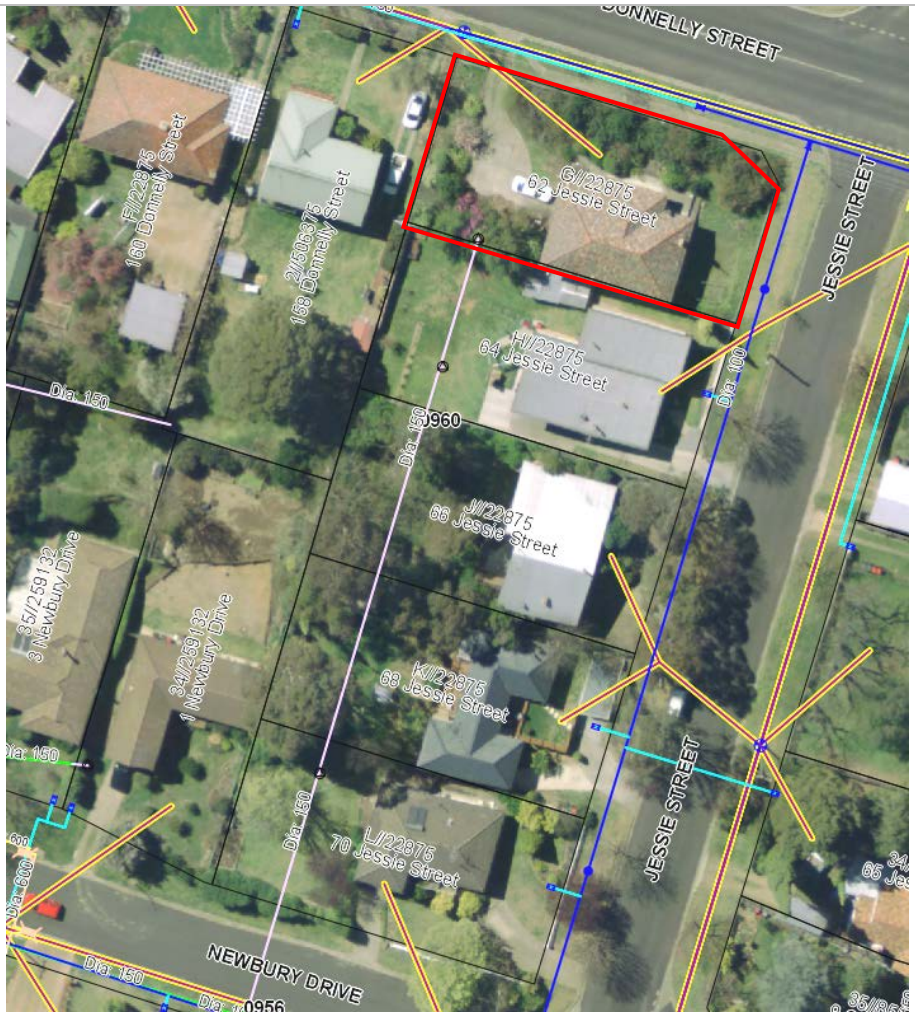


Figure 1, Subject site in outlined in red.

Site naturally drains to SW corner of the Lot. Roofwater from the carport is proposed to be downpiped to road reserve. 62 Jessie St has its northern and eastern boundaries delineated with a stone retaining wall, that was seemingly erected to stabilise the land after significant cut occurred on the site or as a result of general steep slope affectation of the neighbourhood:

Figure 2, Left: retaining wall and nature strip, looking south along Jessie St. Right: Looking down to site from retaining wall.

It is proposed that the new carport will gain access from Jessie St, over the retaining wall, and be located above existing site GL to a FFL height of 1.5m at the greatest height. The existing FFL of the dwelling is 1.5m above existing GL (next page):

Figure 3, Proposed location of carport (to be flush with existing FFL of dwelling).

There will be some overshadowing to 64 Jessie St to the front yard and one bedroom window between 12 – 3pm at winter solstice. The front yard is not considered POS for 64 Jessie St. The bedroom at northern elevation is not considered an important room of habitation, like a lounge room or sunroom. Furthermore, the carport is predominantly open in appearance (within gaps in the timber latticing). The development was notified to 64 Jessie St occupiers with no submissions received, and the applicant verbally commented that they had spoken to their neighbours about the carport. In this instance, therefore, overshadowing is not anticipated to cause any issues.

There is no tree removal proposed on site. There is a need to remove a street tree to facilitate development, which is recommended to go ahead in report to Administrator. Water hydrant/water node occurs where proposed layback/driveway will be – M Flynn has confirmed that condition of consent will need to include provisions for creating a driveway flush with the water main cap (which is to be trafficable). An electricity/phone pole occurs in the road reserve, perpendicular to the site's southern boundary line (refer site inspection report). The layback required on Jessie St frontage may be within 250mm of base of electricity/phone pole – condition accordingly. The existing layback and driveway off Donnelly St is not proposed to be used anymore and will be shut once new layback and carport is constructed. This could be checked and confirmed at Occupation Certificate stage. On the day of inspection, a garage located off Donnelly St access was noted, as was not identified on elevation plans:

Figure 4, Existing vehicular access off Donnelly St.

Advising note to be included about conversion of garage to a habitable room (such as a bedroom, study or extra lounge room) requires approval from Council in order to address ventilation and other BCA requirements relating to change of use.

2.2 Tree Preservation	See earlier comments.
2.3 European Heritage	The subject site is not identified as being of European heritage significance.
2.4 Aboriginal Heritage	
What category of potential is the proposed development in?	Low
Are there recorded sites in the area or nearby?	Not recorded nearby
What features are located in the impact area?	There are no features within proximity to the subject site which suggest the likely presence of items of significance.
What is the landscape history?	Heavily modified
Additional comments/conclusion	No further investigation considered necessary. Standard Advising (A001) to be included on any consent regarding obligations of developer should items of significance be identified during construction.
2.5 Contaminated Land	The subject site is not identified in Council's Information System for Potentially Contaminated Land as having been previously used for a purpose that may have resulted in contamination.
2.6 Earthworks and Geotechnical Assessment	The subject site is not identified as being potentially affected by slope instability in the mapping contained within DCP 2012, Chapter 2.6. The subject site is not identified as being potentially affected by spring activity in the mapping contained within DCP 2012, Chapter 2.6.
2.7 Floodplain Protection and Stormwater Drainage	Stormwater from the new carport is to be captured and diverted to existing stormwater infrastructure. It is not anticipated that the proposed carport and attached pergola will generate significant run-off.
2.8 Noise	Residential noise is existing.
2.9 Parking	On-site parking to be enhanced.
2.10 Signage	n/a
2.11 Engineering	A new layback and access can be constructed in theory at Jessie St frontage. This will require conditions to be included to submit plans for prior to CC (see **2.1 Site Analysis**).
Section 3 Subdivision Development Controls – n/a	
Section 4 Residential Development Controls	
4.1 Urban Residential Development – Single and Dual Occupancy Dwellings	

Part 1 – General provisions	
	Noted.
Part 2 – Site requirements, lot size and floor area controls	

2.1 Lot size requirements	No lot size controls adopted.
2.2 Floor area for dwellings	No floor area controls adopted.
2.3 Max. Floor area for outbuildings in R1 and R2	n/a (see **Part 17 Definitions**)
2.4 Max. Floor area for outbuildings in R5	n/a
Part 3 – Lot and building design and external appearance	
	The carport will be raised to avoid the need for more cut or fill, and to be level with existing retaining wall around boundary. As a result of this, the carport roof extends in height above the gutter line of existing dwelling. The carport is of open appearance with a slight-pitch roof, and so the extension above the gutter line is considered acceptable (sees **4.2**). Condition of consent that external materials are to match existing dwelling in colour and texture.
Part 4 – Building Height, bulk and scale	
4.1 Design of building height, bulk, scale and visual elements (inc. roof form, roofs and feature elements)	The east elevation (where the carport and pergola are proposed, Jessie St) is not the front façade of the dwelling; this is at the northern elevation (Donnelly St). The character of Jessie St will not be detrimentally affected by the development, as there are similar carports constructed with reduced setbacks, due to the slope of the street: *Figure B,* LEFT*:* Carport opposite 62 Jessie, being 152 Donnelly. RIGHT*:* Carport two downs down at 68 Jessie St. The carport is proportional to the existing dwelling in terms of its bulk (open appearance), however it does exceed gutter height of existing dwelling and is approximately one third the floor area of the existing dwelling (carport / dwelling). The pergola and timber deck are proportional and satisfactory in relation to the existing dwelling, with timber slats below the dwelling gutterline creating privacy on the southern elevation.
4.2 Extension of building above gutter line	*S.9 A building element on a dwelling (other than a pitched roof to an entry feature or portico that has the same pitch as the roof on the dwelling) must not extend above the gutter line of the eaves of a single or double storey house.* This provision in the DCP is *more restrictive* than the standard set out under Complying Development (next page): ***Part 3 General Housing Code*** ***cl. 3.22*** *(2) A building element on a dwelling house (other than a pitched roof to an entry*

	feature or portico that has the same pitch as the roof on the dwelling house) must not extend more than: *(a) 1m above the gutter line of the eaves of a single storey dwelling house, or* *(b) above the gutter line of the eaves of a two storey dwelling house.* The subject site has a split level house, in that the south-west portion of the house contains a ground-level garage. At the eastern elevation, the dwelling is single storey. Variation to the DCP in this instance is supported by the less restrictive standards used in CDC assessment of single storey levels and extension above gutter line.
4.3 Maximum height of dwellings and outbuildings	Complies: height of additions (at highest point) is 4.5m above existing GL.
4.4 Building on a boundary and height of a boundary wall	Closest point between proposed development and southern boundary is 450mm. The proposal is within 150mm of eastern boundary (Jessie St). Height of structure at this boundary is 2.5m from existing stone retaining wall (GL) to roof. Refer **2.1 Site Analysis** where overshadowing is addressed.
Part 5 Building setbacks	
5.1 Setbacks for garages and carports in all zones	Proposed carport is setback more than 1m from front façade of dwelling (Donnelly St as primary frontage).
5.2 Setbacks in R1 and R2 zones	Dwelling existing and satisfactory. Minimum setback specified for pergola and carport is 900mm off any boundary. Where this cannot be met, fire protection requirements as per BCA must be satisfied prior to CC. The carport may be considered "open" under the BCA definitions, however, and as such the condition for BCA compliance prior to release of CC is generic. Will need peg out identification survey prior to CC as a condition of consent.
5.3 Setbacks in the R5 zone	n/a
5.4 Allowable encroachments into setbacks	*S.20 Eaves, fascias, gutters, downpipes, masonry chimneys, flues, pipes, domestic fuel tanks, cooling or heating appliances or other services may project into the setback area provided that the distance to the boundary is greater than 0.5m. Such items may be located less than 0.5m from the boundary if relevant fire protection requirements of the BCA are satisfied.* – Eaves, guttering and downpipes will be within 500mm of eastern boundary. The eastern boundary is the road reserve, and as such, fire separation/fire rating requirements are not necessary.
5.5 Setbacks from public reserves	n/a
5.6 Setbacks from overhead electricity supply mains	Does not include elec/phone poles and insulated overhead services.
5.7 Setbacks from unmanaged vegetation	n/a
Part 6 Articulation zones	
6.1 (definition)	Noted.
6.2 Building elements within the articulation zone	Existing and satisfactory at frontage.
6.3 Verandas and open porches in the articulation zone	Existing and satisfactory at frontage.

6.4 Window features, awnings and shade features within the articulation zone	Existing and satisfactory at frontage.
6.5 Extension of building elements above the building line	Existing and satisfactory at frontage.
Part 7 Dwelling entry, privacy and surveillance	
7.1 Dwelling entry	Dwelling entry is not easily accessible or visible from primary frontage. House numbering is similarly ambiguous at Donnelly frontage. *Figure C*, LEFT: Mailbox and no numbering. RIGHT: Many trees and shrubs obscure dwelling entry. Prior to OC: House numbering is to be provided in a visible place on or near the entrance for the convenience of visitors, emergency services and postal services. The existing mailbox at Donnelly St frontage will need to be relocated to Jessie St, in order for the Lot's addressing to be consistent with its mailbox location. Advising: Entries to dwellings should be clearly visible from the street where the lot has street frontage (Donnelly St).
7.2 Mail boxes	Existing at Donnelly St frontage – see previous comment in 7.1
7.3 Security and surveillance	Existing and satisfactory
7.4 Privacy	Existing and satisfactory
Part 8 Private open space and landscaping	
8.1 Private open space	Sufficient POS at western portion of Lot.
8.2 Sunlight to POS	Existing and satisfactory on subject site. See **2.1 Site Analysis** for overshadowing comments.
8.3 Landscaping forward of the building line	Existing and satisfactory
Part 9 Fences and Retaining Walls	
9.1 Front fences R1, R2 and B4	Retaining wall existing. Historical advice to build fence on top of retaining wall, proponent wanted timber fence forward of retaining wall (on Council land). This was considered unacceptable, and no fence at all has been built. The extensive landscaping and trees at the Donnelly St frontage acts as a privacy barrier and delineates extent of footpath (to avoid pedestrians falling over retaining wall into property).
9.2 Fences in the R5 zone	n/a
9.3 Fences on Heritage items and / or in HCAs	n/a
9.4 Fencing on corner lots	Advising note: "Any future boundary fencing shall not be of a height that compromises sight distances, vehicle or pedestrian safety. For further details about

	fencing materials and heights, see Armidale Dumaresq DCP Chapter 4.1, Part 9, found at http://www.armidale.nsw.gov.au/planning-and-development/local-plans-and-policies/development-control-plan-2012 .
9.5 Stepped front fencing on sloping sites	Noted
9.6 Construction and materials	Noted
9.7 Surface water flow	Noted
Part 10 Car parking	
10.1 Car parking spaces per dwelling	Complies
10.2 Car parking space, size and design	Exceeds min. dimensions for double carport.
10.3 Projection of buildings into car spaces	n/a, dwelling gutter and eaves projects into pergola space (no carport).
Part 11 Garages and carports	
11.1 Garage position to maximise solar access to dwelling	n/a
11.2 Garage setbacks from the front façade of the building	n/a
11.3 Permitted number of garages for a single dwelling	n/a
11.4 Garage door widths	n/a
Part 12 Vehicle Access and driveways	
12.1 Road access in all zones	Condition to lodge driveway application (Roads Act 1993 approval) previously acknowledged in this report.
12.2 Access and roads in the R1 and R2 zones	Donnelly St access to be closed.
12.3 Surface treatment of driveways	Condition similar to: "Car spaces, accessways and driveways are to be formed, defined and drained to a Council drainage system, and surfaced with an all-weather seal such as concrete, coloured concrete, asphalt or mortared pavers; or a stable, smooth, semi-porous paving material (such as brick, stone or concrete pavers) laid to the paving standard for light vehicle use."
12.4 Kerb or barrier in the R1 and R2 zones	Existing
12.5 Access and Roads in the R5 zone	n/a
12.6 Right of carriage way in the R5 zone	n/a
12.7 Construction and dedication of a Crown Road as a Council public road	n/a
12.8 Undedicated roads	n/a
Part 13 Utility Services	
13.1 Water supply in the R1, R2 and B4 zones	Existing and satisfactory
13.2 Water supply in the R5 zone	n/a
13.3 Sewerage systems in the R1, R2 and B4 zones	Existing and satisfactory
13.4 Sewerage systems in the R5 zone	n/a

13.5 Stormwater drainage	To legal point of discharge
13.6 Electricity supply	Existing and satisfactory
13.7 Solar Panels and solar heat pumps	Noted
Part 14 Earthworks	
	Noted
Part 15 Open fireplaces	
	n/a
Part 16 Exhibition Homes	
	n/a
Part 17 Definitions	
	Ancillary development → (c) balcony, deck, patio, ***pergola****, terrace or verandah that is attached to a dwelling house; (d) carport that is attached to a dwelling house.* The proposed pergola is attached to the dwelling house, which is then attached to the carport. Therefore carport and pergola are defined as ancillary development.

Section 5 Commercial and Industrial Development Controls – n/a
Section 6 Locality Specific Precincts – n/a

ANY CURRENT OR DRAFT PLANNING AGREEMENT SECTION 79C(1)(a)(iiia)	
Are there any planning agreements or draft agreements in place?	No

REGULATIONS SECTION 79C(1)(a)(iv)	
Does the proposal include any demolition?	Removal of driveway and layback at Donnelly St frontage to be completed before OC.
Does the proposal involve the relocation of a building to/from the site?	No
Are there any fire considerations (i.e. fire separation)	Potentially for southern elevation.
Should the building be brought up to current BCA standards? (Refer Building Surveyor assessment)	See earlier comments

COASTAL ZONE MANAGEMENT PLAN SECTION 79C(1)(a)(iv)
Not applicable to Armidale Dumaresq Local Government Area.

LIKELY IMPACTS OF THE DEVELOPMENT SECTION 79C(1)(b)	
Potential impacts on the natural environment?	
Impact on air quality?	Construction: Standard conditions for dust suppression
Impact on water quality?	Construction: Standard conditions erosion and sediment control measures.
Land degradation, tree loss or impact on flora, fauna or ecosystems?	The subject site is not identified as being of ecological significance in the Armidale Flora and Fauna Study.
Potential impacts on the built environments?	
Impact of noise generation?	See comments earlier under DCP 2012.
Impact on any places of aboriginal heritage significance?	See comments earlier under DCP 2012.
Impact on any places of European heritage significance?	See comments earlier under DCP 2012.
Amenity (i.e. hours of operation)?	n/a
Privacy, overshadowing and visual impact?	See comments earlier under DCP 2012.
Significant views affected?	No
Potential social impacts?	
Likely social impacts, benefits or precedents?	n/a
Implications for public infrastructure? (i.e. public transport, main extensions etc.)	n/a
Impact on surrounding public places?	n/a
Potential economic impacts?	
Likely economic impacts or benefits?	n/a
Developer contributions applicable?	n/a

SUITABILITY OF THE SITE FOR THE DEVELOPMENT SECTION 79C(1)(c)	
Risks and hazards?	
Flood prone?	According to Council's GIS program Enlighten and the Armidale Flood Study 2015, the proposed works at this site are situated above the 1%AEP (+500mm

	freeboard) and are therefore not considered to be flood prone/liable.
Bush fire prone?	The site is not identified as being bush fire prone in Council's certified mapping.
Contaminated land?	The subject site is not identified in Council's Information System for Potentially Contaminated Land as having been previously used for a purpose that may have resulted in contamination.
Slope / Slip instability?	The subject site is not identified as being potentially affected by slope instability in the mapping contained within DCP 2012, Chapter 2.6.
Potential for springs?	The subject site is not identified as being potentially affected by spring activity in the mapping contained within DCP 2012, Chapter 2.6.
CPTED principles?	n/a for additions to dwellings.
Adjoining / nearby land uses and activities?	
Rail?	n/a
Classified road?	n/a
Other incompatible land uses?	No
Access to and within the site?	
Suitable vehicular circulation/access/parking?	See comments earlier under DCP 2012.
Suitable loading/unloading area?	See comments earlier under DCP 2012.
Pedestrian access to public transport, facilities inc. for people with a disability?	Refer Building Surveyor's assessment.
Servicing?	
Sewer connection?	See comments earlier under DCP 2012.
Water supply?	See comments earlier under DCP 2012.
Stormwater?	See comments earlier under DCP 2012.
Energy Supply / Conservation and telecommunications?	See comments earlier under DCP 2012.

SUBMISSIONS SECTION 79C(1)(d)	
Any submissions from:	
The public?	0 written submissions were received in relation to the development proposal.

Consultation/concurrence with other public authorities?	n/a
Any other submissions?	No

THE PUBLIC INTEREST SECTION 79C(1)(e)	
Construction or safety issues?	Standard condition for barrier/hoarding during construction and Roads Act approval for associated works on the public road.
Public Health issues (food safety, skin penetration etc)?	n/a
Management plans, agreements or bonds? (inc. Fire safety measures)	n/a
Principles of Ecologically Sustainable Development?	The proposed development is considered to be satisfactory having regard to ESD principles.
Planning Circulars?	n/a
Applicable Strategic Plans?	n/a
Other public interests (i.e. precedents)?	n/a

CONCLUSIONS / RECOMMENDATIONS

I confirm that I am familiar with the relevant heads of consideration under the Environmental Planning and Assessment Act and Local Government Act (if applicable) and have considered them in the assessment of this application.

I certify that have no pecuniary or non-pecuniary interest in this application.

I recommend that the proposal be granted conditional consent under delegated authority.

ADDITIONAL NOTES ATTACHED: YES → **Street Tree Valuation (R Morsley)**

→ **Report prepared for Council/Administrator (K Clanchy)**

DA No: DA-86-2016 **Signed:** _____

Date: 22 June 2016 **Time:** _____

NERAM
NEW ENGLAND REGIONAL ART MUSEUM
PO BOX 508 ARMIDALE, NSW, 2350 ● TEL: 02 6772 5255 ● FAX: 02 6771 2397 ● office@neram.com.au ● www.neram.com.au
ABN 47 131 297 731

10 June 2016

Dr Ian Tiley
Administrator
Armidale Regional Council
PO Box 75A
Armidale 2350

Dear Dr Tiley,

Current Debt to Armidale Regional Council

The Board of NERAM would like the Council to consider waving the remainder of the debt that we have with the Council. The debt started at $400,000 as the value of "voluntary contributions made to the Museum between 2005 and 2008". We have since paid off $253,000 and have $147,000 still to pay.

By way of background, the New England Regional Art Museum Ltd was incorporated in 2008 to take over the operation of the Art Museum facility and it's collections from the control of Armidale Dumaresq Council following the Supreme Court case. A new board was appointed and we took control on 1st July 2008. At this time there were no reserves of cash and the recurrent budget was, and continues to be very constrained. Council contributes approximately 36% of our annual income, the state government approximately 7% and the balance must be raised through fundraising, membership and commercial activities. This is a significant point in our case to Council as we rely on the goodwill of the community, local donors and the broader philanthropic community for over half of our income. This support has been increasingly difficult to maintain while we sell off valuable parts of our collection.

At the time we took control of NERAM and on the advice of consultant Jon Dwyer, NERAM Ltd believed that the annual repayment could be raised from selling items from the NERAM collection that were not central to the quality of our holdings. However, there were a few unforseen flaws in this advice:

- The art works that were not central to our collections were not of much value within the art market. The market remains strong at the top end but very weak for works of the minor artists.
- Most of the items in the NERAM Collection that were of value to the art market are works that have been donated to us via the Commonwealth Government's Cultural Gifts Program and we are not able to sell them

In the past six years we have been able to sell what unemcumbered works we were permitted to, and that had sufficient value to justify the cost of the selling process, despite significant reputational risk, very vocal objections from the donors of the works being sold, their artists and their gallery directors and subsequent negative national media attention

Much of the focus and effort by the Board and management over the past 7 years has been to develop sound operating policies and procedures and to consolidate the goodwill of the community by building trust and surety. The support levels for NERAM when we took over had suffered from years of local and state-wide acrimony over 'dismissal' of a Director, the sacking of the Board and the proposed sale of a half share of Tom Roberts, Mosman Bay to the Art Gallery of NSW (and the ensuing Supreme Court case).

NERAM PATRONS:
● PATRONS: THE HON BARNABY JOYCE, MP MEMBER FOR NEW ENGLAND
MR ADAM MARSHALL, MP MEMBER FOR NORTHERN TABLELANDS
DR PHILIP BACON AM, DIRECTOR, PHILIP BACON GALLERIES
MR BARRY PEARCE AM, EMERITUS CURATOR, ART GALLERY OF NSW

Armidale Dumaresq Council
NSW Trade & Investment Arts NSW

The Board is now guiding NERAM into a new era. We now have a new Director, new talent and a more diverse skill base to take NERAM to a new level of future growth. Our plans include:

- Making the gallery more sustainable through lower energy consumption and other building improvements with support from individual donors, government funding and philanthropic bodies
- Taking the collections to the region through small scale touring exhibitions and programs
- Developing collaborative links to put the Museum of Printing on the international stage as a specialist niche attraction
- Having a high quality permanent Hinton Gallery to attract national press and drive tourism to our region
- Taking the Hinton and Coventry Collections on tour nationally to promote awareness of the NERAM collections and Armidale as a destination
- Growing our volunteer and supporter base across the wider community of the region.

We need the help of the Armidale Regional Council in allowing us to build goodwill and new funding relationships without the negative messages we send to the funding bodies and the arts community every time we place another donated work of art on the open market.

Please be assured that if it were easy to convert works in the NERAM collection into funds that were sufficient to repay this debt to the Council then we would have done it without argument. We are now at a point where the potential damage to the reputation of NERAM and therefore our capacity to raise ongoing funding from other sources is at risk if we continue to plunder our community's collections.

We believe that the sale of some of the works from the Armidale City Collection may still raise approximately $20,000 net of selling costs and Council, as a means of getting the debt down, has agreed this. Beyond this we will struggle.

We ask Council to back the efforts of NERAM to develop long-term independence and forgive this unachievable commitment we have been handed.

Yours sincerely,

Andrew Murray
Chair NERAM Ltd
chair@neram.com.au

Robert Heather
Art Museum Director
director@neram.com.au

Armidale Regional Council
2016-2017 Operational Plan

Contents

OUR PEOPLE
- Our Youth
- Our Ageing & Disability
- Our Community
- Our Wellbeing

OUR INFRASTRUCTURE
- Our Planning
- Our Community Facilities
- Our Transport & Access
- Our Utilities

OUR ENVIRONMENT
- Our Natural Attractions
- Our Sustainability
- Our Waste
- Our Climate & Natural Resources

OUR GOVERNANCE
- Our Identity
- Our Operations
- Our Voice
- Our Economic Growth

AMALGAMATION

Armidale Dumaresq and Guyra Shire Councils were proclaimed under the Local Government Act 1993, to be amalgamated on Thursday 12 May 2016, the new Council is named as Armidale Regional Council. This Operational Plan was drafted by bringing both Operational Plans from Armidale Dumaresq and Guyra Shire Councils together.

Ensure the health, safety, and wellbeing of our community

Strategy - To support and promote quality health services

Action - Work with local health agencies to maintain quality health services and current service levels

Activities	Department	Comments	Budget
Report and monitor re Hospital upgrade and maintain health service levels	Community Services		Salaries

Strategy - Support the Local Aboriginal Community

Action - Implement the recommendations of the Aboriginal Action Plan

Activities	Department	Comments	Budget
Coordinate activities during NAIDOC Week	Community Services		$4,000
Support and coordinate the Gayinyaga Committee	Community Services		$1,000
Coordinate the Annual Mayor's Reconciliation Cricket Match	Community Services		$1,000
Coordinate and arrange an annual Elders morning tea	Community Services		$250
Contribute to the operations of the Aboriginal Cultural Centre	Community Services		$36,000
Develop a Plan of Management for the Tingha Town Hall, in collaboration with the joint owners, Anaiwan Local Aboriginal Land Council	Corporate Services		Salaries

Strategy - Provide the Community with a safe Environment in which to work and live			
Action - Implement the Community Safety Plan			
Activities	**Department**	**Comments**	**Budget**
Contribute towards suitable community health and safety events	Community Services		$5,000
Support for the Community Safety Committee	Community Services		$1,000
Strategy - To support and promote initiatives to improve the health and lifestyle of our community			
Action - Educate the community on factors associated with poor health and benefits of regular physical activity and healthy good choices			
Activities	**Department**	**Comments**	**Budget**
Provide administrative support to the providers of Healthy Highlander programs	Corporate Services	The Healthy Highlanders funding ceased on 30 June, 2014. Council has committed to ongoing support of the program through assisting with advertising and bookings for providers.	Salaries
Strategy - Support and assist emergency services to promote safety and build confidence in the community			
Action - Continue support of the RFS and SES			
Activities	**Department**	**Comments**	**Budget**
Review provision of SES building in Guyra	Governance		Salaries

Strategy - Provide and maintain facilities and services to ensure the community feels safe and secure			
Action - Improve infrastructure to enhance the safety of residents and visitors			
Activities	**Department**	**Comments**	**Budget**
Seek funding for the provision of CCTV in Tingha	Corporate Services		Salaries
Conduct a Streetlighting Audit	Engineering	This needs to be undertaken to ensure the existing infrastructure meets appropriate regulations and engineering standards.	
Install additional streetlights in poorly lit areas as assessed in the streetlight audit	Engineering	Included within the existing budget	
Action - Promote responsible pet ownership and ensure all companion animals are identified and registered			
Activities	**Department**	**Comments**	**Budget**
Undertake role as companion animals regulator under the Companion Animals Act	Health & Building		Salaries
Seek funding for a companion animal education day and targeted desexing program	Health & Building	Included within the existing budget	

Provide Services and Access to elderly residents, persons with disability and our youth

Strategy - Improve disability services

Action - Revise and update the Pedestrian and Mobility Plan (PAMP)

Activities	Department	Comments	Budget
Reprinting of Mobility Plan	Community Services		$1,000

Strategy - Support and maintain high quality residential aged care

Action - Construct new aged care facility

Activities	Department	Comments	Budget
Revise and finalise plans for the construction of the Guyra Residential Aged Care Facility	Governance		Salaries
Engage a contractor to undertake construction of the new Aged Care Facility and project manage the construction	Engineering		$6,348,282
Investigate opportunities for the sale of the existing Kolora building, following construction of the new building	Governance		Salaries
Engage a Project Planning Committee	Governance		Salaries

Action - Provide a service and facility offering quality care

Activities	Department	Comments	Budget
Develop 10 year ageing action plan	Aged Care		Salaries

Ensure compliance with all Aged Care regulatory requirements	Aged Care	Repairs and Maintenance	$40,000
Raise community awareness of the activities and benefits that the Guyra Aged Care Facility provides	Aged Care		Salaries
Provide cooperative arrangements between health service and aged care service providers in Guyra	Aged Care		Salaries
Provide a Broadband for Seniors Kiosk at Kolora	Aged Care	Included within the existing budget	
Strategy - Improve services for the youth			
Action - Implement the recommendations of the Youth Strategy			
Activities	**Department**	**Comments**	**Budget**
Education regarding the impacts of binge drinking	Community Services		$3,500
Coordinate and deliver Youth education	Community Services		$1,500
Youth employment opportunities program	Community Services		$2,000
Youth Council holiday program	Community Services		$2,000
New Years Eve Party	Community Services		$5,000
Coordinate Youth Week program	Community Services		$4,000

~~Strategy - Provide services to persons with disability and access to community infrastructure~~			
~~Action - Provide Infrastructure and services to support accessibility~~			
~~**Activities**~~	~~**Department**~~	~~**Comments**~~	~~**Budget**~~
~~Continue to provide community transport to Armidale via the Home Support Services bus each Friday with the assistance of volunteer drivers and carers~~	~~Home Support Service~~	~~Included within the existing budget~~	
~~Provide accessible Council facilities~~	~~Health & Building~~	~~Included within the existing budget~~	
~~Provide community transport~~	~~Home Support Service~~	~~Included within the existing budget~~	
~~Action - Plan for future needs and provide education and awareness about disability~~			
~~**Activities**~~	~~**Department**~~	~~**Comments**~~	~~**Budget**~~
~~Investigate opportunities with regional community service providers for the facilitation of services to people with disability in the Guyra Shire~~	~~Health & Building~~	~~Included within the existing budget~~	
Support the activities of Arts North West's Art and Disability Program – Heading West	Corporate Services	As recommended in submission by Arts North West	

Strategy - Improve services to support our independent elderly residents and provide for the ageing population			
Action - Provide Home and Community Care Services to the former Guyra Shire			
Activities	**Department**	**Comments**	**Budget**
Investigate opportunities with regional community service providers for the facilitation of Home Support Services program delivery	Health & Building	Included within the existing budget	
Support the provision of food services (Meals on Wheels) to residents of Guyra and Tingha as required	Home Support Service	Included within the existing budget	
Provide day respite activities to Home Support Services eligible residents	Home Support Service	Included within the existing budget	
~~Develop and promote social support services~~	~~Home Support Service~~	~~Included within the existing budget~~	
~~Utilise the eAccess Kiosk to assist people to access online services and information~~	~~Home Support Service~~	~~Included within the existing budget~~	
Consider relocation options for the Home Support Services	Health & Building	Included within the existing budget	
Action - Advocate the provision of services to home-based elderly residents			
Activities	**Department**	**Comments**	**Budget**
Continue to provide a home library service, utilising volunteers	Library Services		Salaries

Our Community - Provide services to enhance learning, build relationships, and encourage social events to cater to our community

Strategy - Provide and encourage a socially inclusive and supportive community

Action - Support Aboriginal programs and services

Activities	Department	Comments	Budget
Support the activities of Arts North West's Aboriginal Cultural Support Program	Corporate Services	As recommended in submission by Arts North West	

~~Action - Provide services to disadvantaged members of the community~~

~~Activities~~	~~Department~~	~~Comments~~	~~Budget~~
~~Provide affordable housing to disadvantaged members of the community~~	~~Health & Building~~	~~Included within the existing budget~~	
~~Review the provision of low income housing, with the objective of discontinuing the under 24 years of age flats~~	~~Health & Building~~		~~Salaries~~

Strategy - Enhance the cultural attributes within our local Government Area

Action - Planning for the installation of Public Art Projects

Activities	Department	Comments	Budget
Provision of Public Art	Community Services		$5,000

Apply to the Sculpture by the Sea program for an art sculpture to be placed at the Council Administration Building in Guyra	Community Services		Salaries

Support our local economy

Strategy - Support a community that values education

Action - Support the University of New England to increase student numbers

Activities	Department	Comments	Budget
Purchase new books and periodicals	Library		$281,139
Manage State Library Grant	Library		$41,000

Our Community - Provide services to enhance learning, build relationships, and encourage social events to cater to our community

Strategy - Facilitate social events to promote harmony

Action - Provide entertainment to the community

Activities	Department	Comments	Budget
~~Conduct Movies in the Park~~	~~Corporate Services~~	~~Included within the existing budget~~	
Explore commercial sponsorship opportunities for Movies in the Park	Economic Development	Included within the existing budget	
Provide Seniors Week activities on a cost recovery basis	Community Services	Included within the existing budget	
~~Promote the commercial use of the outdoor movie screen~~	~~Health & Building~~	~~Included within the existing budget~~	
Partnership with Arts North West to develop arts and cultural events and activities and support its endeavours to generate creative opportunities	Corporate Services	As recommended in submission by Arts North West	

Action - Encourage the community to participate in events and programs that develop or reward achievement

Activities	Department	Comments	Budget
Participate in and promote the Australia Day Awards program	Economic Development	Included within the existing budget	
Participate in the Australia Day Ambassador Program	Economic Development	Included within the existing budget	
Assist in the provision of a Men's Shed in Guyra	Health & Building	Included within the existing budget	

Provide infrastructure for effective transport and access

Strategy – Improving the Airport facilities

Action - Implement the Armidale Regional Airport's Master Plan

Activities	Department	Comments	Budget
Upgrade of Airport terminal and apron			$10,800,000
Airport Roundabout construction and design			$1,950,000
Commence stage 1 of the Airport project - Industrial and business park			$1,179,000

Provide water, sewer, waste, and drainage services

Strategy – Maintain and improve water and sewer utilities

Action - Maintain water and sewer assets in line with the Asset Management Plan

Activities	Department	Comments	Budget
Improve the sewer reticulation in the airport subdivision	Engineering		$745,000
Replacement of ageing water reticulation mains	Engineering		$700,000
Relining sewer mains in poor condition	Engineering		$695,000
Increasing sewer capacity by trenchless pipebursting	Engineering		$600,000
Water reticulation for the airport subdivision	Engineering		$326,000
Replacement of faulty house sewer junctions	Engineering		$190,000
Service line replacements	Engineering		$187,500
Commence the Sewage Treatment Plant and asset strategy study	Engineering		$183,000
Replace the irrigation pivot control panel	Engineering		$167,000
Water Sharing Plan water release facility construction	Engineering		$160,000
Water meter replacements	Engineering		$120,500
Condition assessment of sewers by CCTV	Engineering		$116,000
Malpas Dam destratification unit replacement	Engineering		$95,600

Puddledock Dam - dam break flood study	Engineering		$88,000
Reservoir improvements	Engineering		$85,500
Replacement of Water Treatment Plant process equipment	Engineering		$85,000
Rebuilding or relining sewer manholes	Engineering		$84,000
Malpas Main - stop valve overhaul	Engineering		$72,700
New Water Treatment Plant inlet control valve	Engineering		$55,600
Design the new Lynland Park water reservoir	Engineering		$49,000
Malpas Dam perimeter fence replacements	Engineering		$40,000
Filter gallery valve automation	Engineering		$40,000
Installation of channel covers at Sewage Treatment Plant	Engineering		$22,400
Replace the effluent farm weather station	Engineering		$15,950

Provide water, sewer, waste, and drainage services

Strategy – Improve Council's waste management services

Action - Erect fencing for the new landfill

Activities	Department	Comments	Budget
Complete new landfill biodiversity off-set perimeter fencing with 3 adjoining neighbours and TSR	Engineering		$66,000
Install automatic gate at entrance to new landfill	Engineering		$20,000

Strategy – Improve Council's waste management services

Action - Erect fencing for the new landfill

Activities	Department	Comments	Budget
Complete new landfill biodiversity off-set perimeter fencing with 3 adjoining neighbours and TSR	Engineering		$66,000
Install automatic gate at entrance to new landfill	Engineering		$20,000

Action - Construct access roads for the landfill

Activities	Department	Comments	Priority
Construction of intersection and access road to the entrance of new landfill	Engineering		$520,000

Action - Construct and commission first landfill cell			
Activities	**Department**	**Comments**	**Priority**
Construction of new landfill cells, drainage and leachate storage systems, and internal roads	Engineering		$9,840,000
Construction of carpark and office complex, including services, weighbridge and wheel wash	Engineering		$566,000
Deep ripping and planting of tree screens	Engineering		$40,000
Action - Upgrading of the waste transfer station and handling equipment to deal with waste to be transported to the new landfill			
Activities	**Department**	**Comments**	**Priority**
Construct loading facility to aggregate waste prior to transporting to the new landfill	Engineering		$350,000
Action - Implement recommendations from landfill gas assessment of the Long Swamp Road landfill			
Activities	**Department**	**Comments**	**Priority**
Implement recommendations from landfill gas assessment of the Long Swamp Road landfill	Engineering		$20,000
Preliminary exploratory activities associated with the phytocapping of the existing landfill after closure.	Engineering		$60,000
Action - Maintain and improve recycling and reuse waste services in accordance the Waste Management Strategy			

Activities	Department	Comments	Priority
Develop Resource Recovery Park in line with approval conditions with focus on concrete processing area as stage 1	Engineering		$80,000
Commission EPA grant funded Community Recycling Centre at the Armidale Waste Management Facility	Engineering		$10,000

Provide infrastructure for effective transport and access

Strategy – Maintaining and improving road and bridges

Action - Implement the Works Program for roads and bridges

Activities	Department	Comments	Budget
Urban rehab	Engineering		$1,456,150
Rural Rehab	Engineering		$1,352,900
Local rural unsealed roads, gravel resheeting	Engineering		$907,000
Rural Reseals	Engineering		$450,000
Bridges (House Ck on Wongiwibinda Rd $112,500, Oaky R on Tanners Rd $116,000, Level 3 structural inspections 23 timber bridges $95,500)	Engineering		$324,000
Kerb and gutter	Engineering		$274,760
Urban reseals	Engineering		$250,000
Footpaths	Engineering		$106,350
Cycleways	Engineering		$97,000

Provide infrastructure for effective control of stormwater

Strategy – Maintain and improve stormwater drainage

Action - Implement the Works Program for stormwater drainage

Activities	Department	Comments	Budget
Improve Markham Street drainage Stage 1	Engineering		$650,000
Stormwater Pipe renewals (various 300mm, 375mm, 450mm, 525mm and 600mm RCP pipes)	Engineering		$274,610
Junction/Manholes	Engineering		$42,000
Commence Stage 4 of the CCTV Program	Engineering		$30,000
Kerb inlet pits	Engineering		$30,000

Maintain and enhance sport and recreation infrastructure

Strategy – Improve opportunities for eco tourism and recreation

Action - Draft a feasibility study for the development of eco opportunities at Dumaresq Dam

Activities	Department	Comments	Budget
Draft Dumaresq Dam-Stage 1 Master Plan	Engineering		$170,000

Action - Work in conjunction with the Sports Council to meet future sporting needs in line with the Recreation Plan 2011

Activities	Department	Comments	Budget
Resurface the playing field at the Sportsground	Engineering		$135,000
Monckton Aquatic Centre renewals (Upgrade Plant Room electricals + lift concourse area near baby pool)	Engineering		$55,000
Maintain street lighting	Engineering		$45,000
Bruce Browning and/or Rologas-security/vehicle restrictions	Engineering		$8,000
Replace driveway at the Sportsground	Engineering		$8,000
Installation of Kooraburra Crest shade structures	Engineering		$6,345
Construct synthetic wicket in Newling Playing Fields	Engineering		$5,424
Erecting steeple chase barriers in Harris Park	Engineering		$2,250

Strategy – Improve sports grounds and water recreation facilities			
Action - Work in conjunction with the Sports Council to meet future sporting needs in line with the Recreation Plan 2011			
Activities	**Department**	**Comments**	**Budget**
New park seating	Engineering		$20,000
Supply top dressing at Harris Park	Engineering		$20,000
Refurbish the cricket oval fence at Lambert Park	Engineering		$20,000
Construct synthetic wicket in Harris Park	Engineering		$10,848
Replace the walking track signs	Engineering		$10,000

Strategy – Improve and maintain parks and open spaces			
Action - Maintain recreation infrastructure in accordance with asset management plan			
Activities	**Department**	**Comments**	**Budget**
Roof for cement tank at Moran Oval	Engineering		$10,000

Renew, upgrade, and maintain Council's building assets for operational, community and lease purposes

Strategy – Provide well appointed, legislative compliant, safe and comfortable building assets on a fit for use basis.

Action - Maintain and provide reasonable upgrades to building assets.

Activities	Department	Comments	Budget
Painting the interior of the Library Administration Building	Engineering		$40,000
Improve access and install internal security fencing at the Grafton Road depot	Engineering		$25,000
Replace external stairs at the Craft Centre	Engineering		$18,000
Upgrade stormwater drainage at the State Emergency Services Headquarters Building	Engineering		$18,000
Engage consultants to determine efficiencies in the Civic Administrative Building HVAC system	Engineering		$12,000
Timber window and furnishing upgrade at the Folk Museum	Engineering		$12,000
Upgrade the electrical wiring in the Folk Museum building	Engineering		$8,000
Improve Folk Museum Shelving and Storage Facilities	Engineering		$6,000
Replace external stairs Hughes House	Engineering		$6,000
Detailed drawings and Specifications for the upgrade of the Wollomombi Hall amenities building	Engineering		$5,000
Maintenance based painting Kent and Hughes House.	Engineering		$5,000

Stationary engine shelter upgrade at the Hillgrove Museum	Engineering		$4,000
Upgrade the hot water system at the Companion Animal Shelter	Engineering		$2,000

Our Planning – Plan for the needs of the Council through sustainable design

Strategy - Maintain and improve the look and appeal of towns and villages

Action - Develop and implement strategic plans for the upgrade the Guyra CBD

Activities	Department	Comments	Budget
Investigate implementation of CBD master plan upgrade and mechanisms for shop owners to improve shop façades	Health & Building	Included within the existing budget	
Maintain aesthetic and inviting CBD's in Armidale, Guyra and Tingha	Engineering	Included within the existing budget	

Our Planning – Plan for the needs of the Council through sustainable design

Strategy - Develop towns and villages through sustainable design and planning, reflecting community needs

Action - Promote a Local Environment Plan that supports the needs of the township and rural areas to grow and develop

Activities	Department	Comments	Budget
Develop locality Development Control Plans for residential release areas in the Guyra township	Health & Building		Salaries
Make amendments to the Guyra Local Environmental Plan 2012 to reflect changes resulting from growth as required	Health & Building		Salaries

Action - Increase the level of online facilities designed to address planning and development issues

Activities	Department	Comments	Budget
Incorporate a wide range of services within Council's website for information to the community	Corporate Services		Salaries

Our Planning – Plan for the needs of the Council through sustainable design

Strategy - Develop sustainable infrastructure to support future needs

Action - Support expanded telecommunication services

Activities	Department	Comments	Budget
Investigate and seek funding for a Wifi service in key locations in the Guyra.	Corporate Services		Salaries
Continue liaison with Essential Energy to plan for works to underground services in the Guyra CBD	Engineering		Salaries

Our Community Facilities - Provide and maintain fully equipped community facilities

Strategy - Provide and maintain fully equipped sporting facilities to encourage a healthy and active lifestyle

Action - Maintain sporting fields in accordance with agreed service levels

Activities	Department	Comments	Budget
Support the Sports Council to apply for funding to undertake their priority projects identified in the 'Guyra Sports Council Wish List'	Corporate Services		Salaries
Seek funding for improvements and colocation of the amenities at the Guyra Recreation Grounds and Guyra Showground	Corporate Services	~~Included within the existing budget~~	Salaries

Action - Maintain the current level of service at the swimming pool

Activities	Department	Comments	Budget
Investigate, seek funding, and commence pool entertainment improvements such as options for vending machines, play equipment, and other income generating activities	Health & Building		Salaries
Actively promote the pool and encourage social events and competitions	Health & Building		Salaries

Our Community Facilities - Provide and maintain fully equipped community facilities

Strategy - Investigate the development of facilities for arts and culture

Action - Develop the heritage value of the towns and villages

Activities	Department	Comments	Budget
Develop plans for a heritage walk throughout Guyra	Library Services		Salaries
Support the provision of a museum in Guyra and Tingha	Library Services		$10,000
Promote the 'Guyra Heritage Study' by providing information about documented archaeological sites locally on Council's website and in the Guyra Library	Corporate Services		Salaries
Support community cultural displays in the Guyra Library	Library Services		Salaries
Seek funding to create a historical repository for Guyra Shire Council	Library Services		Salaries

Action - Maintain public cemeteries to meet service level requirements

Activities	Department	Comments	Budget
Prepare a strategic plan for the Guyra and Tingha Cemeteries	Health & Building		Salaries

Our Community Facilities - Provide and maintain fully equipped community facilities

Strategy - Provide and maintain facilities for recreational purposes

Action - Maintain community halls for functions and indoor sport

Activities	Department	Comments	Budget
Develop a concept / masterplan for a recreational precinct combining the Community Hall, Showground, Swimming Pool, and Recreational Grounds	Health & Building		Salaries
Actively promote the use of the Community Hall for community events, recreational activities, and commercial ventures	Health & Building		Salaries
Seek funding for upgrades to the Tingha Community Hall	Corporate Services		Salaries

Action - Maintain parks, gardens, and playgrounds to service level requirements

Activities	Department	Comments	Budget
Review overall provision of public toilet and amenities to a sustainable level	Engineering		Salaries
Routinely inspect and clean all Council provided facilities	Engineering	Included within the existing budget	

Our Transport & Access - Provide infrastructure for effective transport and access

Strategy - Maintain and develop roads and bridges that meet community needs

Action - Continue ongoing maintenance of roads

Activities	Department	Comments	Budget
Continue ongoing maintenance of regional roads	Engineering	Included within the existing budget	
Continue ongoing maintenance of unsealed road network • Gravel resheet Wandsworth to Ben Lomond Road – 8.7 km	Engineering	Rural unsealed roads are typically graded once per annum, with the aim to grade bus routes twice annually.	$217,500
Continue ongoing maintenance of the urban road network, including reseals of the following: • Lagoon St – east side - 0.12 km • Oban Street - 0.47 km • ODonnell St – 0.42 km • Swimming Pool Rd – 0.92 km • Guyra Hill Rd – 0.6 km	Engineering		$80,000
Continue ongoing maintenance of the sealed rural road network, including reseals of the following: • Glenshiel Rd - 1.78 km • Oban Street – 1.53 km	Engineering		$345,437

• Wards Mistake Rd – 10 km			
Provide ongoing routine maintenance to all bridges • Replace the Tenterden Road bridge over Georges Creek	Engineering	Included within the existing budget	
Provide a safe and effective road drainage system commensurate with the road hierarchy and requirements of the locality	Engineering	Included within the existing budget	
Action - Undertake renewal program on roads			
Activities	**Department**	**Comments**	**Budget**
Undertake renewal program on regional roads (MR135 and MR73) as per asset management plan • Sections of Guyra Road/Loxton Road	Engineering	MR 135 – Guyra Road	$447,524
Rehabilitate urban road pavement to an as new condition as per asset management plan • Lagoon Street – widen east side and provide kerb and gutter	Engineering		$60,000
Rehabilitate sealed rural road pavement as per asset management plan • Junction Road 2.0 – 3.2 km	Engineering		$238,000
Identify future maintenance works on all local bridges	Engineering	Included within the existing budget	
Seal the following unsealed roads due to their topography and maintenance problems:	Engineering		$840,000

• Lagoon Road – 4.9km (remaining gravel section) • ~~Baldblair~~ Baldersleigh Road Road – 3.5km (from end of bitumen to Reedy Creek Bridge)			

Our Transport & Access - Provide infrastructure for effective transport and access

Strategy - Provide safe and convenient options to drive, park, cycle, or walk

Action - Construct a network of cycleways / shared paths to integrate with key attractions

Activities	Department	Comments	Budget
Use the Pamp and Bike Plan to seek funding for the development of cycleways	Engineering	In the former Guyra Shire ~~Included within the existing budget~~	Salaries

Action - Maintain infrastructure for public safety when using various transport options

Activities	Department	Comments	Budget
Improve footpath surfaces in high use areas in accordance with requirements identified in the Pedestrian Access Mobility Plan	Engineering	Included within the existing budget	

Our Utilities - Provide water and sewer infrastructure

Strategy - Provide safe and reliable drinking water

Action - Provide a reliable and affordable water supply that meets all applicable health standards

Activities	Department	Comments	Budget
Undertake a water meter replacement program	Engineering	Replace Council's aged water meters as they are generally becoming unreliable which is becoming more evident each time a read is conducted. Included within the existing budget	$30,000
Investigate solutions to the blue-green algae problem	Engineering	Included within the existing budget	Salaries, contracts and materials

Action - Improve processes at the water treatment plant

Activities	Department	Comments	Budget
Implement stage 2 of the Scada upgrade	Engineering	Telemetry upgrade	$81,000
Clean the water mains in a section of town with an ice pigging technique	Engineering		$50,000
Rehabilitate or Replace the first of two raw water pumps	Engineering		$25,000
Provide a man proof fence around the water reservoir	Engineering		$15,000
Implement a Stop Valve replacement / additional valve program	Engineering		$40,000

Replace flocculators and flash mixers at filtration plant	Engineering		$12,000
Provide Power Surge Protection at pump station	Engineering		$20,000
Provide a safety rail on dam 1	Engineering		$20,000

Our Utilities - Provide water and sewer infrastructure

Strategy - Provide an efficient sewerage system

Action - Provide a reliable and affordable sewerage reticulation system that meets community needs

Activities	Department	Comments	Budget
Maintain compliance with license requirements from the regulatory authority	Engineering		Salary and materials

Action - Improve processes at the sewerage treatment plant

Activities	Department	Comments	Budget
Work toward the minimisation of stormwater infiltration into the sewer reticulation system	Engineering		Salaries and materials
Implement stage 2 of the Scada upgrade	Engineering	Telemetry upgrade	$81,000

Our Utilities - Provide water and sewer infrastructure

Strategy - Maintain and expand water and sewer infrastructure to accommodate future growth

Action - Investigate expansion opportunities for water and sewer networks

Activities	Department	Comments	Budget
Plan for expansion of sewer reticulation to compliment Council's residential zoned areas	Engineering		Salaries and materials
Seek funding to undertake a feasibility study for future water supply options	Engineering		Salaries
Conduct stability study of Dam 2 with the view to raise by 3m	Engineering	Included within the existing budget	

Action - Develop and implement stormwater management plans

Activities	Department	Comments	Budget
Implement Stormwater Management Plan	Engineering		Salaries and materials

Community operates with awareness of the need to reduce our carbon footprint

Strategy - Supporting the community's vision of 'Excellent Lifestyle, Sustainable Growth' through Council's operations and functions

Action - Demonstrate an annual improvement in reduced carbon footprint of Council's operations

Activities	Department	Comments	Budget
Subscription for energy usage at council's facilities			$3,000

Strategy - Integrate climate change activities across the community

Action - Implement Environmental Sustainability Action Plans for food and energy efficiency; implement medium-term actions in the Local Adaptation Pathways Program

Activities	Department	Comments	Budget
Prepare State of Environment Report			$1,000
Seek grant funding to pursue the next stage of the Tingha Flood study – a Risk Management Study	Engineering		Salaries

Our Natural Attractions - Protect and promote our natural attractions

Strategy - Promote and highlight our natural assets

Action - Improve infrastructure at natural attractions

Activities	Department	Comments	Budget
Work with the NSW National Parks and Wildlife to develop plans for improvements to be undertaken at the Mother of Ducks Lagoon	Governance		Salaries

Our Waste - Encourage effective waste management practices

Strategy - Educate the community on better waste management to create a clean environment

Action - Participate in programs that encourage the community to develop better waste management practices

Activities	Department	Comments	Budget
Participate in Waste 2 Art Competition	Customer Service		Salaries
Liaise with local schools and organisations to participate in Clean Up Australia Day	Health & Building		Salaries
~~Conduct a free dump day in Guyra~~	~~Corporate Services~~	~~Included within the existing budget~~	
~~Conduct a free dump day in Tingha~~	~~Corporate Services~~	~~Included within the existing budget~~	

Ensure efficiency and innovation in all practices undertaken by Council

Strategy – Strive for productivity improvement and efficiency

Action - Increase the feasibility of technological advances

Activities	Department	Comments	Budget Allocation
Continue with the plant and fleet replacement program ensuring fit for purpose equipment is used	Governance		$1,753,750
Replace IT Network Server and Equipment	Governance		$250,000

Our Identity - Promote the identity of the Community

Strategy - Maintain local representation

Action - Support elected representatives to maintain effectiveness in the local community

Activities	Department	Comments	Budget
Conduct annual community consultation meetings	Corporate Services	Included within the existing budget	
Develop a schedule for reference group meetings to discuss important issues between Council and our community	Corporate Services		Salaries

Action - Promote and support local government

Activities	Department	Comments	Budget
Participate in promotion of Local Government through Local Government Week	Corporate Services		Salaries
Continue to work with other Council's in the New England Region to work toward the establishment of the New England Joint Organisation in September 2016.	Governance		Salaries

Our Identity - Promote the identity of the Community

Strategy - Encourage community pride

Action - Provide support and information to community groups who enhance community pride

Activities	Department	Comments	Budget
Support the Lamb and Potato festival through lease agreement and advice	Corporate Services		Salaries
Provide an annual economic development grant to each of the villages in the former Guyra Shire	Corporate Services	Included within the existing budget	
Support the Tingha Tin Festival by providing roadside signage	Engineering	Included within the existing budget	

Action - Set an example for the wider community

Activities	Department	Comments	Budget
Maintain vibrant branding strategies for Council	Corporate Services		Salaries

Our Identity - Promote the identity of the Community

Strategy - Promote the region as a unique rural lifestyle

Action - Support the Guyra Show Society and Lamb and Potato Festival Committee in promoting the region as an agricultural region

Activities	Department	Comments	Budget
Support the Lamb and Potato festival through lease agreement and advice	Corporate Services		Salaries

Our Operations - Ensure efficiency and innovation in all practices undertaken by Council			
Strategy - Deliver value for money services for our ratepayers			
Action - Review costs incurred by Council			
Activities	**Department**	**Comments**	**Budget**
Participate in the NSW Local Government Operational Effectiveness Survey	Corporate Services		Salaries

Our Operations - Ensure efficiency and innovation in all practices undertaken by Council

Strategy - Develop internal processes for efficient services

Action - Integrate business processes with the Integrated Planning and Reporting Framework

Activities	Department	Comments	Budget
Review the asset management plans for all council assets	Engineering		Salaries
Compliance with Privacy and Personal Information Protection Act 1998 and Government Information Protection Act (GIPA) 2012	Corporate Services		Salaries
Administer Council's Policies, Delegations and Standard Practice Notes	Corporate Services		Salaries

Action - Explore additional efficiency options through innovative work practice

Activities	Department	Comments	Budget
Encourage users to utilise the automatic generation of certificates service through ePathway (149, etc)	Corporate Services		Salaries
~~Expand ePathway services~~	~~Corporate Services~~	~~Included within the existing budget~~	
~~Colocate the Library and Customer Service at the Guyra Administration Building to provide the most efficient service delivery to the entire community~~	~~Corporate Services~~	~~Included within the existing budget~~	

Our Operations - Ensure efficiency and innovation in all practices undertaken by Council

Strategy - Promote a culture of innovation for staff and the wider community

Action - Develop a culture of innovation for employees

~~Activities~~	~~Department~~	~~Comments~~	~~Budget~~
~~Invest and implement new technology throughout the workplace~~	~~Shared Services~~	~~Included within the existing budget~~	
~~Develop a digital strategy for Council~~	~~Shared Services~~	~~Included within the existing budget~~	

Action - Lead the community in the uptake of eSolutions

Activities	Department	Comments	Budget
Work with the RDANI to develop a Regional Digital Economy Strategy	Corporate Services	Regional Development Australia – Northern Inland Included within the existing budget	

~~Our Voice - Provide enhanced engagement and communication with the community~~

~~Strategy - Inform and consult the community through various communication media~~

~~Action - Utilise emerging technology to provide information to the community~~

~~Activities~~	~~Department~~	~~Comments~~	~~Budget~~
~~Develop Council's Web 2.0 services, including website, facebook, and twitter~~	~~Corporate Services~~	~~Included within the existing budget~~	
~~Send a monthly eNewsletter to subscribed users~~	~~Corporate Services~~	~~Included within the existing budget~~	

~~Action - Continue to provide information through traditional means where effective~~

~~Activities~~	~~Department~~	~~Comments~~	~~Budget~~
~~Mail out a newsletter to every resident biannually~~	~~Corporate Services~~	-	

~~Our Voice - Provide enhanced engagement and communication with the community~~			
~~Strategy - Encourage community involvement~~			
~~Action - Provide opportunities for the community to make representations to Council~~			
~~Activities~~	**~~Department~~**	**~~Comments~~**	**~~Budget~~**
~~Deliver online community consultation for each relevant community engagement process~~	~~Corporate Services~~	-	~~Salaries~~

Our Voice - Provide enhanced engagement and communication with the community

Strategy - Allow open and transparent communication between the community and Council

Action - Provide information to the community in a timely manner

Activities	Department	Comments	Budget
Provide Council minutes and agenda's on Council's website	Corporate Services		Salaries

Action - Implement new methods of providing active information to the community

Activities	Department	Comments	Budget
Continue to work toward providing GIS information to the public	Corporate Services		Salaries

Our Economic Growth - Develop and sustain economic growth

Strategy - Contribute to the marketing and promotion of our area as a destination

Action - Work with the community to support economic development

Activities	Department	Comments	Budget
Continue to support the New England Rail Trail Inc to investigate the opportunity for a rail trail	Economic Development		Salaries

Action - Participate in regional promotion programs

Activities	Department	Comments	Budget
Participate in the New England High Country advertising campaign	Economic Development	Included within the existing budget	
Encourage local businesses to sign up to the 'Come on Shopping' eCommerce website and utilise their services to sell their goods online	Economic Development		Salaries

Our Economic Growth - Develop and sustain economic growth

Strategy - Develop and promote an innovative, progressive community for economic growth and investment

Action - Encourage additional private investment through the sale of surplus Council assets

Activities	Department	Comments	Budget
Investigate opportunities for the sale of the current Kolora building	Governance		Salaries

Armidale Dumaresq Council
29 APR 2016
Received

Armidale Dumaresq Ratepayers Association Inc.

INC 1400461

16 Hitchcock Lane
Armidale NSW 2350
Ph. 02 6775 1139
Mob. 0421 961 007
adratepayers@gmail.com
http://adratepayers.weebly.com

~~May~~ 2016 29th April 2016

Mr Glenn Wilcox
General Manager
Armidale Dumaresq Council
Civic Administration Building
Rusden St.
Armidale NSW 2350

Submission regarding the ADC Rating System for 2016/17

Dear Sir,

Last year after ADC's new Base Rate System was introduced it became clear to many ratepayers that the new system was unfair and inequitable and created a huge financial burden on ratepayers who had up until that time been paying the minimum rate. The two categories hardest hit were Farmland and Business (including Industrial). As a result ADC found itself spending much time and effort re-categorising individual ratepayers who had protested their rate bill. At the time our organization met with yourself, the Mayor at the time, Cr Bishop, Cr O'Connor and the CFO, Keith Lockyer. We were told at that meeting that Council recognized the new system had flaws and promised to consult with ratepayers before implementing the rating system for 2016/17.

To date there has been no public meeting to discuss Council's amended Base Rate System. We do not regard your invitation for our representatives to assist with a submission to the Rating Review as being 'community consultation'. We also do not regard the normal posting of the budget for 28 days as comprising a faithful 'community consultation'.

We are therefore submitting to you our requests for the new Rating System for 2016/17 based on motions that were taken and passed unanimously at our December General Meeting and reviewed at our February Committee Meeting. We are also enclosing a petition signed by 250 ratepayers (many of whom are businesspeople) to reinforce our request and a comparator chart to demonstrate what is being charged by other councils.

We are calling on Armidale Dumaresq Council to heed our request:

1. That a common base rate be set across all categories as is the case in Tamworth and Uralla. Our petition suggests that you change the **base rate** for all rating categories to **$500** and to adjust the ad valorem in order to achieve an equivalent rate yield for each category to that earned in 2015/16 plus the rate peg.

2. If a common base rate is unacceptable then the base rate for city residential should be the highest of all the categories, reflecting the level of services available to residents in the town in comparison to rural areas. This is in line with the Local Government Act.

3. That business and industrial be exempted from a base rate in order to encourage small businesses to set up in Armidale. Small business is a major employer. This method is used by Bathurst and Glen Innes and several other councils.

4. That the farmland category be split to include properties over 40H which are unproductive, ie., bush blocks or those which do not have primary producer status. These could be designated 'environmental'. The base rate for these should be the same as for rural residential. It is within Council's power to create new sub-categories with different base rates. Several of these properties were re-classified wrongly in 2015. Legal advice tells us that properties over 40 H must be classified as Farmland.

5. We request that this change be made **before the 2016/17 budget** is finalised and that ADC call a **public meeting** to discuss the implications of the changed base rate before presenting it to a Council meeting.

Rationale

We feel that ADC's use of 43% - 49% of the average rate within each category to determine the Base rates was flawed. This system works well with a very large population such as metropolitan councils. However with a small number of ratepayers (10,521), the system becomes skewed and many anomalies occur. ADC did not take into account the impact of the new rates on its residents. They did NO community consultation beforehand or afterwards and did not send an explanatory letter out with the rate notices.

The business base rate was raised to $1722.30 plus ad valorem. This meant that a small business previously paying a minimum rate of $532.00 was now paying more than 300% that amount. Some of our members with multiple small commercial properties experienced enormous hardship as a result.

Here is a comparison of 2015/16 ADC business rates with other councils on a property valuation of $22,145.00.

Armidale	$1891.53
Tamworth	$397.48
Bathurst	$400.73
Orange	$927.21
Uralla	$355.45
Goulburn	$759.63

This is grossly unfair. Is it any wonder that we cannot attract new businesses to Armidale? It is a similar situation with farmland rates and some of the other categories. The new base rates also bore no relationship to the services provided which is an essential requirement of the Local Government Act. People in the town with all the services paid a base rate of $467.60 while people on farmland with no services paid a base rate of $1321.60.

At a meeting with ratepayers following the release of the 2015/16 rate notices, ADC promised to review the rates for 2016/17 and to consult with the community. They have now had ten months to do this and have done nothing. At the January Council meeting the councillors voted for the following.

(a)That Council note that the Current Rates Structure will be frozen during the merger proposal period and for a period of four years following proclamation.

(b) That Council prepare a submission to IPART for consideration following consultation with NSW Farmers, the Chamber of Commerce, ADRA and other groups.

Motion (a) is based on a **FALSE** premise that the individual rating categories have been frozen for four years. ADRA has been officially informed that it is the **total rates yield which is frozen**, not the individual categories.

The submission to IPART (b) had nothing to do with ADC's base rate system. It was concerned with the overall NSW Rating Review. ADRA did not take part in this workshop because we had already determined to submit our own submission. The above motions are misleading and irrelevant and symptomatic of the lack of empathy which our councillors hold towards the wider community.

There is no reason why ADC cannot change the base rate system for 2016/17.

Yours sincerely,

M. A. Hitchcock

Maria Hitchcock /Chairman/Public Officer
Rob Taber – Vice Chairman
√Dale Curtis - Treasurer
Trish McRae - Committee
Dora Koops – Minutes Secretary
Margaret Gunter - Archivist

Hon. Adam Marshall Member for Northern Tablelands
Barnaby Joyce Member for New England
Office of Local Government

Business Rates Comparator

Valuation $	Armidale 2014	Armidale $1722.30 + 0.007642	Tamworth $155 + 0.01095	Bathurst 0.018096 No base rate	Orange $641.23 + 0.012914	Uralla $265.50 + 0.004062	Goulburn $497.00 + 0.01186
9,476	532.00	1794.71	258.76	171.47	763.60	303.99	609.38
10,146	532.00	1799.83	266.09	183.60	772.25	306.71	617.33
11,073	532.00	1806.91	276.24	200.37	784.22	310.47	628.32
22,145	532.00	1,891.53	397.48	400.73	927.21	355.45	759.63
61,697	839.14	2,193.78	830.58	1116.46	1437.98	516.11	1228.72
72,770	989.74	2,278.40	951.83	1316.84	1580.98	561.09	1360.05
80,000	1,088.08	2,333.66	1031.00	1447.68	1674.35	590.46	1445.80
97,800	1330.17	2,469.68	1225.91	1769.78	1904.21	662.76	1656.90
105,000	1,428.10	2,524.71	1304.75	1900.08	1997.20	692.01	1742.30
110,000	1,496.11	2,562.92	1359.50	1990.56	2061.77	712.32	1801.60
147,000	1,999.34	2,845.67	1764.65	2660.112	2539.58	862.61	2240.40

Rate Type and Category	Base Amount $	Base Amount %	Ad Valorem Amount Cents in $	Estimated Rate Yield PA $
Ordinary Rates				
Residential				
Residential - City	467.60	45	0.5070	7,772,734
Residential - City Unoccupied	557.60	45	0.5070	457,553
Residential - Non Urban	485.00	45	0.2652	1,083,493
Residential - Wollomombi	235.00	49	1.1463	8,145
Residential - Ebor	235.00	47	0.9009	6,515
Residential - Hillgrove	235.00	43	1.2716	51,001
Business				
Business - City	1,722.30	45	0.7642	1,551,067
Business - City Unoccupied	1,293.40	45	0.7642	17,063
Industrial - City	1,967.40	45	0.7642	689,958
Business - Non Urban	737.30	45	0.3667	39,250
Farmland				
Farmland	1,321.60	45	0.2305	2,600,371
Farmland City	1,168.40	45	0.2305	22,762
Mining	995.30	45	2.8450	57,352

	City $	Non-Urban $	Hillgrove $	Farmland $	Business $	Industrial $
Armidale/ Dumaresq						
Base Rate	467.60	485.20	235.00	1321.60	1722.3	1967.4
Ad Valorem	0.00507	0.002652	0.012716	0.002305	0.007642	0.007642
Tamworth			Village			
Base Rate	155.00	155.00	155.00	155.00	155.00	
Ad Valorem	0.004849	0.009533	0.007830	0.003353	0.010950	
Bathurst			Village			
Base Rate	249.00		none	336.00	none	
Ad Valorem	0.002834		0.009242	0.00215	0.018096	
Orange			Village			
Base Rate	641.23	641.23	384.05	641.23	641.23	
Ad Valorem	0.006112	0.003699	0.004190	0.001811	0.012914	
Uralla						
Base Rate	265.5	265.5		265.5	265.5	
Ad Valorem	0.004062	0.004062		0.004062	0.004062	
Glen Innes			Deepwater			
Base Rate	425.00	425.00	401.00	331.00		
Ad Valorem	0.012435	0.005969	0.006193	0.002466		
Goulburn			Marulan		Minimum	
Base Rate	297.00	226.00	220.00	496.00	497.00	
Ad Valorem	0.00682	0.00309	0.00484	0.00247	0.01186	

(18)

ARMIDALE DUMARESQ RATEPAYERS ASSOCIATION INC.
RATES PETITION

That we, the residents and ratepayers of the Armidale Dumaresq Local Government Area call on Armidale Dumaresq Council to:

1. Change the **base rate** for all rating categories to **$500** and to adjust the ad valorem in order to achieve an equivalent rate yield for each category to that earned in 2015/16.
2. We request that this change be made **before the 2016/17 budget** is finalised and that ADC call a **public meeting** to discuss the implications of the changed base rate before presenting it to a Council meeting.

NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
Brad Kembury	43 Mann St	
Lynne Pryor	58 Mann St	
Elizabeth Schiffmann	73 Erskine St	
Leanna Russell	117 Barney ST	
Joanne matthews	183 chapel St	
Amee Farrell	117 Barney St	
BETTY NELSON	2/179 CHAPEL St.	B. Nelson
NOEL HISCOX	9 NORTH ST	
Anthea Thomas	13 Chestnut Ave	
Lyn Thomas	6 Newling Ave	
Marilyn Wright	42 Mossman St	
Shane Leid	89 Brown St	
HELEN KEMBREY	43 MANN ST	
Please return page/s to:	**New England Solar** Taylor St Armidale 2350	By no later than **31ST MARCH 2016**

13

ARMIDALE DUMARESQ RATEPAYERS ASSOCIATION INC.
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NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
Ashley Carson	243 Rusden St	[signature]
Peter Hopwood	218 Mann St	[signature]
Pauline Patton	5 Stewart Cre	[signature]
Suzzan McDonald	210 Chaple Street	[signature]
Richard Kembrey	11 Roslyn Ave	[signature]
Julie Gates	231 Dwyers Range Rd	[signature]
Peter Love	175A Chapel St	[signature]
Regina Love	175A Chapel St	R. Love
Chris Love	175A Chapel St	[signature]
Ian Clutterham	38 Salisbury St	[signature]
Rhonda Keeping	Curtis St, Armidale	[signature]
Dylan Duckett	Curtis St, Armidale	[signature]
Charlie Smith	168 Camarke St Armidale	[signature]
Please return page/s to:	**New England Solar** Taylor St Armidale 2350	By no later than **31ST MARCH 2016**

(6)

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NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
Peter Haygood	13 Roslyn Ave	
matthew cooper	32 Albion Close	
Julie Rekuna	6 wade Ave	
Peter Davidson	7 James Ave Armidale	
allan Sanderson	175 Chapel st Armidale	
Tony Hillam	94 Grafton Rd	
Please return page/s to:	**New England Solar** Taylor St Armidale 2350	By no later than **31ST MARCH 2016**

ARMIDALE DUMARESQ RATEPAYERS ASSOCIATION INC.

(12)

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NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
PAUL LISLE	59 Jeffrey St. ARMIDALE	A.P. Lisle
Robert Baker	289 Herbert Park Road	
Helene Dawson	9 Wilson Av Armidale	
Lisa Lobry de Bruyn	178 Kentucky St Armidale	
Richard Koech	31 Gloss St Armidale	
JULIAN PRZOR	111 Brown St ARMIDALE	
Wing Tsoi	31 Niagara st, Armidale	
BWDU PRENTER	289 H.P.Rd. Armidale	BPrenter
PAUL PRENTER	"	PPrenter
MARGE DAWSON	Merinda Place Armidale.	Marge Dawson
ZEAL HUDIVERDI	289 HERBERT PARK RD	
SARITA PERSTON	1/55 JESSIE ST	
Please return page/s to:	**New England Solar** Taylor St Armidale 2350	By no later than **31ST MARCH 2016**

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NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
Tracey Kollosche	175 McCarthy Cres Armidale	[signature]
DENNIS HUTTON	19 PROCTOR ST	D Hutton
Kris Fletcher	321 Beardy st	[signature]
LAURIE McCANN	91 HEATHERSLEIGH ROAD	[signature]
Lawrence Knox	50 Blue Wren Rd	[signature]
Josh Magann	12 Northey Drive	[signature]
A Schaefer	689 Bundaroo Rd	[signature]
Val Sherwell	167 Markham St Armidale	Sherwell
Stephen Hampton	2/192 Brown st	S Hampton
David Kollosche	15 McCarthy Cres	[signature]
Max Cooper	169 Mossman St.	M J Cooper
J Chatfield	9 Alexander Street	[signature]
GLENN MCKEAN	186 BROWN ST	[signature]
Please return page/s to:	**New England Solar** Taylor St Armidale 2350	By no later than **31ST MARCH 2016**

ARMIDALE DUMARESQ RATEPAYERS ASSOCIATION INC.
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NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
BILL TANNER	ARMIDALE	[signature]
Max Endacott	Armidale	[signature]
A. Watson	Armidale	[signature]
P. Hewitt	Armidale	[signature]
D. Coghlan	Armidale	[signature]
L Clark	58 Lynches Rd	[signature]
S KELLY	ARMIDALE	[signature]
K. Fusstehl	174 Neatheys Rd Ardg	[signature]
P. Hayden	13 Roslyn Ave	[signature]
N PRICE	ARMIDALE	[signature]
S. Mcguire	Armidale	[signature]
C. McCubbin	Armidale	[signature]
B. Fatnowna	Armidale	[signature]
Please return page/s to:	**New England Solar** Taylor St Armidale 2350	By no later than **31ST MARCH 2016**

(4)

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NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
Karen Barwick	30 Watson Ave Armidale	K Barwick
J. PARKIN	83 Dumaresq St	[signature]
[illegible]	4 Alinnya Lane	[signature]
T. ALLERTON	99 Gole Links Road	[signature]
M Houlahan	14 Catherine St Armidale	[signature]
Terry Cooper	1/87 Markham St	[signature]
D E SPOKES	62 LAWSON Rd A'DALE	[signature]
Siubhan Davies	10-12 Nelson Place Armidale	[signature]
Heather McCall	2/13 Crest Rd A'dale	[signature]
J. Williams	110 Ohio St	[signature]
STEPHEN FELL	32 NEWTON ST A'DALE	S. Fell
E. McCLELLAND	33 WIGAN AVE A'DALE	[signature]
Lisa Barwick	30 Watson Ave Armidale	L. Barwick
Please return page/s to:	**New England Solar** Taylor St Armidale 2350	By no later than **31ST MARCH 2016**

ARMIDALE DUMARESQ RATEPAYERS ASSOCIATION INC.
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NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
Shane Turner	102 Niagara st	[signature]
J. Parkinson	Community Health	[signature]
Kerry Rice	20/11 Butler lane	[signature]
Bee OBrien	9 Howard Pl.	[signature]
Carrol Gregory	19 Taylor st	[signature]
Julie-Anne Bate	7 Watson Ave	[signature]
CODY BROWN	48 OHIO STREET	[signature]
Kerrie Parsons	2 Mubon Place.	[signature]
SPRATER	80 RUSDEN ST ADALE	[signature]
Sarah Walker	47 Mossman st.	[signature]
Amy Barwick	77 Taylor St.	[signature]
MICHELLE LAURIE	98 MOSSMAN ST.	[signature]
Ellie Brown	1 Atherton Pl.	[signature]
Please return page/s to:	**New England Solar** Taylor St Armidale 2350	By no later than **31ST MARCH 2016**

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NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
Meg Kennedy	9 Joan Place Arm.	[signature]
Lorraine Gray	23 Rusden Street	[signature]
FAY HENDERSON	24 Golgotha St	F. Henderson
Fred Turner	24 Golgotha St.	[signature]
Maureen Henderson	13 Newton ST.	M D Henderson
Donna McMillan	26 Centurale.	[signature]
NEV. WATERS.	13 Bill WATSON CRT.	[signature]
ALYCE WEATHERALL	25 SOLOMON AVENUE	[signature]
PARI JAY	1/4 C Rusden St	[signature]
Nuttee J.	130 MARSH St	[signature]
GRAEME PORTER	10 HOLMES AVE ARMIDALE	[signature]
Emma Barwick	30 Watson Ave	[signature]
Jenny McMill	11 Arundel Ave	[signature]
Please return page/s to:	**New England Solar** Taylor St Armidale 2350	By no later than **31ST MARCH 2016**

(13)

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NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
Sandy Prater	80 Rusden St Armidale	[signature]
Chris Sozou	80 Rusden St Armidale	C. Sozou
Bev Mowlerton.	69 Ganambe St Armidale	[signature]
CHRIS BOURKE	ABAROO 555 DONALD Rd	[signature]
Michael Sozou	3 Round RD Armidale	Michael Sozou
James M'Kern	77 RUSDEN ST	[signature]
STEVE FAIRBAIRN	38 DALTON DR.	[signature]
GUY YATES	5 GLASS ST	Guy Yates
PETE BERESFORD	5 McINTOSH CR	P Beresford
Brett Monley	45 Norris DR	[signature]
Will Moloney	Shop 2B 225 Mann ST	Moloney
MARK WATERS	LINFIELD VIZAULA.	[signature]
PAUL STEWART	70 Rusden St	P. Stewart
Please return page/s to:	**New England Solar** Taylor St Armidale 2350	By no later than **31ST MARCH 2016**

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RATES PETITION

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1. Change the **base rate** for all rating categories to **$500** and to adjust the ad valorem in order to achieve an equivalent rate yield for each category to that earned in 2015/16.
2. We request that this change be made **before the 2016/17 budget** is finalised and that ADC call a **public meeting** to discuss the implications of the changed base rate before presenting it to a Council meeting.

NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
DIANNE BUSLEN	22b Rockvale Road	
Kerrie Sillitoe	168 Dangar St.	
Saul Catarella	119 Taylor St	
G. CARSON	93 Mossview Rd	
Leanne Tearle	17 Eleanor Cl Armidale	
PAUL KENNEDY.	JOHNSONS & KENNEDY 162. 295 MANN ST 170 NIAGARA ST	
Leith Hawkins	158 Taylor St	
Brett Cameron	426 Rays Rd Armidale	
Jessica Molkentin	2 Ben Venue Blvd	
Russell Molkentin	69 Canambe Street	
James Prater	109 Donnelly st	
Dylan Handebo	8 Dawson Ave	
Jolene Hiscox	29 Gainsborough St Uralla	
Please return page/s to:	**New England Solar** Taylor St Armidale 2350	By no later than **31ST MARCH 2016**

(11)

ARMIDALE DUMARESQ RATEPAYERS ASSOCIATION INC.
RATES PETITION

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NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
ALAN OSBORNE	31 ISABELLA DR	
F. Miller.	37 Faulkner St	
Trent Snell	3 Holmfield Drive	
Jim Edwards.	68 Brown St.	Jim Edwards.
Jamie Knox	2 freeman Cres	
Leisa Peckham	2 FREEMAN CRES	
CHRIS SABATHIE	63 BARNEY	
Matt Fairleigh	90 Mihe rd	
Helen Gordon	72 Rusden St	Gordon.
Robert Gordon	139 Faulkner St.	
KEITH SMITH	275 OLD INVERELL RD ARMIDALE	
Please return page/s to:	**New England Solar** Taylor St Armidale 2350	By no later than **31ST MARCH 2016**

4

ARMIDALE DUMARESQ RATEPAYERS ASSOCIATION INC.
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NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
Tracey McClelland	11 WRIGHT PLACE, ARMIDALE	
Malcolm McClelland	11 WRIGHT PLACE ARM	
NOEL ADAMS	8 LUCAS CRES ARM	
Ken Riley	146 Barney St	
Please return page/s to:	**New England Solar** Taylor St Armidale 2350	By no later than **31ST MARCH 2016**

ARMIDALE DUMARESQ RATEPAYERS ASSOCIATION INC.

(4)

RATES PETITION

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NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
G.E WRIGHT	70 The Avenue	
P.J. WRIGHT	91 The Avenue	
A. J Marshall	41 Lynches Rd	
RJ Lennon	4 Cotterell Pl	
Please return page/s to:	**New England Solar** Taylor St Armidale 2350	By no later than **31ST MARCH 2016**

ARMIDALE DUMARESQ RATEPAYERS ASSOCIATION INC.

RATES PETITION

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NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
Lou NANO	3 HUGHES PL.	L Nano.
Please return page/s to:	**New England Solar** Taylor St Armidale 2350	By no later than **31ST MARCH 2016**

(12)

ARMIDALE DUMARESQ RATEPAYERS ASSOCIATION INC.
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2. We request that this change be made **before the 2016/17 budget** is finalised and that ADC call a **public meeting** to discuss the implications of the changed base rate before presenting it to a Counci meeting.

NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
S. Norris	St Albans College Arm	SANorris
G. Cavine	44 Sattlers Rd Arm.	[illegible]
M. Choici	94 Uralla Rd	[illegible]
K. Hempsall	7 Nyssa St	[illegible]
K. Holmes	83 Queen Elizabeth Dr	[illegible]
V. Ward	317 Heathersleigh Rd	[illegible]
B. Ward	317 Heathersleigh Rd	[illegible]
L. Pfister	13 Short St	[illegible]
M. Dawson.	'The Flags' Armidale.	[illegible]
G. Field	23 P.G. love Ave	[illegible]
Phil Robins	132 Jeffery St	[illegible]
Robyn Marshall	Lin K Rd A'dle	[illegible]
Please return page/s to:	**New England Solar** Taylor St Armidale 2350	By no later than **31ST MARCH 2016**

(18)

ARMIDALE DUMARESQ RATEPAYERS ASSOCIATION INC.
RATES PETITION

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NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
JACK ARNOLD	737 CASTLEDOYLE RD	Jack Arnold
M. MORLEY	8 Hunt Ave	[illegible]
G. JACKSON	10 Sylvia Cres Arm.	G.R. Jackson
D ROBINS	82 Lynches Rd	[illegible]
E Morley	1 BAIN Cle	E. Morley
J Alling	56 Kirkwood ST.	J N ALLING
Ros Noakes	Old Gostwyck Rd.	R Noakes
A Parnell	81 Perrott St Armidale	[illegible]
PETER McClenaghan	11 Mayfield Ave Armidale	[illegible]
Tristan Cameron	193 Mann St	[illegible]
WENDY CLARK	930 Puddledock Rd. Armidale	W.A. Clark
DAVID Percival	57 Milne RD ARMIDALE 2530	[illegible]
Greg Mills	179 Boorolong Rd Armidale 2350	[illegible]
Please return page/s to:	**New England Solar** Taylor St Armidale 2350	By no later than **31ST MARCH 2016**

ARMIDALE DUMARESQ RATEPAYERS ASSOCIATION INC.

(8)

RATES PETITION

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NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
PAUL SHIELS	WEBB PL.	
BRUCE THORNTON	BUNDARRA RD	
Matt Brown	Ohio Street	M. Brown
Shane Danieli	webb Place	
RHAINE	CAREY AVE	
Rachel Brown	Ohio Street	R. Brown
GWENDOLINE SHIELS	12 KELLY AVE, ARMIDALE	
MATT SHIELS	webb Pl	
Please return page/s to:	**New England Solar** Taylor St Armidale 2350	By no later than **31ST MARCH 2016**

(2)

ARMIDALE DUMARESQ RATEPAYERS ASSOCIATION INC.
RATES PETITION

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NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
Doug Jackson	77 Jacksons Rd	
D.E. Hitchcock	16 Hitchcock Lane	D. E. Hitchcock
Please return page/s to:	**New England Solar** Taylor St Armidale 2350	By no later than **31ST MARCH 2016**

ARMIDALE DUMARESQ RATEPAYERS ASSOCIATION INC.
RATES PETITION

(B)

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2. We request that this change be made **before the 2016/17 budget** is finalised and that ADC call a **public meeting** to discuss the implications of the changed base rate before presenting it to a Council meeting.

NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
Penny Lamers	2457 Grafton Rd Hillgrove	[signature]
Peter Stumer	2457 Grafton Rd Hillgrove	[signature]
Sally Anderson	Brookside, rockvale Road	[signature]
Dona Faulkner	44 Barney St Armidale	[signature]
GREG KEENE	5 HUNT AVE ARMIDALE	[signature]
Stuart Cleghorn	138 Mossman St Armidale	[signature]
BILL ANDERSON	"BROOKSIDE" ARMIDALE	[signature]
JOHN DUGDALE	TREVELLIE LANE ARMIDALE	[signature]
Andrew Lameron	Fassifern Wollomombi	[signature]
WILLIAM HUGHES	142 A. Hawdel St A'dale	[signature]
Barbara Vancelow	46 Brand St Armidale	[signature]
Mandy Choice	94/98 Uralla Rd A'dale	[signature]
Hani Sahiman	PO Box 1182 Armidale	[signature]
Please return page/s to:	**New England Solar** Taylor St Armidale 2350	By no later than **31ST MARCH 2016**

Rates on 32 sq m shop
[illegible] up 90% [illegible] encourage [illegible] business!

10

ARMIDALE DUMARESQ RATEPAYERS ASSOCIATION INC.
RATES PETITION

That we, the residents and ratepayers of the Armidale Dumaresq Local Government Area call on Armidale Dumaresq Council to:

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NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
Margaret Sharpe	3/10 Speare Ave	M C Sharpe
Peter Armatage	203 ERSKINE ST	P. Armatage
Amanda Rose	6 Shambrook Ave.	[illegible]
Anne Bayliss	15 Short St	A Bayliss
Gabby B Hough	2 Proctor St	[illegible]
Marian Egan	[illegible]	[illegible]
DAVID ARCHER	WAR SERVICE ROAD	[illegible]
NEVILLE YATES	163 Allingham St	N Yates
MARYANNE ABOOD	8 OLIVER AVE ARMIDALE	M. Abood.
David & Mary Howie	148 Taylor St A'dale	[illegible]
Please return page/s to:	**New England Solar** Taylor St Armidale 2350	By no later than **31ST MARCH 2016**

13

ARMIDALE DUMARESQ RATEPAYERS ASSOCIATION INC.
RATES PETITION

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NAME (PLEASE PRINT)	ADDRESS	SIGNATURE
MARY GRILLS	22 Cluny Rd.	M E Grills
Ernie Selby	181 Galloway St	[illegible]
George Magann	5 McLean Ave	G. J. Magann
G. DALY	215 BROWN ST	G. Daly
WAYNE PASSELL JP	11 ENID ST -	W R Passell JP
Sue Brown.	19 Ishbell Dr.	[illegible]
chris sullivan	11 Fiona place	[illegible]
Graham Russell	44 Queens Ave	[illegible]
Mick Bourke	193 Donelly St.	[illegible]
MICK BRAZIER	Arundell Dr. Nth.	[illegible]
BRYCE DAVIES	2 Oliver Ave	[illegible]
Nick Grills	18 Cluny Rd	[illegible]
GARRY JOHNSON	195 MARSH ST	[illegible]
Please return page/s to:	**New England Solar** Taylor St Armidale 2350	By no later than **31ST MARCH 2014**

Armidale Dumaresq Council 1

2 3 MAY 2016

Received

Armidale Dumaresq Ratepayers Association Inc.

INC 1400461

16 Hitchcock Lane
Armidale NSW 2350
Ph. 02 6775 1139
Mob. 0421 961 007
adratepayers@gmail.com
http://adratepayers.weebly.com

29 April 2016

Mr Glenn Wilcox
General Manager
Armidale Dumaresq Council
Civic Administration Building
Rusden St.
Armidale NSW 2350

Submission regarding the ADC Rating System for 2016/17

Dear Sir,

Last year after ADC's new Base Rate System was introduced it became clear to many ratepayers that the new system was unfair and inequitable and created a huge financial burden on ratepayers who had up until that time been paying the minimum rate. The two categories hardest hit were Farmland and Business (including Industrial). As a result ADC found itself spending much time and effort re-categorising individual ratepayers who had protested their rate bill. At the time our organization met with yourself, the Mayor at the time, Cr Bishop, Cr O'Connor and the CFO, Keith Lockyer. We were told at that meeting that Council recognized the new system had flaws and promised to consult with ratepayers before implementing the rating system for 2016/17.

To date there has been no public meeting to discuss Council's amended Base Rate System. We do not regard your invitation for our representatives to assist with a submission to the Rating Review as being 'community consultation'. We also do not regard the normal posting of the budget for 28 days as comprising a faithful 'community consultation'.

We are therefore submitting to you our requests for the new Rating System for 2016/17 based on motions that were taken and passed unanimously at our December General Meeting and reviewed at our February Committee Meeting. We are also enclosing a petition signed by 250 ratepayers (many of whom are businesspeople) to reinforce our request and a comparator chart to demonstrate what is being charged by other councils.

We are calling on Armidale Dumaresq Council to heed our request:

1. That a common base rate be set across all categories as is the case in Tamworth and Uralla. Our petition suggests that you change the **base rate** for all rating categories to **$500** and to adjust the ad valorem in order to achieve an equivalent rate yield for each category to that earned in 2015/16 plus the rate peg.

2. If a common base rate is unacceptable then the base rate for city residential should be the highest of all the categories, reflecting the level of services available to residents in the town in comparison to rural areas. This is in line with the Local Government Act.

3. That business and industrial be exempted from a base rate in order to encourage small businesses to set up in Armidale. Small business is a major employer. This method is used by Bathurst and Glen Innes and several other councils.

4. That the farmland category be split to include properties over 40H which are unproductive, ie., bush blocks or those which do not have primary producer status. These could be designated 'environmental'. The base rate for these should be the same as for rural residential. It is within Council's power to create new sub-categories with different base rates. Several of these properties were re-classified wrongly in 2015. Legal advice tells us that properties over 40 H must be classified as Farmland.

5. We request that this change be made **before the 2016/17 budget** is finalised and that ADC call a **public meeting** to discuss the implications of the changed base rate before presenting it to a Council meeting.

Rationale

We feel that ADC's use of 43% - 49% of the average rate within each category to determine the Base rates was flawed. This system works well with a very large population such as metropolitan councils. However with a small number of ratepayers (10,521), the system becomes skewed and many anomalies occur. ADC did not take into account the impact of the new rates on its residents. They did NO community consultation beforehand or afterwards and did not send an explanatory letter out with the rate notices.

The business base rate was raised to $1722.30 plus ad valorem. This meant that a small business previously paying a minimum rate of $532.00 was now paying more than 300% that amount. Some of our members with multiple small commercial properties experienced enormous hardship as a result.

Here is a comparison of 2015/16 ADC business rates with other councils on a property valuation of $22,145.00.

Armidale	$1891.53
Tamworth	$397.48
Bathurst	$400.73
Orange	$927.21
Uralla	$355.45
Goulburn	$759.63

This is grossly unfair. Is it any wonder that we cannot attract new businesses to Armidale? It is a similar situation with farmland rates and some of the other categories. The new base rates also bore no relationship to the services provided which is an essential requirement of the Local Government Act. People in the town with all the services paid a base rate of $467.60 while people on farmland with no services paid a base rate of $1321.60.

At a meeting with ratepayers following the release of the 2015/16 rate notices, ADC promised to review the rates for 2016/17 and to consult with the community. They have now had ten months to do this and have done nothing. At the January Council meeting the councillors voted for the following.

(a)That Council note that the Current Rates Structure will be frozen during the merger proposal period and for a period of four years following proclamation.

(b) That Council prepare a submission to IPART for consideration following consultation with NSW Farmers, the Chamber of Commerce, ADRA and other groups.

Motion (a) is based on a **FALSE** premise that the individual rating categories have been frozen for four years. ADRA has been officially informed that it is the **total rates yield which is frozen**, not the individual categories.

The submission to IPART (b) had nothing to do with ADC's base rate system. It was concerned with the overall NSW Rating Review. ADRA did not take part in this workshop because we had already determined to submit our own submission. The above motions are misleading and irrelevant and symptomatic of the lack of empathy which our councillors hold towards the wider community.

There is no reason why ADC cannot change the base rate system for 2016/17.

Yours sincerely,

Maria Hitchcock /Chairman/Public Officer
Rob Taber – Vice Chairman
√Dale Curtis - Treasurer
Trish McRae - Committee
Dora Koops – Minutes Secretary
Margaret Gunter - Archivist

C Hon. Adam Marshall Member for Northern Tablelands
C Barnaby Joyce Member for New England
C Office of Local Government
dditional
C Dr Ian Tiley Administrator Armidale Regional Council

CRITICISMS OF THE RATING POLICY IMPOSED BY ARMIDALE dumaresq COUNCIL FOR THE 2015/2016 FINANCIAL YEAR AND CONTINUED BY COUNCIL MANAGEMENT OF THE INTERIM REGIONAL GOVERNMENT BODY CURRENTLY TITLED *ARMIDALE REGIONAL COUNCIL.*

BASE RATES

Lack Of Consultation

The 2015/2016 A(d)C rating system was imposed upon ratepayers without prior modelling of its impact upon all A(d)C defined categories of ratepayers; without ensuring equity of impact; with the prime criterion of determination being population density rather than actual services, facilities and infrastructure provided; and without any pre-imposition publicity or public consultation.

'Consultation' does not mean 'telling' nor 'imposing' nor parroting off a set speech which is rebooted after the speaker is asked a question. 'Public consultation' means just that - consultation with ALL of the public and not with just a few favoured groups - BEFORE council policy/actions are decided upon by councillors and council management.

Consultation means *fully explaining* an intended action and reasons for it AND listening to, and responding in good faith to, questions asked by members of the community of ratepayers who fully fund the administrator, councillors and now ex-councillors, the ever expanding council management and council staffing.

There has been a lack of community consultation regarding the perpetuation of inequities of the 2015/2016 rating policy into 2016/2017 and for a further 3 years. Armidale Dumaresq Ratepayers' Association was instrumental in achieving a reduction in the Base Rate for business. However, the complaints about the high Base Rate levied upon owners of 40-50 ha blocks were dismissed out of hand with comments such as those by the then mayor who stated that these owners were moaning because they had previously paid minimal rates and they were now expected to pay their fair share! He didn't even bother to check previous rates notices issued by A(d)C before he made his contemptuously dismissive, derogative comment.

Base Rates

According to the Local Government Act, Base Rates are supposed to be a quantifiable cost per property that represents *basic* administrative costs of a council from which all properties, regardless of rateable value, benefit.

AND

The cost of ratepayer provided services, facilities and infrastructure which benefit all properties, regardless of their rateable value.

That is, a Base Rate should cover the cost of common services provided by ratepayers to the community and *basic* general administration costs. Since A(d)C and A(r)C have sliced and diced the "community" into categories, it has to be assumed that "the community; refers to the category into which a property has been slotted by council.

The iPART Issues paper points out that base rates may be inequitable because:

(i) they do not reflect a ratepayer's ability to pay

(ii) that a property with s single or small number of occupants pays the same base rate as a property with significantly more occupants. Therefore, the latter ratepayer's household "will derive a larger benefit from the public goods that councils provide" .

That is, the per capita cost of Base Rates is less for a household with many members, all of whom use council-provided services, facilities and infrastructure, and more for

a household of one or two who use council services, facilities and infrastructure less frequently - or even not at all - even if they are actually provided with such ratepayer funded services, facilities and infrastructure

In short, Base Rates disproportionately reward larger households and discriminate against smaller households.

The A(d)C, and now the A(r)C, Base Rating policy rewards those who are heavy users of ratepayer provided services, facilities and infrastructure (i.e., city ratepayers and residents) and penalises those who do/cannot access them or, if they do, do so rarely or infrequently. i.e, Farmland and Village ratepayers.

"Farmland" rates payers have minimal (if any) ratepayer provided/subsidised services and facilities and degraded and never-to-be-improved rural infrastructure - except for those rural roads frequented by city dwellers for recreational purposes e.g., to Dangers Falls, Dumaresq Dam, Blue Hole, National Parks.

In contrast, city ratepayers and residents have city infra-structure that includes well maintained, repaired and constantly upgraded, roads, kerbing and guttering, footpaths, endless sporting facilities, parks, street lighting, public library, museums/keeping places, WiFi in the Mall etc etc. Yet these city dwellers have the lowest Base Rate other than that for rural villages.

Councillor and council management mantra has been, and still is, that Farmland ratepayers and residents have access to city infrastructure, facilities and services. In theory, perhaps.

The reality is that many rural ratepayers rarely, if ever, visit Armidale because of factors such as distance; the difficulties travelling on unsafe (especially at night) unmaintained, unrepaired and unimproved rural dirt roads; relevance to them; and lack of time.

And even those who do not live on the fringes of the council area are infrequent users of city infrastructure, facilities and services - rarely "driving on the streets of Armidale and walking on Armidale footpaths".

So, how is it that those who demand, and receive, endless services, facilities and upgraded roads and who are intense utilisers of those i.e., city dwellers, businesses and industrial - and who have easiest and most frequent access to council administrators/administration pay the lowest Base Rates when a Base Rate is supposed to " to be a quantifiable cost per property that represents *basic* administrative costs of a council from which all properties, regardless of rateable value, benefit."? They should be paying the HIGHEST Base Rates - not the lowest!

How is it that those who do not receive any of the above and who are the least intensive users - if at all - of city services, facilities and upgraded roads - pay the highest Base Rates when a Base Rate is supposed to " to be a quantifiable cost per property that represents *basic* administrative costs of a council from which all properties, regardless of rateable value, benefit."? This category should be paying the LOWEST Base Rate.

A(d)C, and now A(r)C , Base Rates policy is in contravention of the principles of Base Rates as set out in the iPART Issues paper and in the Local Government Act 1993.

Note: The Local Government Act does not state that population density within a rating category should be used as a criterion for determining a Base Rate. Indeed, the statement made in the iPART Issues paper makes the point that Base Rates are inequitable because members of less dense populations subsidise the use of facilities, services and infrastructure

of more dense populations. The A(d)C and now A(r)C Base Rates are inequitable because, according to council management, they were determined by population density.

THE BASE RATES SET BY A(D)C AND PERPETUATED BY A(R)C MUST BE REVISED TO REFLECT THE NSW LOCAL GOVERNMENT ACT PRINCIPLES FOR BASE RATES . THOSE WHO DEMAND, AND RECEIVE, AN EXTENSIVE RANGE OF LUXURY AS WELL AS BASIC SERVICES, FACILITIES AND INFRASTRUCTURE SHOULD PAY A SIGNIFICANTLY HIGHER BASE RATE THAN THOSE WHO DO NOT RECEIVE SUCH RATEPAYER SERVICES, FACILITIES OR INFRASTRUCTURE.

ACTUAL, (i.e., REAL) ALL PUBLIC, *CONSULTATION* MUST BE ENGAGED IN BEFORE REVISED BASE RATES ARE IMPOSED.

Farmland has the highest Base Rate of all categories of all A(R)C ratepayers in the defunct A(d)C area - and, probably, in the whole regional council area since all Guyra rates were and are very significantly lower than those of the defunct A(d)C area.

Comparison of Base Rates Within the defunct A(d)C area

Category	**Base Rate**	**% comparison with Farmland Rates - % BY WHICH FARMLAND RATES ARE HIGHER**
Armidale - Residential	467.60	**282.63**
Armidale - Business	789.00	**167.50**
Armidale - Farmland	1,261.00	**104.81**
Armidale industrial	882.20	**149.81**
Residential - Wollomombi	200.00	**660.80**
Residential - Ebor	200.00	**660.80**
Residential - Hillgrove	200.00	**660.80**
Armidale "Non-urban"	485.00	**272.49**
Business - non-urban	737.30	**179.24**
Mining	995.30	**132.78**
Farmland	1,321.60	-

Margaret Gunter
[redacted]
16/6/2016

CRITICISMS OF THE RATING POLICY IMPOSED BY ARMIDALE dumaresq COUNCIL FOR THE 2015/2016 FINANCIAL YEAR AND CONTINUED BY COUNCIL MANAGEMENT OF THE INTERIM REGIONAL GOVERNMENT BODY CURRENTLY TITLED *ARMIDALE REGIONAL COUNCIL.*

RATING CATEGORIES

Lack Of Consultation

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'Consultation' does not mean 'telling' nor 'imposing' nor parroting off a set speech which is rebooted after the speaker is asked a question. 'Public consultation' means just that - consultation with ALL of the public and not with just a few favoured groups - BEFORE council policy/actions are decided upon by councillors and council management.

Consultation means *fully explaining* an intended action and reasons for it AND listening to, and responding in good faith to, questions asked by members of the community of ratepayers who fully fund the administrator, councillors and now ex-councillors, the ever expanding council management and council staffing.

There has also been a lack of community consultation regarding the perpetuation of inequities of the 2015/2016 rating policy into 2016/2017 and for a further 3 years.

Rating Categories

According to the NSW Local Government Act 1993 councils must allocate each parcel of rateable land to one of the following four categories stated in Section 493 viz:

(i) Residential property - according to whether the land is rural residential land or is within a centre of population
(ii) Business - according to a centre of activity
(iii) Farmland - according to the intensity of land use, the irrigability of the land or economic factors affecting the land.
(iv) Mining - according to the kind of mining involved.
OR
to a subcategory of one of the above main categories
AND
given written notification of its decision to the landholder

Criteria For Land To Be Classified as *Rural Residential*
Under the Local Government Act 1993 the rating category *Rural Residential* land can be applied only to land that:

(a) has a dwelling on it
AND
(a) has an area of not less than 2, but not more than 40, hectares.
AND
(b) is not zoned or otherwise designated for use under an environmental plan
NOR
zoned or otherwise designated for use for non-urban purposes under an environmental plan
AND
(b) is outside a centre of population (village, town, city)
AND
(c) does not have a significant and substantial commercial purpose or character

Councils can create subcategories within these but these subcategories must be consistent with the criteria for the category that has been sub-categorised.

Land meeting the criteria for *Rural Residential* under the Act CANNOT be categorised as *Farmland.*

However, it CANNOT be classified as Rural Residential if it has a significant and substantial commercial purpose or character.

How had A(d)C and how has A(r)C, determined whether or not the properties that it has described as being *Non-Urban Residential* do/do not have a "**significant and substantial commercial purpose or character "? And how has it communicated this both to the owners of land that it has classified as *Non-urban Residential* and to the Ratepayng community as a whole?**

Why didn't A(d)C, and why does A(r)C not, distinguish between 2-4 ha blocks the dominant use of which is Commercial (as defined in the Act) and those the dominant use of which is Residential (as defined by the Act)?

In the A(d)C rating categories, there is a Non-urban Residential.

There is no such category stated in The NSW Local Government Act (1993). Questions that A(r)C management must answer are:

(a) Is it *Non-urban Residential* a synonym for *Rural Residential ?*
(b) If it is, why had A(d)C, and has A(r)C, not used the term used in the Act viz. *Rural Residential*?
(c) If it the descriptors are not synonymous, how did A(d)C, and how does A(r)C, define *Non-urban Residential* so that the difference between this category's characteristics are so significantly different from those of the *Rural Residential* category that a new category descriptor is needed?

Remember, that the Local Government Act 1993 states that sub-categories, when formed, should be consistent/ in accordance with the defining criteria of the category of which they are a sub-category.

(d) Why did A(d)C council management and councillors perceive a need to introduce a rating category that is not stated in the Act?

Criteria For Land Categorised As Farmland

The Local Government Act (1993) sets the following essential criteria for occupied land to be categorised as "Farmland".

The land:

(i) must be a parcel of rateable land valued as one assessment

(ii) *its dominant use is for farming.**
That is, the business or industry of grazing, animal feedlots, dairying, pig-farming, poultry farming, viticulture, orcharding, bee-keeping, horticulture, vegetable growing, the growing of crops of any kind, forestry or aquaculture within the meaning of the Fisheries Management Act 1994.
**** In order to determine whether the dominant use of the land in question is for farming, council must look not merely at the amount of land used for the particular activity carried on, but also at the intensity of that use.***

(iii) or any combination of those businesses or industries which:
(a) has a significant and substantial commercial purpose or character,
AND
(b) is engaged in for the purpose of profit on a continuous or repetitive basis
(whether or not a profit is actually made)

The " significant and substantial commercial use or character" is not to be measured or assessed by reference to the size of the land on which farming activity is undertaken.

What is relevant is the fact and degree of the commercial purpose or character and not merely the area of the property used."

That is, the amount of land used for a particular activity cannot be used as the sole criterion for determining *Farmland.* The intensity of that use MUST also must be considered.

Land classified as *Farmland* must be used for one or more of the activities specified in the Act (e.g. grazing, pig-farming, etc.) AND must also be a business or industry the purpose of which is making a profit.

When is Land NOT to be categorised as *Farmland* ?

(i) If it does not meet the criteria specified for *Farmland* in the Local Government Act 1993.

(ii) If is *Rural Residential* land as defined in NSW Local Government Act 1993.

(ii) Legal precedent in the Land and Environment Court has determined that when the main purpose and use of land is for a residence and any agricultural pursuit is "incidental use" which might or might not develop into a business in the future then that land cannot be classified as *Farmland.*

(iv) Legal precedent in the Land and Environment Court has established that if a property has not been profitable in the past and is not likely to be within the future 5 years, then the farming cannot be classified as being engaged in for the purpose of profit on a continuous or repetitive basis.

What is relevant is the fact and degree of the commercial purpose or character and not merely the area of the property used.

That is, in order to determine whether the dominant use of the land in question is for farming (hence the title *Farmland*), council must look not merely at the amount of land used for the particular activity carried on, but also at the intensity of that use

(v) There is no authority under the Act for council to adopt a practice involving the setting of an arbitrary income or profit threshold as criteria for the grant or refusal of *Farmland* applications.

A(d)C and A(r)C Misuse of *Farmland* Categorisation

Since 2000, the now defunct A(d)C has been in breach of the Local Government Act 1993 when it has classified land as *Farmland* in contravention to the conditions set down in that Act. The A(r)C appears to be continuing that misuse.

A(d)C, and now the A(r)C, unilaterally decided that 40-50 ha blocks are *Farmland* without prior determination of whether or not the purpose of these blocks (size determined by Local Government regulation re. the size of rural subdivision blocks) is residential or whether the dominant purpose is engaging in farming for the purpose of profit on a continuous or repetitive basis.

Note that the Act states that what is relevant is the fact and degree of the commercial purpose or character and not merely the area of the property used.

Using the criteria of the NSW Local Government Act 1993, land of between 40 and 50 ha cannot be classified as *Farmland* **unless** it is so intensively farmed that it is a commercial venture the purpose of which is to produce a steady profit for the owner.

Therefore, for 16 years A(d)C rating policy has been in breach of the NSW Local Government Act 1993.

The intent of that Act is to distinguish between Residential and Business use of land not only in "Centres of population" but in land outside such "Centres of population". The A(d)C, and now the A(r)C rating policy ,does not do so for land outside "Centres of population". A(d)C therefore, since 2000 has been in breach of the NSW Local Government Act 1993. If A(r)C continues the rating policy of A(d)C, it will also be in breach of that Act.

As a joint-owner of land between 40 and 50ha, I have never been asked by A(d)C to state whether or not the dominant purpose of our land is residential or commercial. Yet we have always been made to pay *Farmland* rates.

Because, under the Act, 40-50 ha rural blocks cannot be classified as *Farmland*, the base rate set for these blocks should be *no more* that those that meet the criteria for Rural Residential (in A(d)C parlance, *Non-urban residential,* blocks). Indeed, the Base Rate should be less, given that the 40-50ha blocks predominantly receive fewer services and facilities (if any) and a much poorer standard of infrastructure than those *Rural Residential* blocks.

Since owners of 40-50 ha blocks were subjected to very significant rates increases in 2015-2016 - up to 300% - because of A(d)C's non-abidance by the principles of Base Rates and by its misuse of *Farmland* categorisation, their rates notices for 2016/2017 should refund the excess illegally extorted from them by A(d)C in 2015/2016.

Margaret Gunter
[redacted]
16/6/2016

SUGGESTION FOR IMPROVING TRANSPARENCY OF RATES NOTICES ISSUED BY THE INTERIM REGIONAL GOVERNMENT BODY CURRENTLY TITLED *ARMIDALE REGIONAL COUNCIL.*

LACK OF TRANSPARENCY OF RATES NOTICES

1 SRVs and Other Levies

In 2014, Armidale (dumaresq) Council imposed yet another SRV upon the ratepayers of its LGA - with rural ratepayers who paid, and continue to pay, disproportionately and significantly higher rates than Armidale city ratepayers being most adversely affected by the percentage increase in terms of cold, hard cash that they had to fork out. In stark contrast to city ratepayers, rural ratepayers then received, and still receive, minimal, if any, services and facilities and only unsafe and degraded road infrastructre that will not be improved during their lifetimes.

Subsequent Rates Notices have not itemised the amount of SRV paid by the owner(s) of land on each of the Rates Notice(s) that they received.

The iPART issues paper included Transparency of the rating process as an important principle.

That transparency should be a feature of Rates Notices sent to Rate Payers. The amount of SRV paid by each ratepayer should be itemised - a computation involving a very simple algorithm.

Ratepayers have always experienced great difficulty in extracting financial information from A(d)C.

In the interest of transparency, the 'back' of each Rates Notice should list the total raised by each levy to date i.e., of each unpegged special rate that ratepayers are forced to pay, and the SRV. The total for the whole rating community - not by the individual ratepayer since most of use can add up the amounts on our Rates Levies.

That transparency is not available even in council financial documents since relevant figures are embedded in a multitude of other figures.

2 Total Amount of Rates Levied On ex-A(d)C Ratepayers

There is concern among A(d)C ratepayers that the rates that we are forced to pay - especially the SRV and levies - will not be spent totally within the defunct A(d)C area - that some will be diverted to the defunct Guyra Shire Council Area in which rates are significantly lower than for ex-A(d)C ratepayers - especially Farmland ratepayers.

This concern is highest among ex-Dumaresq Shire Council ratepayers who have benefitted little from the rates that they paid to A(d)C because these were used to subsidise services, facilities and infrastructure located with Armidale city and used wholly or predominantly by Armidale city residents.

Separate statements of the total amounts of rates and levies paid by ex-A(d)C ratepayers and gross figure statements of the allocation of those rates and levies to ex-A(d)C and to ex-Guyra Shire Council area ratepayers and residents must also be provided on the back of Rates Notices so that ex-A(d)C ratepayers know what they are paying for.

Margaret Gunter
[redacted]
16/6/2016

Council

2 JUN 2016

Received

[redacted]

31-5-2016.

MARESQ Shire Council,
65 RUSDEN STREET,
TAMIDALE.

Re: RATES.

As on 31st MAY 2016, we are paying our 4th Rate Instalment on oc
015-2016 yearly Rates. As we received a HUGE increase of $868-c
50% increase on our [redacted] Property. Our 3 small Famil
operties Rates were $8,600-77, an overall increase of $1,209-05,
hich did have a HUGE impact on us as Small Property Owners. EACh
ear we have received an increase on our Rates.

As Rates have NOT yet been approved for the 2016-17 Rate year
Council, I think it is time Council considered the Small Property
ners and our Costs. With the worst Drought last year in 70 year
d still shaping up this year. I would like Council to consider our
sts for Fodder, Petrol, Dam Cleaning etc. and 3 Landfill charges.

The Larger Rural Properties only receive the same Services
om Council as we do in the Country. Our ROADS are graded when
cy necessary, we travel to deposit Landfill and PAY.

I would like to ask Glenn Wilcox, did you send the
gerProperty Owners, when they Complained about the Rate
creases, a Hardship Rate Relief Application Form.?

We live to our MEANS OR GO WITHOUT.

Thank you.

P.J. Sewell & Co Pty LTD
Per. Jill Sewell.

I would like to Know what our RATES 2016-2017 will
e.

Armidale Dumaresq Council

- 5 MAY 2016

Received

Vipala Pty Ltd
DJ & AJ Courtney
[redacted]

Mr Glenn Wilcox
Armidale/Dumaresq Council
Po Box 75A
ARMIDALE 2350.

4.5.16.

Our Ref. Letter 4.5.16; Previous Ref. 19.8.15.

Dear Mr Wilcox,
You will recall our correspondence from August last year, on our rates going up 75%, being , rateable year 2014- 2015 $1258.21; to rateable year 2015-2016 $2201.50 a monetary hike of $943.29 for our small rural block of land.

In the response we got, your council quoted that this base rate (which last year was only introduced) & a reduced ad valorem was suppose to make it Fairer for Rural Holdings, and as you found, it wasn't at all fairer for some, you are aware that our small Rural Block rate increased by 75% (figures stated above) which we are led to believe that it was a bad error of Council mismanagement and questioned if this was legal to do .

Apparently this current month of May is when your Financial side of council decides on how to go about Rates & charges ,we ask if the " Unfairness"of last year can be reviewed and changed, so as to have the rate hike reduced considerably from last year, to make what your Council tried to do make it Fairer for all.

We await a constructive response .

Thank You,

DJ & AJ COURTNEY.

ARMIDALE DUMARESQ COUNCIL
TO.....
DATE.....

Armidale Dumaresq Council
2 JUN 2016
Received

DJ & AJ Courtney
Taralye [redacted]

Mr Ian Tiley
Administrator Armidale Regional Council
135 Rusden Street
Armidale 2350

29.5.16.

Dear Mr Tiley,

We direct this letter to you as the Council Draft, of Operational Plan & Budget for the year 2016-2017, has not been addressed in respect to the massive 75% rate hike on our vacant block of land.

It occurred last year.

My correspondence from your now Interim General Manager Mr Glenn Wilcox he quoted a review of this newly introduced Base Rate System would be ensured, to make it less of a burden on ratepayers who had experienced increases. (Copy enclosed dated 17 August 2015.)
I had a talk to Revenue Officer Mr John McIlwain about the matter and was told that these smaller land holdings caused some unfairness, but the rate set by Council was out there & this smaller holding issue may be reviewed for the 2016-2017 year and to put a submission in next year in May ie; 2016, our rates were duly paid.

I wrote to Mr Glenn Wilcox letter dated 4.5.16, basically to remind Mr Wilcox of his assurance he quoted, that, less burden will be reviewed.

We have viewed this years draft plan in the rateable category & have found that no change at all has been addressed, as well as no reply from Mr Wilcox which makes us wonder on the integrity of Mr Wilcox.

Our concern last year on this massive rate hike was, that over past years, our small 40 hectare block a small amount of cattle are run, to create a small income to pay rates & create a very small profit for improvements as you would be

aware of land size to cattle per hectare is minimum & when council introduced this base rate only last year it made our rural block unviable.

We ask if this draft can be reviewed to our submission of, Farmland vacant land block (no Dwelling) under 50 hectares, can come under Section 497 NSW Government Act 1st Item, rateable by ad velorem as past years with no base rate.

We have lived in Armidale for 46 years now and up until last years 75% rise in our rates on our vacant land block Armidale is a most enjoyable city to live & work in and wish you all the best in your very important role you now play in our city.

Thank you & we hope that you may be able to relieve the vacant land small holding increase of last year something that as earlier stated that Mr Wilcox said he would ensure to do but hasn't.

David & Mandy Courtney.

Copy

Armidale
Dumaresq Council

135 Rusden Street
PO Box 75A Armidale NSW 2350
P: 02. 6770 3600 • F: 02. 6772 9275
council@armidale.nsw.gov.au
ABN 63 781 014 253

17 August 2015

Your ref:
Our ref: I/2015/18633

Vipala Pty Ltd
C/- DJ & AJ Courtney
[redacted]

Dear Sir/Madam

Change to your rates

Thank you for contacting Armidale Dumaresq Council to express your concerns about the financial impact you are experiencing as a result of Council implementing changes to the way rates are calculated for the 2015/16 Financial Year.

I understand Council's Revenue Officer, John McIlwain, has been in contact with you to discuss your individual assessment.

Council has changed to a base rate system this year with the intention to create a fairer system for the entire community and bring ratepayers closer to the average within the categories of residential, business, farmland and mining. Council acknowledges that insufficient engagement with the community occurred prior to the rates notices being sent out and it was not made clear in the rates notice of the changes and the impact to the individual ratepayer.

Council takes its responsibilities to the community very seriously, however the impact to some ratepayers was underestimated, especially in the business and farmland categories who previously paid a very low minimum rate. As the rates have been approved following the public consultation period Council can not make changes this year. A Fact Sheet is attached that explains in more detail the changes to the rates that took place this year.

Council will undertake a review of the base rate system for the 2016/17 Financial Year to ensure that there is less of a burden on ratepayers who this financial year have experienced increases.

Please contact Council's Customer Service Centre on 6770 3600 or email council@armidale.nsw.gov.au if you require further assistance.

Yours sincerely

Mr Glenn Wilcox
General Manager
Armidale Dumaresq Council

Enc: Fact sheet

Armidale Dumaresq Council

30 MAY 2016

Received

Dr ARTHUR BERESFORD

[redacted]

The Administrator
Local Council
Armidale Dumaresq Council Building
Armidale
27th May 2016

Dear Sir,

RE RATES FOR NEXT FINANCIAL YEAR

Last year the former Armidale-Dumaresq Council changed the method of calculating the rates payable for each property. These changes were quite unfair to rate payers in rural or farming areas.

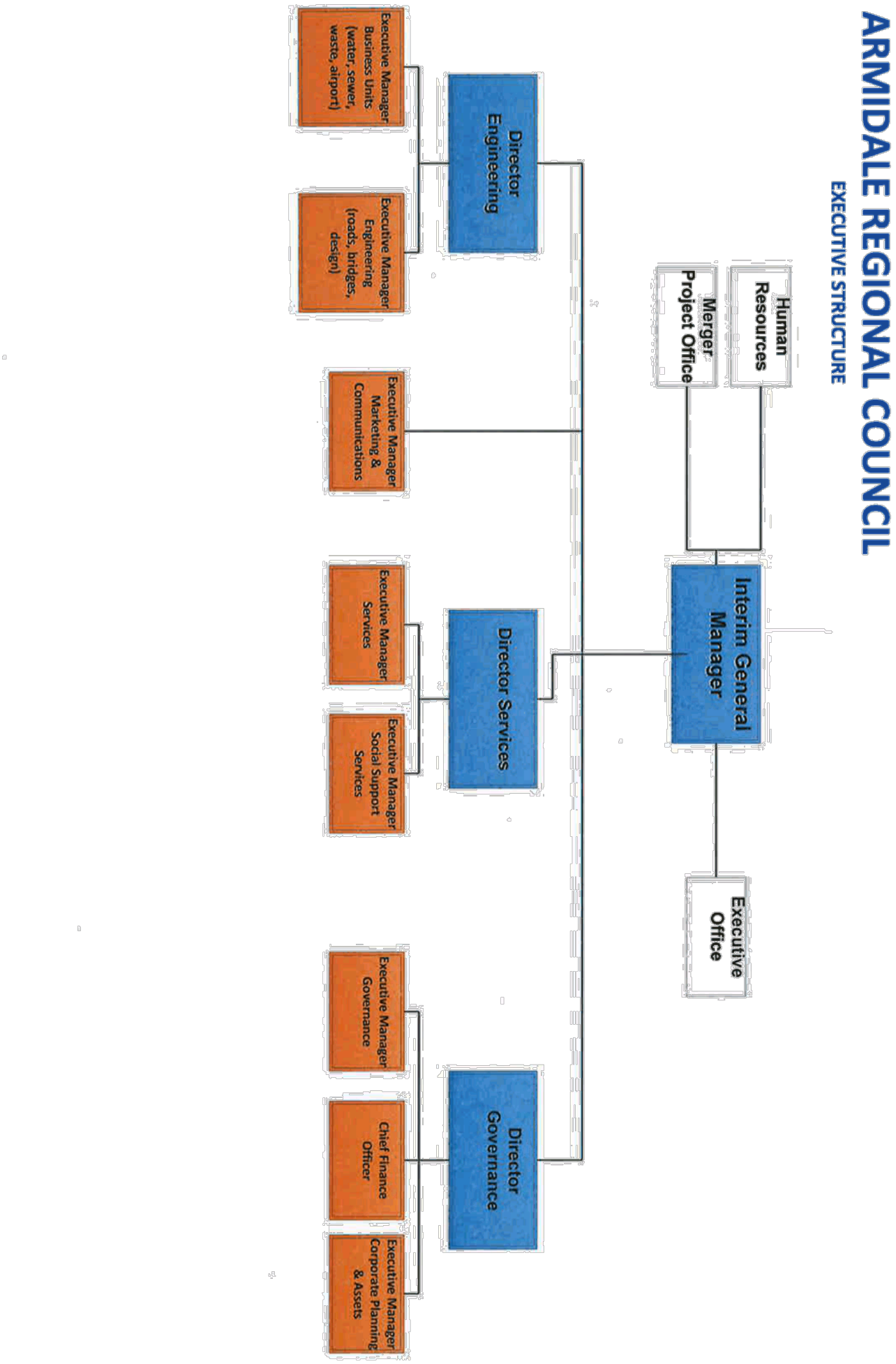
Under this method of calculating rates payable on individual properties rural landholders contribute in the vicinity of 20% to 25% of the total rates payable to council. This is grossly unfair.

1. The number of rate payers in the rural and farming areas are a tiny portion of the total number of rate payers. It is much less than 20% and nearer to 5%.
2. Rate payers in rural and farming areas do not place as much demand on council services as do those in the city area.

Please consider changing the method of calculating the rates payable on individual properties back to the method used prior to the 2015-2016 financial year.

Yours faithfully

Arthur Beresford


ARMIDALE REGIONAL COUNCIL
EXECUTIVE STRUCTURE
Human Resources
Merger Project Office
Interim General Manager
Executive Office
Director Engineering
Executive Manager Business Units (water, sewer, waste, airport)
Executive Manager Engineering (roads, bridges, design)
Executive Manager Marketing & Communications
Director Services
Executive Manager Services
Executive Manager Social Support Services
Director Governance
Executive Manager Governance
Chief Finance Officer
Executive Manager Corporate Planning & Assets

– 2 JUN 2016

Received

NSW RURAL FIRE SERVICE

NSW GOVERNMENT

Mr Glenn Wilcox
General Manager
Armidale Regional Council
PO Box 75A
ARMIDALE NSW 2350

Your ref:
Our ref: F15/0001

30 May 2016

Dear Mr Wilcox

Amendment to Rural Fire Fighting Fund Allocation Methodology

As you will be aware, the *Rural Fires Act 1997* (the Act) establishes a contributory scheme to meet the annual estimated expenditure of the Rural Fire Fighting Fund (RFFF). Local Government make an 11.7% contribution towards the RFFF based on the estimated expenditure in each Rural Fire District.

For many years, the estimated expenditure in a Rural Fire District has been calculated through a complex methodology that has resulted in a number of concerns being raised by both Local Government NSW and individual Councils. To address these concerns, the NSW Rural Fire Service (NSW RFS) has developed an alternate methodology. Following consultation and agreement with Local Government NSW, this methodology will be implemented for the 2016-17 financial year and future years.

The revised methodology is to determine the estimated expenditure in a Rural Fire District as a percentage of the overall RFFF based on the 20 year history of allocations to that District. PricewaterhouseCoopers actuarial practice was engaged to prepare these figures based on information held by the NSW RFS. The use of such a long term average has been adopted to ensure that Districts will have been through fleet and infrastructure replacement cycles, and the estimated expenditure will therefore reflect more fairly the expected expenditure in the District over time.

The benefits of this methodology for Local Government include:

- The annual contribution will be a fixed percentage of the overall RFFF, and will therefore only move by the annual percentage change in the overall RFFF. This will reduce the volatility of movements in contributions, and allow Councils to better anticipate and budget for movements in their statutory contribution.

  Previously, when Councils requested a large allocation in a single budget bid for items such as Stations, fire fighting appliances or Fire Control Centres, the resulting impact on the overall allocation and contribution could be difficult to predict resulting in budget uncertainty;

- Timeliness of formal allocations will be improved, with an expectation that allocation letters will be able to be produced in August of each year immediately following the State Budget announcement and finalisation of the previous financial year results; and

Postal address
NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address
NSW Rural Fire Service
15 Carter Street
LIDCOMBE NSW 2141

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au

- The NSW RFS will be able to provide Council the full allocation for approved infrastructure projects in a single allocation without affecting the overall statutory contribution paid.

The NSW RFS will continue to work closely with Councils across NSW to determine the needs of Brigades, and in order to ensure transparency, will be developing over the next twelve months, medium to long term replacement programs for fleet and infrastructure which will be prioritised and annually reassessed before being finalised through the annual approval of the RFFF.

An annual allocation letter and contribution will continue to be provided by the NSW RFS to each relevant Council in accordance with the requirements of the Act, and detail of specific allocations such as maintenance and repairs grants, building infrastructure, fleet and other firefighting equipment will be maintained.

To assist Councils in their planning, I can advise that the 2015-16 RFFF was $314.609 million. Recent annual movements in the Fund have included both increases and decreases, with the five year average change being 3.72%.

It should be noted that past movements should not be considered to be necessarily representative of future movements in the RFFF.

The percentage allocation of the RFFF based on the 20 year average for your Council is 1.386% as lead Council for the New England Zone.

To calculate what your contribution for 2015-16 would have been under this methodology simply multiply your percentage by the RFFF to reach the allocation, and then by 11.7% to reach the Council contribution.

Example 1:
Council A has a 20 year average RFFF percentage of 2.000%. Based on the 2015-16 RFFF of $314.609 million, Council A's statutory contribution is calculated as follows:

$314.609 million x 2.000% = $6,292,180 (Rural Fire District Allocation)

$6,292,180 x 11.7% = $736,185 (Statutory Contribution)

Where your Council is the lead Council for a Team or Zone and administers the financial arrangements for the Team or Zone on behalf of all Councils, this percentage is for the Team/Zone.

Example 2:
Councils W, X and Y are parties to a single budget known as Team/Zone Z. The Team/Zone 20 year average RFFF percentage is 3.819%. Based on the total RFFF for the 2015-16 financial year of $314.609 million, Team/Zone Z's statutory contribution is calculated as follows:

$314.609 million x 3.819% = $12,016,805 (Rural Fire District Allocation)

$12,014,918 x 11.7% = $1,405,745 (Team/Zone Statutory Contribution)

The disbursement of the Team/Zone contribution across Councils W, X and Y is undertaken in accordance with the specific agreement between the parties, and remains managed by the lead Council.

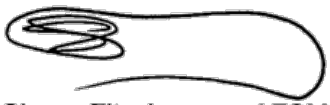
I would take this opportunity to remind Councils that the NSW RFS is constrained by NSW Budget confidentiality and the requirements of the Act to adjust for over/under expenditure in the prior year in

framing the current year RFFF estimate. Combined, these factors mean that formal notification of the annual RFFF allocation cannot be made earlier than August of each year.

The NSW RFS would like to thank Local Government NSW for its engagement in facilitating this improvement to the allocation methodology.

The NSW RFS intends to conduct some question and answer sessions on the changes in the near future, and dates of these sessions will be provided once scheduled. We would welcome comment and feedback through this process. However, should you require further information in the meantime, please contact Mr Stephen O'Malley, Chief Financial Officer, on 02 8741 5523 or by email at stephen.omalley@rfs.nsw.gov.au.

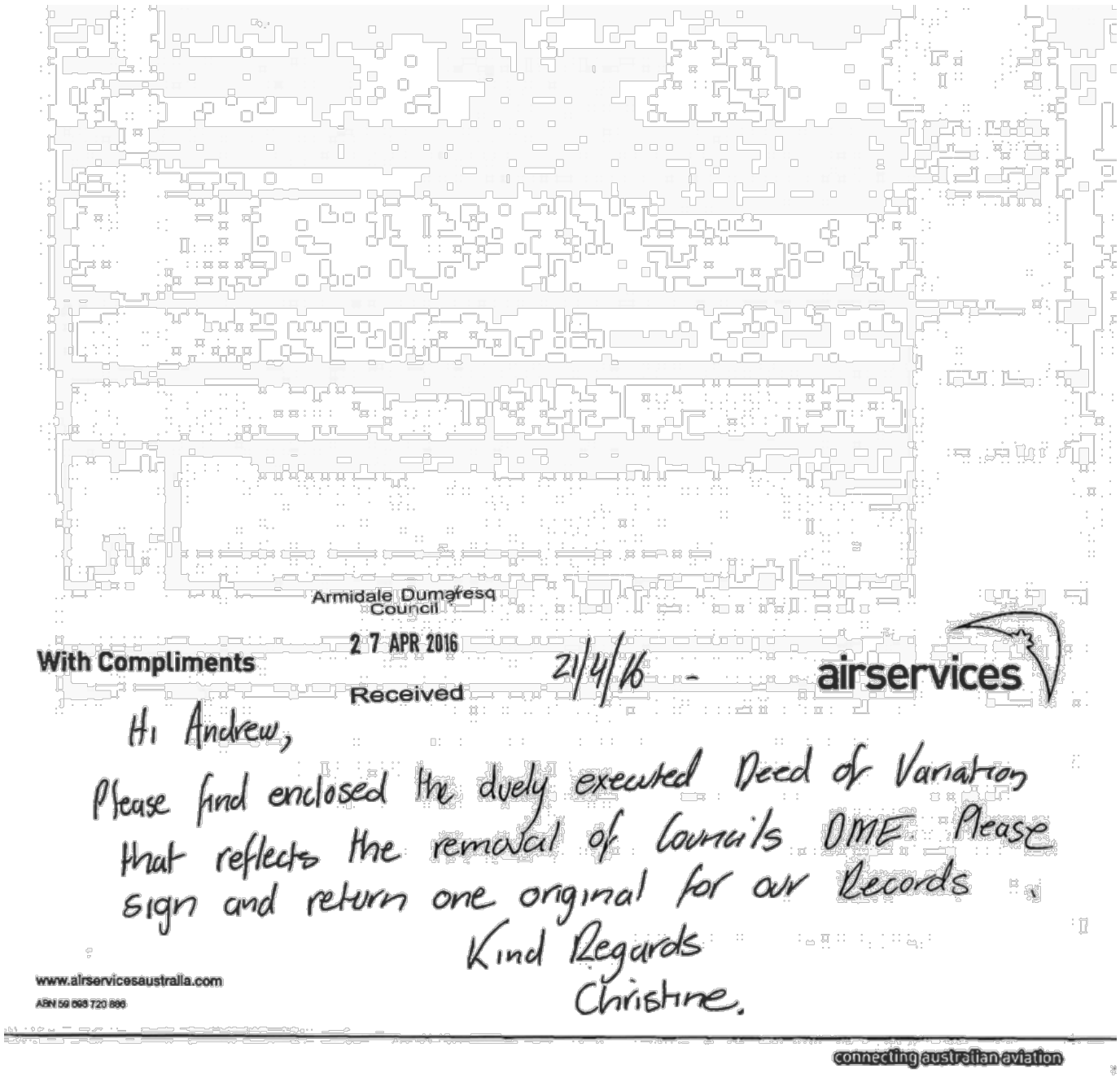
Yours sincerely



Shane Fitzsimmons AFSM
Commissioner

cc: Dr Ian Tiley
Administrator, Armidale Regional Council

District Manager, NSW RFS



Armidale Dumaresq Council

27 APR 2016

Received

With Compliments 21/4/16 -

airservices

Hi Andrew,

Please find enclosed the duely executed Deed of Variation that reflects the removal of Council's DME. Please sign and return one original for our Records.

Kind Regards

Christine.

www.airservicesaustralia.com

ABN 59 698 720 886

connecting australian aviation

Form: 07VL
Release: 3·2

VARIATION OF LEASE

New South Wales
Real Property Act 1900

Leave this space clear. Affix additional pages to the top left-hand corner.

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

STAMP DUTY — Office of State Revenue use only

(A) TORRENS TITLE — Folio Identifier 17/846301

(B) HEAD LEASE — Number | Torrens Title

(C) LODGED BY — Document Collection Box | Name, Address or DX, Telephone, and Customer Account Number if any | Reference: | CODE VL

(D) LESSOR — Armidale Dumaresq Council ABN 63 781 014 253

(E) LEASE VARIED.

(F) LESSEE — Airservices Australia ABN 59 698 720 886

(G)
1. The rent is to $. per on and as from
2. The term is to years months and days so as to expire on
3. The option to renew is
4. The provisions of the lease are as set out in annexure A hereto.

DATE

(H) See pages 6 and 7 of Annexure A.

* s117 RP Act requires that you must have known the signatory for more than 12 months or have sighted identifying documentation.

ALL HANDWRITING MUST BE IN BLOCK CAPITALS

Page 1 of 1403

This and the following 7 pages constitute Annexure A to the Variation of Lease between Airservices Australia and the Armidale Dumaresq Council.

airservices

DEED OF VARIATION AND ASSIGNMENT

Airservices Australia
ABN 59 698 720 886
(Airservices)

Armidale Dumaresq Council
ABN 63 781 014 253
(Lessor)

Table of contents

DEED OF VARIATION AND ASSIGNMENT OF PROPERTY i
Terms and conditions 2
1 Definitions and interpretation 2
2 Variation to Lease 3
3 Assignment of Equipment 3
4 Confirmation 3
5 Law and jurisdiction 3
6 Miscellaneous 4
Executed as a deed 5
Schedule 1 – Deed details 7

Details

Parties

1. **Airservices Australia** ABN 59 698 720 886 (**Airservices**)
2. **Armidale Dumaresq Council** ABN 74 810 978 858 (**Lessor**)

Recitals

A. Airservices and the Lessor are Parties to the Lease.

B. The Parties seek to vary the Lease in accordance with the terms and conditions of this Deed.

C. The Lessor seeks to assign the Equipment to Airservices in accordance with the terms and conditions of this Deed.

Terms and conditions

1 Definitions and interpretation

1.1 Definitions

Capitalised terms have the following meanings in this Deed and the Recitals unless the contrary intention appears:

Airservices means Airservices Australia ABN 59 698 720 886;

Deed means this deed of variation and assignment, and includes all schedules and attachments;

Effective Date means the date specified in Item 8 of Schedule 1; and

Equipment means the equipment listed at Schedule 3 of the Lease.

Lease means the Lease described in Item 7 of Schedule 1;

Lessor means the party described in Item 4 of Schedule 1;

New Navigational Aid Equipment means Distance Measuring Equipment (DME)

Party means a party to this Deed and **Parties** has a corresponding meaning.

Site means Lot 17 in Deposited Plan 846301.

1.2 Interpretation

Unless the contrary intention appears:

(a) a term defined in the Lease has the same meaning in this Deed;

(b) the singular includes the plural and vice versa;

(c) headings are inserted for convenience and do not affect interpretation;

(d) a reference to a person includes a reference to a natural person, a partnership, a firm, a body corporate, a joint venture, an

unincorporated association, or an authority as well as a reference to the person's executors, administrators, successors, substitutes (including, but not limited to, persons taking by novation) and permitted assigns; and

(e) no rule of construction will apply to a clause to the disadvantage of a Party merely because that Party put forward the clause or would otherwise benefit from it.

2 Variation to Lease

With effect on and from the Effective Date, the Lease is varied by:

(a) clause 9.3 of the Lease is deleted in its entirety;

(b) clause 9.4 of the Lease is deleted in its entirety; and

(c) Schedule 3 of the Lease is deleted in its entirety.

3 Assignment of Equipment

With effect on and from the Effective Date the Lessor:

(a) warrants that the Equipment is free from hazardous substances (within the meaning of the *Approved Criteria for Classifying Hazardous Substances [NOHSC:1008(2004)]*, except as notified to Airservices prior to the execution of this Deed.

(b) permits Airservices to uninstall and remove the Equipment from the Site to a place nominated by Lessor, notwithstanding clauses 9.3 and 9.4 of the Lease;

(c) agrees to provide Airservices or its contractors or agents such access to the Site as is reasonably required to undertake the removal of the Equipment from the Site;

(d) holds Airservices harmless for any damage to the Site caused by Airservices removal of the Equipment, except where Airservices or its contractors or agents fails to take reasonable care;

(e) permits Airservices to install New Navigational Aid Equipment at the Site notwithstanding clauses 16 and 29 of the Lease; and

(f) agrees to provide Airservices or its contractors or agents such access to the Site as is reasonably required to undertake the installation permitted by clause 3(e);

4 Confirmation

4.1 Continuation of terms

The Lease continues in full force and effect, as amended by this Deed.

4.2 Inconsistency

If there is any inconsistency between the terms and conditions of the Lease and the terms and conditions of this Deed, this Deed will prevail to the extent of any inconsistency.

5 Law and jurisdiction

This Deed will be governed by and construed in accordance with the laws in force under the Lease.

6 Miscellaneous

6.1 Severability of provisions

Any reading down or any severance of a particular provision of this Deed does not effect the other provisions of this Deed.

6.2 Waivers

(a) No failure to exercise and delay in exercising, on the part of any Party of any right, power or privilege under this Deed will operate as a waiver of that right, power or privilege nor will any single or partial exercise of any right, power or privilege preclude any other or further exercise of that right, power or privilege or exercise of any other right, power or privilege.

(b) The rights and remedies provided in this Deed are cumulative and not exclusive of any rights or remedies provided at law.

6.3 Further steps

(a) At the reasonable request of a Party, the other Party must promptly do anything necessary or desirable (including signing any agreement or document) to give effect to this Deed and the transactions contemplated by it.

(b) Without limiting clause 6.3(a), the Lessor agrees to effect registration of this Deed in accordance with section 55A of the *Real Property Act 1990* (NSW).

(c) The Parties acknowledge that the Lease has not been registered, on the basis that the registrar considered it an extension of Airservices' previous lease. Airservices has confirmed with the registrar that the Lease needs to be registered prior to the registration of the variation. Accordingly, the Lessor agrees to lodge the Lease for registration along with this Deed.

6.4 Stamp duty

Each Party must bear its own costs arising out of the negotiation and execution of this Deed. All stamp duty (including fines, penalties and interest) payable on or in connection with this Deed and any instrument executed under or any transaction evidenced by this Deed will be borne by Airservices.

6.5 No representation or reliance

(a) Each party acknowledges that no party (nor any person acting on a party's behalf) has made any representation or other inducement to it to enter into this Deed, except for representations or inducements expressly set out in this Deed.

(b) Each party acknowledges and confirms that it does not enter into this Deed in reliance on any representation or other inducement by or on behalf of any other party, except for representations or inducements expressly set out in this Deed.

Execution page

Executed as a deed.

SIGNED SEALED and DELIVERED by **Airservices Australia ABN 59 698 720 886** by its Group A Attorney under power of attorney who declares that the Group A Attorney has not received any notice of the revocation of such Power of Attorney

JOHN ARTHUR DICER
Name of Group A Attorney (print)

ANUSHKA SINGH
Name of witness (print)

Signature of Group A Attorney

Signature of witness

~~Chief Executive Officer / Chief Financial Officer /~~ General Counsel
Position of Group A Attorney (select one)

25 CONSTITUTION AVE ACT
Address of witness

Book 4682 Number 799
Power of Attorney registration numbers

19. 4. 2016
Date

19. 4. 2016
Date

SIGNED SEALED and DELIVERED by **Airservices Australia ABN 59 698 720 886** by its Group B Attorney under power of attorney who declares that the Group B Attorney has not received any notice of the revocation of such Power of Attorney

Thomas Williams
Name of Group B Attorney (print)

Casey Maree Clyne
Name of witness (print)

Signature of Group B Attorney

Signature of witness

~~Executive General Manager, Projects and Engineering /~~ National Property Manager
Position of Group B Attorney (select one)

Tower Road, Tullamarine
Address of witness

Book 4682 Number 799
Power of Attorney registration numbers

14.04.2016
Date

14.04.2016
Date

SIGNED, SEALED AND DELIVERED for and on behalf of **Armidale Dumaresq Council ABN 74 810 978 858** by a duly authorised representative who warrants that they have the authority to sign this Deed on behalf of **Armidale Dumaresq Council**

Name of authorised representative	Name of witness
Signature of authorised representative	Signature of witness
Date	Date

Schedule 1 – Deed details

Item No.	Airservices details	
1	**Airservices**	**Legal entity name:** Airservices Australia **ABN:** 59 698 720 886
2	**Address**	**Physical address:** Alan Woods Building, 25 Constitution Avenue, Canberra, ACT 2601 **Postal address:** PO Box 1093 Tullamarine VIC 3043
3	**Contact Person**	**Position:** Property Manager **Email:** property.management@airservicesaustralia.com
	Lessor	
4	**Lessor**	**Name:** Armidale Dumaresq Council **ABN:** 74 810 978 858
5	**Address**	**Physical address:** 135 Rusden Street, Armidale NSW 2350 **Postal address:** PO Box 75A, ARMIDALE NSW 2350
6	**Contact Person**	**Name:** Andrew Kompler **Position:** Director of Regional Services **Phone:** 02 6770 3841 **Email:** AKompler@armidale.nsw.gov.au
	Lease	
7	**Lease**	Airservices' lease over Lot 17 in Deposited Plan 846301 at Armidale Aerodrome commencing 1 July 2014.
	Effective Date	
8	**Effective Date**	12 April 2016

Armidale Dumaresq Council

- 6 MAY 2016

Received

Glenn Wilcox
General Manager
Armidale Dumaresq City Council
PO Box 75A,
ARMIDALE NSW 2350

27/04/2016

Dear Mr Wilcox,

The Armidale Civic Precinct Committee is planning its third 'A Day on the Gravel' to be held on Sunday 9th October 2016.

The function of this event is to promote the Armidale Civic Precinct in is future location and to showcase a selection of Armidale's exceptional musical talent.

Appropriate documentation has been submitted to Council and the Police have been notified.

I am writing on behalf of the Committee to request that consideration may be given to waiving any fees that we may incur from council.

Thank you very much for considering this request.

Yours Sincerely

Bruce Menzies

Armidale Civic Precinct Committee.

Guyra Showground

Plan of Management

2016-2026

(Draft for public exhibition)

Draft for public exhibition

Table of Contents

Executive Summary	*3*	
Aim and Vision		*4*
Site purpose and values		*4*
Description of site		*6*
Key features		*7*
Legal Framework		*8*
Land Use Objectives		*9*
Performance Targets and Assessment		*10*
Management Structure and Responsibilities		*11*
Land Use Activity Approvals		*12*
Maintenance Responsibilities		*13*
Leases and Licences		*13*
Strengths, Challenges and Opportunities		*15*
Strategic Priorities		*16*
Concept Plan		*16*
Action Plan		*18*
Funding		*24*
Implementation		*25*
Appendix A Land Use and Planning Requirements	*26*	

Draft for public exhibition

Executive Summary

Armidale Regional Council is preparing a Plan of Management (Plan) for the Guyra Showground. The Plan will guide the management and operation of the Showground site for a 10 year period from 2016 to 2026. The focus of the Plan is to optimise the use of the site and its facilities in a manner that ensures the site is accessible and suitable for the needs of current and future users.

The Guyra Showground was vested to Council on 29 September 1967 to hold for the purpose of Showground and Public Recreation. This plan of management has been prepared to satisfy the requirements of the Local Government Act 1993 (as amended).

The Plan includes a concept plan that identifies key uses and activities suitable across the Showground site. An action plan identifies actions required over the next 10 years to achieve the Plans Strategic Priorities.

This is a draft for public exhibition.

Draft for public exhibition

Aim and Vision

The aim of this plan of management is to set in place a 10 year plan for the use, development and management of the Guyra Showground Site.

The plan focuses on identifying ways to increase usage of the Showground, improve the financial position of the showground to sustain a suitable ongoing maintenance program and to formalise tenure matters.

The plan of management is guided by the following vision:

To ensure the showground remains a central community recreational area by increasing usage by existing and new users, while preserving the values of the showground, promoting the continuation of historical uses, and protecting the established ring of trees as a focal point of the showground.

Site purpose and values

The Guyra Showground is located on the eastern end of Dutton Parade Guyra and has been utilised for showground and public recreation purposes since 1910. The Guyra Showground was vested to Council on 29 September 1967 to hold for the purpose of Showground and Public Recreation.

Many community members have had a long association with the site and share a sense of pride and ownership with a strong sense of custodianship amongst users and desire to protect and enhance this important public asset for current and future generations.

The Showground is an iconic feature of the Guyra Township and provides a range of social, historic and recreational values.

A place to gather socially

The Guyra Showground provides an important location for the Guyra community and visitors to meet socially for events and activities.

The Showground is a central community area that plays an important role in providing space for physical and social connections. The showground has long been used for major events including the Annual Show, Annual Campdraft and Annual Pony Club Camp, whilst also catering for other agricultural activities, sport and leisure activities that utilise the numerous facilities the showground offers.

Draft for public exhibition

A place for recreational and sporting activities

The Guyra Showground provides for a diverse range of recreation opportunities. Recreational facilities include: agricultural show, equestrian facilities, events infrastructure, indoor community hall/meeting facilities, animal handling infrastructure and passive recreational areas.

Traditionally, recreational use has been associated predominately with the annual agricultural show and equestrian related activities. In recent decades, the showground has been used for a broad range of active and passive community and recreational activities and events as the demographics have changed and the needs of the community changed with them. Activities have included auctions, events, a variety of sports, rodeos, pony clubs and horse events.

Camping associated with events held on site is popular. In the future there is likely to be a greater need and demand for access to the site for camping to support the growth of events at the showground and events held in the Guyra Township. There has also been a growing interest in the provision of camping sites for visitors to the region.

It is also anticipated that there will be growing demand for people wanting to hire the grounds and/or buildings for gatherings such as major events, exhibitions, weddings, small-scale parties and functions.

A place of historical significance

The Guyra Showground has significant historical significance. The showground demonstrates the importance placed on the annual show by many rural communities throughout NSW. The annual show displays agricultural, pastoral and social achievement of the rural community.

The showground has many mature deciduous trees planted by former members of the showground committee since 1910. A distinctive feature of the landscape is the circular pattern of trees surrounding the show ring.

The existing buildings and structures demonstrate a variety of structures of various ages including: community hall, toilet and shower blocks, caretaker's house, pavilions, stock sheds, stables and yards, bar and BBQ area and secretary's office. The variety of structures reflect the diversity needed to house animals, mount displays and provide entertainment.

The early grandstand and pavilions have been demolished to be replaced by new buildings particularly from the 1970s.

Draft for public exhibition

Description of site

The Guyra Showground Site is located approximately 500m east of the Guyra Town Centre, as shown in Figure 1. The Guyra Sporting Grounds and Swimming Pool adjoin to the north west, the Guyra Central School is located to the south and residential areas are located to the north, west and east of the site.

The developed and utilised Showground land is located at the end of Dutton Parade between Marne and Prisk Streets (Lot 315 DP 755824, Lot 2 DP 41776). An undeveloped overflow area of land is located to the east between Prisk and Stevenson Street (Lots 341, 348, 454, 455, 456 DP 755824, Lot 466 DP 704049).

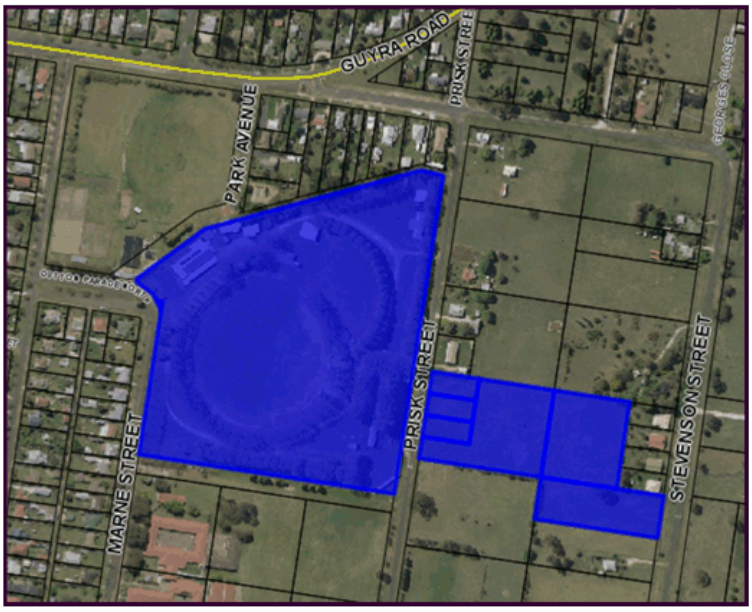


Figure 1. Location of Guyra Showground Site

The Guyra Showground provides a range of facilities that can accommodate the following uses, but is not limited to:

Shows and exhibitions	Major events and festivals
Indoor/outdoor sporting activities	Equestrian activities
Camping and tourist activities	Educational activities
Small-scale parties and functions	Markets and auctions

Draft for public exhibition

Key features

Figure 2 provides a site plan of the showground site and identifies the existing buildings.

The uses are as follows:

1. Community Hall
2. Toilets
3. Toilets
4. Shed
5. Caretaker Residence
6. Office/Room
7. Canteen/BBQ
8. Shed
9. Shearing Pavilion
10. Room
11. Shed
12. Shed
13. Sheep Pavilion
14. Cattle Pavilion
15. Horse Stables
16. Toilets
17. Horse Stables
18. Horse Stables
19. Shelter

Figure 2 Existing buildings

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Legal Framework

The Guyra Showground was vested to Council as trustee on 29 September 1967 to hold for the purpose of Showground and Public Recreation, subject to Council not alienating, charging or in any way disposing of the land. Council has the power, subject to the written consent of the Minister for Lands , to lease the whole or any part of the lands subject to provisions and conditions required by the Minister and subject to any statutes, ordinances, rules and regulations relating to the management and control of the lands. Every lease is to contain a provision that it shall cease immediately upon revocation of the whole or any parts of the notification vesting the land to Council.

This Plan of Management has been prepared in accordance with the *Local Government Act 1993* (as amended). The *Local Government Act 1993* (as amended) requires Council to prepare plans of management for all community land to ensure effective planning and management. The minimum requirements under the Act are that a plan of management must:

- categorise the land in accordance with s.36(4) and (5)
- contain objectives for the management of the land
- contain performance targets
- specify the means of achieving the objectives and performance targets
- specify how achievement of the objectives and performance targets is to be assessed (s.36(3)).

Under this Act, all community land must also be categorised and managed with a focus on essential aspects of each area of land. Community land may be categorised as: a natural area, a sportsground, a park, an area of cultural significance, and/or an area for general community use.

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Land Use Objectives

The Guyra Showground is categorised as a sportsground, park and an area for general community use and is managed in accordance with the core objectives for each category, as required by s.36 of the Local *Government Act 1993* (as amended). The core objectives are listed as follows:

A sportsground is:

(a) to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games,

(b) to ensure that such activities are managed having regard to any adverse impact on nearby residences.

A park is:

(a) to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities,

(b) to provide for passive recreational activities or pastimes and for the casual playing of games,

(c) to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.

General community use is:

to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

(a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and

(b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

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Performance Targets and Assessment

The *Local Government Act 1993* requires the plan of management to:

- Contain performance targets.
- Specify the means of achieving objectives and performance targets.
- Specify how achievement of the objectives and performance targets is to be assessed.

The following have been developed to satisfy these requirements.

Performance target

The performance target for Guyra Showground is to optimise the use of the site and its facilities in a manner that ensures the site is accessible and suitable for the needs of current and future users.

Achieving objectives and target

The objectives and performance targets for Guyra Showground will be achieved through the implementation of the action plan contained within this plan of management

Assessing performance

Performance will be assessed through regular inspection of Guyra Showground by the caretaker and annual reviews of the implementation of the action plan and regular liaison with the Guyra Showground Advisory Committee.

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Management Structure and Responsibilities

The management and development of Guyra Showground requires the cooperation of major user groups. It is therefore essential to have a clear definition of management responsibilities as well as the involvement of a range of people with the necessary management skills and experience. These groups and their respective responsibilities are summarised below.

Armidale Regional Council

Council is responsible for:

- The ultimate responsibility for development and management of the Showground.
- The on-going preventative and remedial maintenance of Showground assets.
- The allocation of resources (financial, human and physical) for effective development and maintenance of the Showground and its facilities.
- Liaison with authorities that have responsibilities relevant to development and management of infrastructure and services associated with the Showground .
- To determine any fees and charges in respect of the use of the Showground and its facilities.
- Council is also responsible for complete review of this plan of management when necessary to enable changing circumstances and community needs to be incorporated.

Guyra* Showground Advisory *Committee

Armidale Regional Council has established the Guyra Showground Advisory Committee. The Guyra Showground Advisory Committee provides advise to Council on operational and management issues and is responsible for:

- Seeking opinions regarding the expectations and needs of the community in relation to the Showground facilities and usage.
- Providing advice to council on the requirements of the community.
- Monitoring and reporting on maintenance requirements.
- Reporting vandalism and misuse of the showground to council and recommending actions to prevent their recurrence.
- Raise funds for projects
- Facilitate community engagement on projects.

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Management Structure and Responsibilities (cont.)

The Guyra Showground Advisory Committee membership shall be in accordance with the adopted Terms of Reference which includes members of the public with an interest in the use and operation of the Guyra Showground.

All Committee members must be appointed by Council. Upon Council resolving to accept the nomination of the person proposed for membership of the Committee, Council will advise in writing of the appointment to the Committee.

The Community

The responsibilities of the general community include:

- Reporting maintenance requirements and vandalism to Armidale Regional Council or to the Guyra Showground Advisory Committee.
- Presentation of requests and proposals to council and/or Guyra Showground Advisory Committee for development or upgrading of facilities in the showground.

Land Use and Activity Approvals

The legislation, policies and planning instruments governing land use and activities relevant to the Guyra Showground are provided in Appendix A. This should be referred to when considering new development or activities at the showground site.

Draft for public exhibition

Maintenance responsibilities

The main maintenance responsibilities of Armidale Regional Council are the undertaking of regular maintenance works, by the Showground Caretaker, as follows:

- General maintenance and repairs to buildings, fences etc. is carried out as required.
- Annual inspections of facilities followed by repairs as required; new equipment is provided as funds permit.
- Council will engage suitably qualified contractors, in accordance with Council's procurement policy and procedures, when qualified service providers are required. This will be dependent on available funding. And priority will be based on potential risk to health and safety of users and the immediate need for use of the affected facilities and/or infrastructure.

The maintenance responsibilities of Guyra Showground Advisory Committee are:

- Informing Council of any maintenance and repair requirements.
- Minor maintenance and improvements, as approved by Armidale Regional Council.

Leases and Licences

Armidale Regional Council may approve leases and licences on community land which are in accordance with the requirements of the *Local Government Act 1993*. Leases and licences must be expressly authorised in plans of management (*Note*: pre-existing leases and licences in breach of this *Act* may continue until the end of their term). A lease currently exists for the usage of the adjistment of the Event Overflow Precinct during periods when the event overflow area is not required for major events.

Armidale Regional Council will ensure the lawful compliance of leases and licences with the *Local Government Act 1993* and that these are undertaken in the best interests of the community. All leases and licences are to be consistent with core objectives for the category of land (s.46(2)), in this case the objectives for *sportsground* land, park land, and general community use and precinct activities listed in this plan.

Draft for public exhibition

Strengths, Challenges and Opportunities Opportunities

The preparation of the Plan of Management has involved meetings with user groups, meetings with the Guyra Showground Advisory Committee, workshop with users and community members, workshop and site inspections with main user groups, and discussions with Council staff and the Showground caretaker. Consultation activities have identified the following Strengths, Challenges and Opportunities.

Challenges

- Many buildings and facilities are only used for a single purpose
- Need to upgrade infrastructure to meet acceptable standards
- Ad hoc development and maintenance that is driven by funding and user contributions
- Vandalism
- Lack of signage directing users and visitors from the New England Highway
- Changing community needs, facilities not meeting contemporary users expectations for quality facilities and services
- Poor site drainage
- Limited understanding of Council's roles and responsibilities as Trust Manager by the users and the community
- No marketing strategy and limited sponsorship and fundraising
- Main source of income is from ground hire including events, camping and infrastructure hire
- Requirement for improved systems, policies & procedures, including risk management and legislative compliance
- Need to offer security of tenure for long term users through lease and licences
- Lack of income to finance a sustainable maintenance program
- Lack of financial capacity to create and realise opportunities
- Proximity to nearby residential areas and potential noise impacts

Draft for public exhibition

Strengths, Challenges and Opportunities (cont.)Opportunities

Strengths

- Established ring of trees is a focal point of the showground and provides valuable shade
- Size of site allows for a broad range of uses
- Range of facilities that can cater for a diversity of uses and accommodate large activities
- Site is situated within 500m to Guyra Town Centre and adjoins Guyra's main sporting and recreational area
- Supports wide range of uses, including major events, a variety of sports and recreation activitites, rodeos, pony clubs and horse events.
- Demand for tourist camping
- Council's financial contribution to the ongoing management and operation and appointment of onsite caretaker
- Community Hall is a multipurpose building

Opportunities

- Tourist camping, subject to development approval
- Covered outdoor exhibition/arena area
- Outdoor BBQ and play ground facilities for small events/functions
- Potential activities/uses that could be increased include:
  - Broader range of sport & recreation
  - Exhibition and showing space
  - Education & training programs
  - After-school educational programs
  - Markets and auctions
  - Temporary events and exhibitions

Draft for public exhibition

Strategic Priorities

The Guyra Showground Plan of Management has three strategic priorities.

Strategic Priority 1:	*Identifying ways to increase usage of the Showground*
Strategic Priority 2:	*Improve the financial position of the reserve to sustain a suitable ongoing maintenance program*
Strategic Priority 3:	*To formalise tenure matters*

Concept Plan

Draft for public exhibition

Figure 3 provides a Concept Plan that identifies precinct areas. The key uses and activities compatible with each precinct are listed as follows:

Entrance Precinct: Controlled access point, vehicle parking, tourist and site information

Community Hall Precinct: Indoor sports and leisure activities, indoor exhibitions, events and functions, educational programs, meetings and gatherings

Main Arena Precinct: Major outdoor entertainment and festivals, Equestrian and livestock activities and events, grand stand viewing areas,

Recreation and Leisure Precinct: Recreation and leisure , outdoor small parties and functions, outdoor eating and entertainment area.

Camping Precinct:: Tourist camping , event camping

Village Green Precinct: Major outdoor entertainment and festivals, markets and auctions, junior sporting fields,.

Equestrian and Livestock Precinct: Equestrian activities, animal and livestock yards, livestock auctions, camping in association with events, camping for those with travelling stock, outdoor covered exhibition/arena area.

Event Overflow Precinct: Overflow livestock holding areas, vehicle parking, short term stock adjustment for bushfire and weed management.

Draft for public exhibition

Action Plan

Management strategies and actions have been developed in order to achieve performance targets for the management of Guyra Showground. These strategies and actions address a range of issues to ensure the appropriate management of the facilities, features and significance of the showground.

This section has been developed with input from the Guyra Showground Advisory Committee and main user groups.

A prioritised schedule for the actions has been developed to assist council in the allocation of financial, human and physical resources required for implementation of this plan of management. Action priority ratings are provided in the following table:

Priority	Meaning of Priority	Indicative Timeframe
Low	Action is a long term goal and will increase the overall function, safety and usage of the site	Greater than 10 years
Medium	Action will improve the current function, safety and usage of the site	5-10 years
High	Action is urgent as it will immediately improve the site	0-5 years
Immedi-ate	Action is being undertaken or is currently planned or is feasible given the current re-sources	Current
Ongoing	Action is required to be undertaken on an on-going basis	Ongoing

All action items in this plan are assigned performance indicators, enabling Council to measure success in achieving the objectives for each action, and the current status of each action.

Draft for public exhibition

Action Plan (cont.)

Facility Enhancements

Strategy: To undertake key facility enhancements that will increase the types and usage rates of the site

Code	Action	Priority	Indicative Cost	Responsibility	Performance Indicator	Status
FE1	Stormwater drainage improvements in the south western area of the site	Immediate	$8000	Council	Construction of drainage infrastructure	Complete
FE2	Provide gravel base for cattle yards prior to fencing	Immediate	$4000	Council	Gravel pad formed	Complete
FE3	Amenity upgrades to increase number of toilets and upgrade showering facilities	Immediate	$60,000	Council	Improvements to all amenities completed	Commenced
FE4	Upgrade the cattle receival facility and laneway located in the Equestrian and Cattle Precinct	Immediate	$30,000	Main user groups	Replacement of existing fencing with metal fencing that is fit for purpose	Proposed
FE5	Re-orientate and rebuild the north loading ramp	Immediate	$19,000	Main user groups	Construction of metal loading ramp design to relevant standards	Proposed
FE6	Upgrade canteen area within the BBQ and Bar Pavilion	High	$25,000	Council	Improvements to canteen completed	Proposed
FE7	Remove old storage shed adjacent to the shower block	High	$500	Council	Demolition of shed completed	Proposed
FE8	Improve safety of existing portable grandstands	High	$5,000	Council	Inspection and upgrades where required	Proposed
FE8	Implement a colour scheme for external finishes to existing and new buildings and structures	High	n/a	Council	Develop colour scheme	Proposed
FE10	Succession plantings of the established trees located around the ring	Medium	$5000	Council	Succession plantings complete	Proposed
FE11	Upgrade fencing between the northern amenity blocks to improve amenity and provide controlled access between the showground site and adjoining sporting facility	Medium	$6,000	Council	Replacement of fencing complete	Proposed

Draft for public exhibition

Action Plan (cont.)

Facility Enhancements (cont.)

Strategy: To undertake key facility enhancements that will increase the types and usage rates of the site

Code	Action	Priority	Indicative Cost	Responsibility	Performance Indicator	Status
FE12	Upgrade/replace existing wash bays and provide additional wash bays within the Equestrian and Cattle Precinct	Medium	$10,000	Main user groups	Facilities fit for purpose	Proposed
FE13	Installation of gates at front entrance for events that require controlled access to the site and improve the amenity of the Entrance Precinct	Medium	$15,000	Council	Construction of gates with controlled access technology	Proposed
FE14	Construct a covered and enclosed sand arena on the site of the old rodeo area	Low	$250,000	Main User Groups	Development consent and commencment of operation	Proposed
FE15	Increase the number of power outlets and lighting throughout the site	Low	$50,000	Main user groups		Proposed
FE16	Construct permanent fixed grandstands at appropriate locations around the Main Arena Precinct	Low	$200,000	Council	development consent and commencment of operation	Proposed
FE17	BBQ, tables and playground equipment in Recreation and Leisure Precinct	Low	$50,000	Council	Construction of BBQ, tables and playground equipment area	Proposed

Draft for public exhibition

Action Plan (cont.)

Maintenance

Strategy: To implement an affordable and achievable maintenance program

Code	Action	Priority	Indicative Cost	Responsibility	Performance Indicator	Status
M1	Inspection and upgrading of internal road access within the site	Immedia te	$4,000	Council	Road fit for purpose	Complete
M2	Remove the northern and southern loading ramps	High	$2500	Main user groups	Removal of southern and northern earthed ramp strucutures	Commenced
M3	Improvements to electricity network within site	Medium	To be determin ed	Council	Network fit for purpose and to required standards	Proposed
M4	Inspection of trees and pruning to reduce potential danger	Ongoing	$5000 biannuall y	Council	Biannual inspection and pruning	Commenced
M5	Inspection and replacement of deteriorated posts and rails around the ring	Ongoing	$2500 biannuall y	Council	Biannual inspection and replacement of deteriorated posts and rails	Commenced
M6	Inspection and maintenance of stables and cattle pavilions within the Equestrian and Cattle Precinct	Ongoing	$2500 biannuall y	Main user groups	Biannual inspection and replacement deteriorated posts and rails	Proposed
M7	Top dressing arena with sand	Ongoing	$1500 per annum	Main user groups	Annual top dressing of designated arena area	Proposed

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Action Plan (cont.)

Business Indicatives

Strategy: ***To implement income-producing opportunities consistent with the reserve purpose***

Code	Action	Priority	Indicative Cost	Responsibility	Performance Indicator	Status
BI1	Investigate the feasibility, and if feasible, operate a primitive camping operation within the Camping Precinct.	High	$50,000	Main user groups	Feasibility study. If feasible, development consent and commencment of operation	Proposed
BI2	Develop and implement a sponsorship and advertising strategy to advertise businesses that provide donations and increases advertising to create an additional income stream.	High	$5000	Council	Development of strategy Implementation of Strategy	Proposed
BI3	Develop a promotional strategy to promote services, events and activities undertaken at the showground and other uses that could utilise the showground facilities, such as expo's, functions, markets and large events	High	$5000	Council	Development of strategy Implementation of Strategy	Proposed
BI4	Operate a camp stopover within the Equestrian and Livestock Precinct to cater for individuals and horse transporting companies that transport horses	Medium	$50,000	Council	Feasibility study. If feasible, development consent and commencment of operation	Proposed

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Action Plan (cont.)

Operational Improvement

Strategy: ***To implement financially sustainable business practices***

Code	Action	Priority	Indicative Cost	Responsibility	Performance Indicator	Status
OI1	Review and Update Lease and Licence Arrangements with users of the showground site	Immedia te	Operatio nal cost	Council	Reviewed and updated annually	Proposed
OI2	Review and Update Fees to reflect operational costs and improve revenue sources to assist in implementation of actions within this plan	Immedia te	Operatio nal cost	Council	Reviewed and updated annually	Commenced
OI3	Review and Update the following: Risk Management Register Emergency Procedures and Work Health and Safety Procedures Asset Register Maintenance Program	Immedia te	Operatio nal cost	Council	Reviewed and updated annually	Commenced
OI4	Review and Update Insurance Policies	Immedia te	Operatio nal cost	Council	Reviewed and updated annually	Commenced
OI5	Develop and Implement a Complaints Register and a Volunteer Register	Immedia te	Operatio nal cost	Council	Implemented	Commenced

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Funding

Funds will need to be sourced to implement this Plan of Management and this Plan will provide sound justification for any future funding submissions.

The majority of funding for general maintenance and improvement works at the Guyra Showground is derived from rate revenue, fees and charges and occasional grants and user group contributions are obtained for capital improvements. Council contributes approximately $70,000 per annum to the management and operation of the Showground site.

Timing of implementation of this plan of management will be directly dependent on the availability of funding. Funding is required to cover capital expenditure as well as recurrent costs for repairs and maintenance. Funding for recurrent maintenance costs is generally provided through Council's Annual Budget. Council's annual budget allocation for the showground is aimed at achieving a satisfactory level of maintenance.

Implementation of this plan of management will be an ongoing process that will proceed in response to community expectations, user requirements, availability of funding, contributions for user groups and other circumstances as they arise.

The key funding opportunities are outlined as follows:

Fees and Charges

Fees and charges are currently minimal and the overall income level from utilisation of the site is low. The annual fees and charges currently reflect less than 1% of the annual expenditure. The overall fees and charges should be reviewed annually and be reflective of an aim to reduce the ongoing operational losses of the site and improve the standard of the facilities.

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State Government

The Public Reserves Management Fund provides limited grants for improvement works to Showgrounds and provides for both capital development and asset maintenance projects.

Fundraising

Appropriate sponsorship may offer some incentive to the sponsor as part of a naming rights or community initiative package.

Community fundraising may assist in equipment purchases or minor upgrades. The benefit of community fundraising is generally obtained from leveraging other grant funding and demonstrating local commitment to a project..

Commonwealth Government

The Commonwealth Government has a range of Departments and grant/funding programs that could be considered to assist in the development of facilities and/or ongoing operations of community facilities.

Implementation

It is recommended that this Plan be reviewed annual by the Showground Advisory Committee to monitor progress and delivery of the Action Plan.

It is also recommended that the Showground Advisory Committee review the management strategies five years after adoption of the Plan. If updates are required, the Advisory Committee should identify, document, and refer to Council for consideration and amendment. Council will need to exhibit the amended Plan of Management for public comment in accordance with the requirements of the *Local Government Act 1993.*

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Appendix A
Land Use and Planning Requirements

The legislation, policies and planning instruments governing land use and activities relevant to the Guyra Showground are listed as follows. It is important to note that legislation, policies and planning instruments may change from time to time and Council's Planning Department should be consulted prior to any new development or activities being undertaken.

Local Government Act 1993

The Act gives Armidale Regional Council various powers relating to the use and regulation of Crown reserves. Section 68 enables Council to control certain activities and operations on Crown Lands through an approval role (e.g. the sale of food, the operation of caravan parks and camping grounds, installation or operation of an amusement device, construct a temporary enclosure for the purpose of entertainment).

Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005

Part 3, Sub Division 9, Clause 132 of the regulation, requires an approval to operate caravan parks and camping grounds, and sets out the requirements for the design, construction and installation of moveable dwellings and associated structures. Moveable dwellings include mobile homes, tents and caravans.

A development application (DA), including a section 68 approval, for camping (not in association with events) at the Showground Reserve would be required prior to such an activity commencing in the future.

Environmental Planning and Assessment Act 1979

The Act provides the statutory planning framework to control the use and development of land in New South Wales. Improvements to the Guyra Showground, particularly for commercial purposes, require development consent. The EPA Act provides the statutory basis for the development consent process in NSW.

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Guyra Local Environmental Plan (LEP) 2012

The Guyra Local Environmental Plan (LEP) 2012 (as amended) provides the local development control framework for the site.

The particular aims of this Plan that are relevant to the Showground Reserve are as follows::

(a) to encourage the orderly management, development and conservation of resources by protecting, enhancing and conserving:

(iii) areas of high scenic or recreational value, and

(v) places and buildings of heritage significance,

(c) to facilitate development for a range of business enterprises and employment opportunities,

(d) to ensure that development is sensitive to both the economic and social needs of the community, including the provision of community facilities and land for public purposes.

Under this LEP the Guyra Showground is zoned RE1 Public Recreation. The objectives of the RE1 Public Recreation Zone are:

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*

Development Permitted without consent includes:

Environmental facilities; Environmental protection works; Moorings; Roads

Development Permitted with consent includes:

Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Car parks; Charter and tourism boating facilities; Community facilities; Emergency services facilities; Flood mitigation works; Heliports; Information and education facilities; Jetties; Kiosks; Markets; Passenger transport facilities; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Water recreation structures; Water supply systems

Prohibited Development includes:

Any development not specified in item 2 or 3

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State Environmental Planning Policies (SEPP)

The following SEPP's may be relevant to development at the Guyra Showground:

SEPP (Infrastructure) 2007

This SEPP applies to the provision of infrastructure throughout NSW. Key provisions include:

- Exempt development categories for public authorities. Categories include access ramps, bush fire protection, car parks, fencing, landscaping, lighting, signage and boundary adjustments
- Infrastructure planning provisions, including works and activities on Council land, such as emergency services facilities, bushfire hazard reduction, parks and public reserves, flood mitigation works, etc
- Consultation requirements when undertaking development under the SEPP
- Local councils are permitted to do the following without consent:
    - Roads, cycle ways, single story car parks, ticketing facilities and viewing platforms
    - Outdoor recreational facilities including playing fields but not including grandstands
    - Information facilities, visitor centres and information boards
    - Lighting, if light spill and artificial sky glow is minimised in accordance with AS/NZS 1158:2007 Lighting for Roads & Public Places
    - Landscaping, including irrigation schemes (whether they use recycled or other water)
    - Amenity facilities
    - Environmental management works

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Applies to:	Community Services Staff
Officer Responsible:	Community Services Manager
Associated Documents:	Superseded POL200
Legislation:	Local Government Act 1993 and General Regulation
History:	POL200-24 January 2011
G&R Meeting Date:	N/A
Council Meeting:	23 July 2012
Council Minute Number:	198/12
TRIM File Number:	A12/5661 – INT/2012/11159
Review Date:	1 October 2016
Reasons for Change:	Reviewed Policy

Table of Contents

1. Our Vision for Public Art 3
2. Introduction 3
3. The Council's Integrated Planning Model 4
4. The Benefits of High Quality Public Art 5
5. Role of the Public Arts Advisory Panel 5
6. Review of the current situation 6
   6.1 Location of Existing Public Art, Monuments and Sculptures 6
   6.2 Maintenance and Budgetary Considerations 6
7. Public Art Principles and Objectives 6
   7.1 Public Art Objectives 6
   7.2 Public Art Principles 7
8. The Council's Approach to Enhancing Public Art and Program 8
   8.1 Funding Sources 8
   8.2 Identification of Priority Locations 9
   8.3 Sustainability and Public Art Works 9
   8.4 Register of Public Artworks 9
   8.5 Descriptions of Public Artworks 9
   8.6 Donations of Public Artworks 10
   8.7 Community Initiated and Social Engagement Public Art Projects 10
   8.8 Community Participation and Engagement Process 10
   8.9 Marketing and Promotion 10
   8.10 Restoration of Artworks 10
   8.11 Relocation of Artworks 10
   8.12 Disposal of Public Artworks 11
Attachment 1: Public Art Commissioning and Decommissioning Guidelines 12
   A. Public art commissioning process 12
      1. Process for Commissioning Public Art 12
      2. Preparing a Site Brief 12
      3. Preparing an Artists' Brief 13
      4. Contractual Arrangements 13
   B. Decommissioning of Public Artworks 14
   C. Integrating Art with Capital/Functional Works 15
      1. Selection of Projects with Integrated Artwork 15
      2. Project Management 15
References 15

1. Our Vision for Public Art

"To provide advice to Council on the creation of excellent works of art in the public domain and to assist Council develop a Public Arts Plan".

Our public places are an important part of our City providing space for people to meet, sit and interact – influencing the vibrancy and vitality of an area. The Council recognises that high quality public art has the ability to enhance public spaces and places. It can also add immeasurable value to a community's sense of place, contribute to civic identify, acknowledge local heritage, address community needs, tackle social exclusion and provide educational value.

2. Introduction

This Public Art Policy and Program has been prepared to provide a framework for Council's planning and decision making in relation to the commissioning and acquisition of public art, as well as its ongoing care and maintenance.

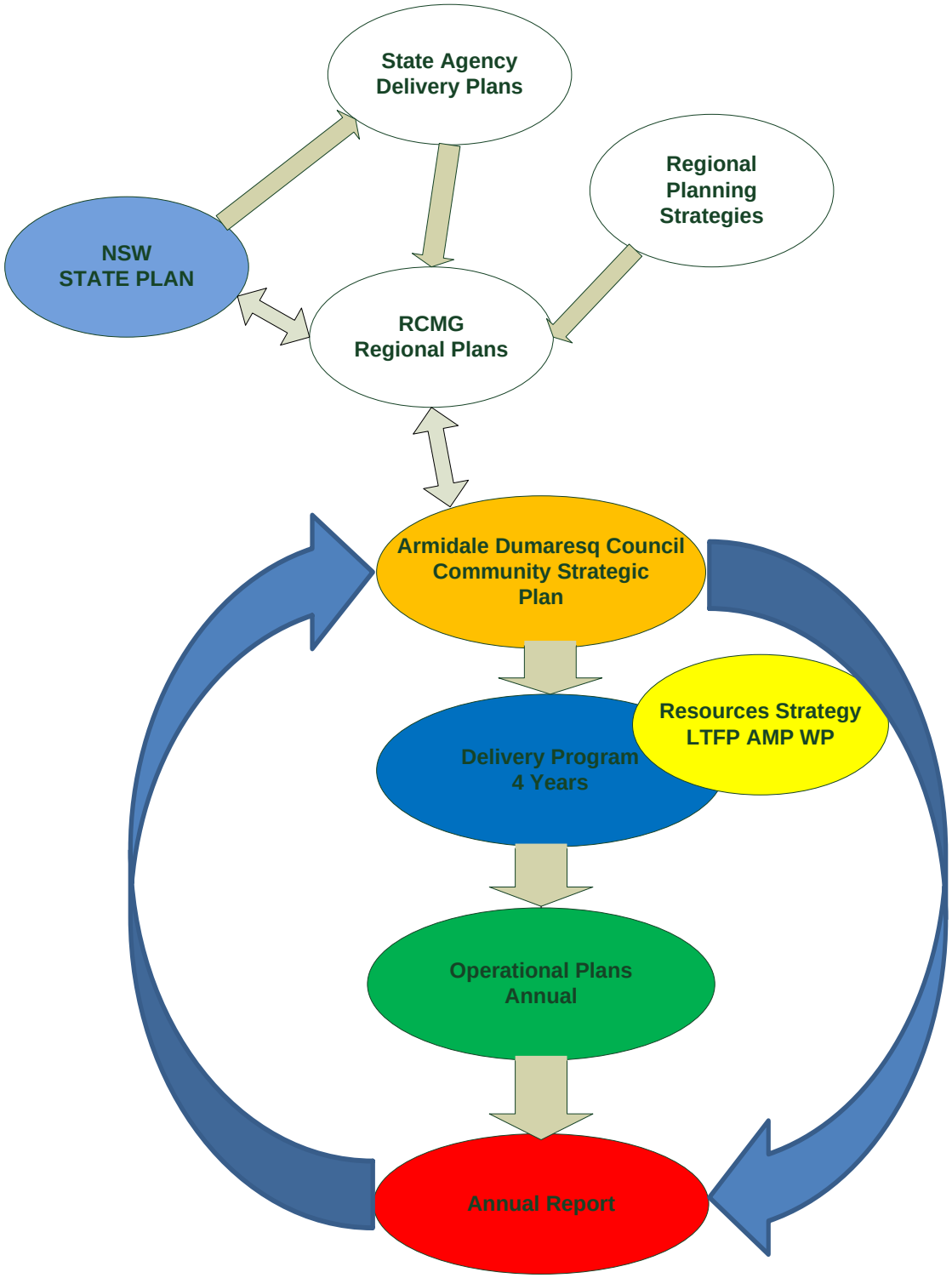
The need to prepare a Public Art Policy and Program has been identified as a key action within Council's Community Safety Plan to facilitate a regular program of temporary and permanent public art which is integrated with the City's rich cultural heritage, as well as reducing levels of anti-social crime.

In preparing this document Council has referred to other local Councils in NSW and their public art policies and strategies, as well as consulting with other key stakeholders including Arts North West, New England Regional Art Museum (NERAM) and local arts and cultural practitioners through the Arts Advisory Panel.

This document sets out the following:

- Clarifies the Council's objectives and methodology for the procurement of quality pubic art in the Armidale Dumaresq LGA;
- Describes the decision making process of acquiring public art, either through commission, direct purchase or accepting donations;
- Identifies the circumstances where developers can play a valuable place making role by incorporating public art within their building project;
- Provides a framework for community groups and individuals proposing public arts projects for consideration as a Council supported project.

3. The Council's Integrated Planning Model



4. The Benefits of High Quality Public Art

Public art is increasingly used as an aid for revitalising urban spaces and engaging with communities. It enhances the physical environment, thereby enriching the simple experience of being in a place. It can create an environment of quality that attracts more people, raises a town centre's profile and improves economic outcomes. Public art can make a significant contribution to social health and well being of the local community, and be good for local business.

Public art is mostly located in public places and spaces but may also be incorporated into private areas open to the public such as shopping centres, schools, parks, CBD, streetscapes and buildings. Public art can be represented as a literal piece of artwork such as a sculpture, a painting, a wall mosaic or a mural. It can be incorporated into a functional object, including paving, water features, seating and lighting. It can also be a temporary work such as an art performance in an outdoor public space.

Community involvement and engagement with the development of a work of public art promotes social cohesion and gives local residents the opportunity to shape their local neighbourhood instilling a sense of pride. Public art is often created by the local communities themselves and is enhanced with the help of experienced community artists.

5. Role of the Public Arts Advisory Panel

In 2011 Council resolved to establish a Public Arts Advisory Panel comprising of local arts and cultural institutions like NERAM and Arts North West, and practitioners to advise Council on its public arts initiatives. Terms of Reference for the Panel were adopted and outlines how the Panel is to operate. Membership to the Panel consists of Council's key staff from Sustainable Living and Lifestyle and Public Infrastructure Departments, one Councillor, local artists, local art experts, community members, NERAM and the Police.

Its role is to provide advice to Council on the creation of excellent works of art in the public domain and to assist Council develop a Public Arts Plan.

The Panel operates on a consensus basis and meetings monthly.

In relation to the Council's Public Art Plan and Program, the Panel's role includes, although is not limited to:

- Providing input and feedback on conceptual briefs when engaging artists for Council's Public Art Program and place-making projects;
- Assisting in identifying any gaps in public art provision and suitable sites within the CBD, outer lying villages and key public spaces;
- Assisting and advising in the Council's decision making process relating to the acquisition and commission of the Council's public art projects;

- Advising Council in the development of art policy and project development matters brought before the Panel, including subsequent reviews of existing policies and programs.

6. Review of the current situation

6.1 Location of Existing Public Art, Monuments and Sculptures

(This has yet to be fully developed)

6.2 Maintenance and Budgetary Considerations

When a decision is made to acquire a piece of public art, the financial costs extend beyond the commissioning and installation stages. The artwork will require on-going care and maintenance for the duration of its identified life-span.

Any additional public art would be placed on Council's asset management register and would be included in Council's maintenance plan, given a value and a timeframe.

Council believes that investment in high quality public art brings into the City important community and social benefits. Public art provides a focal point to public space, and people are more likely to use places that are safe and attractive. As Council acquires public artworks to enhance the environment the annual maintenance budget will need to increase proportionately in order to protect and retain the value of its public art assets. Therefore it is essential to articulate in this Plan and Program what Council wants to achieve when commissioning public art, together with a set of guiding principles to ensure value for money and successful public art outcomes. The objects and guiding principles are set out below.

7. Public Art Principles and Objectives

7.1 Public Art Objectives

One objective of this Policy includes supporting the goal set out in Council's Community Safety Plan which is to "reduce antisocial behaviours by creating opportunities in the urban landscape for local artists, including youth, to showcase their artistic skills, reflecting the way of life of people living and working in the Armidale LGA.". In 2010 Council introduced a graffiti vandalism management plan which promotes a zero tolerance to graffiti vandalism. To promote a balanced approach Council is introducing a public arts program to assist, providing local artists with legal public canvasses to express their art work and other civic pride and beautification projects. The program also includes other forms of art works.

The Public Art Policy and Program will also implement public art to achieve one or more of the following outcomes:

- To celebrate cultural and creative diversity;
- Create a strong cultural identify;
- To foster community respect and pride;
- To introduce public art into the local landscape;

- To ensure that art in the public domain will demonstrate its relevance to the local people, place and history, and that local artists, community, business and industry are engaged in the process;
- To introduce public art into the local landscape;
- To embrace and consider all innovative ideas which come to Council from the community;
- To celebrate creativity and innovation.

Public artworks can be located in, or form part of:

- Building developments;
- Public open space;
- Private space physically or visually accessible to members of the public;
- Streetscape; and
- Transport and utility networks.

7.2 Public Art Principles

In planning for and commissioning public artworks, the Council will adopt the following principles:

- Public artworks should contribute to an area's cultural identify and help to create a sense of place;
- Artworks should be appropriate to the local community in which they are to be sited;
- Public artworks should help to build stronger, more connected communities within the Armidale Dumaresq LGA;
- Public art should improve the amenity of public spaces and promote opportunities for social interaction;
- Community involvement should be encouraged in the development of public art projects;
- Public artworks should be able to be enjoyed and experienced by people of different ages and backgrounds;
- Neighbourhood art projects should be developed with a community audience in mind;
- Public artworks should engage and involve people of different ages, including young people, and provide an opportunity to explore cultural diversity;
- Public artworks should be sensitive to the area's cultural heritage;
- Projects should response to the social history of Armidale Dumaresq;
- Public artworks should relate well to the built and natural environment;
- The Council should encourage collaboration with architecture and design teams on capital works projects;
- Public artworks should exemplify artistic excellence and integrity;
- Encourage works that are original and showcase excellence in Australian art and design;
- The integrity of artists must be respected in the way the work is treated and represented by Council;
- Artworks must be constructed using sustainable materials and processes;
- Public artworks must consider public safety and easily maintained;
- Artworks must be designed to be durable and are to be maintained at a minimal cost.

8. The Council's Approach to Enhancing Public Art and Program

8.1 Funding Sources

Armidale Dumaresq Council aims to either acquire or commission and complete, at a minimum, one public artwork every 2 years. The Council recognises that best practice Public Art projects can only be achieved through the allocation of adequate budgets. Council will consider public art opportunities as part of its annual budget. In this regard, the Council's financial contribution to public art will be through one of the following 2 methods:

a. Infrastructure projects with a component of built in artwork, funded under the Council's annual capital works program;
b. Specific budget allocation for iconic/stand-alone artwork.

Every year, in developing the new financial year's draft capital works program, council staff will review its building program and nominate projects which offer the best opportunities to integrate public art. Examples of infrastructure projects with a built-in art component are artistic designed alternative paving treatment, colour selection, façade treatment to buildings, fencing or new street furniture.

Nominated projects will be costed and submitted for Council's endorsement as part of its Plan of Management and budget process. This process requires the Council's staff to consider in advance how public art may be assimilated within the design and deliver process of public facilities improvement works. On occasions, the Council may consider it appropriate to allocate a special budget to acquire or commission a piece of stand-alone or iconic public artwork. Guidelines for the commissioning of new public art works are described in Attachment 1.

In appropriate circumstances, the Council will enter into a voluntary planning agreement with developers in addition to S94 requirements. The type of public artwork will depend on the nature of the development proposal and opportunities present at the development site and its surrounds. A nationally accepted guide of 1% of construction costs will be used as a starting point for negotiations on voluntary planning agreements.

Other approaches may include:

- Community groups/individuals may propose public art funded by an external source;
- Grants from arts institutions / agencies;
- Partnerships or sponsorships from philanthropic corporate organisations.

8.2 Identification of Priority Locations

In a 10 year public arts program, 5 sites would be identified as suitable sites for public artworks. The Arts Advisory Panel will work with key Council officers to identify these sites. Some of these sites may be identified outside of the CBD and include outlying villages.

8.3 Sustainability and Public Art Works

The Council encourages the use of implementing ecologically sustainable practices as part of all its facilities and activities including the planning, design, and implementation of all outdoor public art projects. Council will also seek public artwork that is appropriate to the environment in which they are to be installed.

8.4 Register of Public Artworks

All public artworks will be identified on the Council's asset register including a description of the artwork, maintenance requirements and decommissioning details.

8.5 Descriptions of Public Artworks

It is the Council's intention to support a diverse range of creative public artworks that are most suited to the circumstances of the nominated sites. Artworks may include, but are not limited to:

- Decorative: where the primary purpose is to aesthetically enhance the environment or structure, such as incorporated imagery or sculpture, paving elements and lighting;
- Iconic: a stand-alone or significant work, where the artists' approach is largely independent of other considerations. Examples include sculpture, water features, lighting or multimedia;
- Integrated/functional: works that are fully incorporated within the design of the built or natural environment. Integrated works may include floor and window design, lighting, landscaping and associated elements. Artwork is inclusive of street furniture, seating, gateways, shelters, bollards. Commissioned as public art functional requirements will be unique and have the potential to celebration local distinctiveness;
- Site specific: designed specifically for, and responsible to, a particular site through scale, material, form and concept;
- Interpretive: where the primary purpose is to describe, educate and comment on issues, events or situations. Examples include signage, pavement inlays, sculpture, seating, landscaping and murals;
- Commemorative: where the primary purpose is to acknowledge and recall an event, activity or a person important to the local community. Examples include sculpture, murals, pavement design and gardens;
- Temporary: where the work is not intended to be permanent. A piece or event may be momentary or remain for a fixed time. Wide-ranging outcomes are possible including performance, garden planting, text, installations and multimedia.

8.6 Donations of Public Artworks

From time to time, artists and members of the community offer to donate artworks to Council with the expectation that the works will be cared for and suitably displayed in the public domain. All public art accepted by Council will be on the basis of an agreed timeframe. This timeframe may be reviewed at any time during the originally agreed lifecycle should the Council have concerns regarding the condition of the artwork or safety aspects. All permanent donations will be accompanied by a legal document transferring full rights of ownership to Council. The Council will have exclusive copyright licence of the works, however full copyright will remain with the artist of the work.

8.7 Community Initiated and Social Engagement Public Art Projects

Community initiated art refers to any proposal by an individual, community group or other external party to create and or fund a piece of public art. Social engagement projects targeted at hard to reach groups who would benefit from direct involvement would also be supported. These proposals must be supervised by a project coordinator to ensure access in equity outcomes and facilitate project outcomes.

8.8 Community Participation and Engagement Process

Where practicable, and in circumstances when timing is not an issue, an option for the Council's Arts Advisory Panel will be sought before the Council commissions or accepts a donation of public artwork. All donated artwork will be added to the asset register and maintained in accordance with the Council's commissioning and decommissioning processes, as outlined in Attachment 1 *(yet to be fully developed).*

8.9 Marketing and Promotion

Any new public artwork for Council should have a marketing and communication strategy developed to ensure the best climate in which an artwork can be understood and received. Marketing and promotion are also about advocacy for public art and developing the public's understanding of contemporary arts practice.

8.10 Restoration of Artworks

Public artworks including monuments, sculptures and water features in the public domain are subject to wear and tear and degradation over time. In addition, they are occasionally vandalised, graffitied or broken. As part of the acquisition of any new artwork, the artist must provide a maintenance schedule upon completion of the work. The schedule should outline requirements for regular cleaning, maintenance or servicing, specifically what is required, who should do it and how often eg. Cleaning agents for surface treatments and materials. Details of any spare parts that have been lodged must also be provided.

8.11 Relocation of Artworks

Circumstances sometimes arise where redevelopment of a site or changed uses render an artwork inappropriate and require its relocation. The Council must consult with the artist before preparing a report addressing the following maters: insurance, risk management, valuation, engineering and legal.

8.12 Disposal of Public Artworks

Disposal of public art must be done with the knowledge and in consultation with the artist, where possible. If, after making reasonable enquiries the Council cannot identify or locate the artist, or the artist's representative, then the Council may dispose of the public artwork as it sees fit. All decisions and actions should be fully documented. Artworks should first be offered for sale at a price based on independent valuation, first to the artist, then to other institutions or the public or at an auction. Funds from any decommissioned public artwork should be reused for new or upgraded public art within the LGA. Objects which are destroyed should be disposed of in a responsible manner.

Attachment 1: Public Art Commissioning and Decommissioning Guidelines

A. Public art commissioning process

1. Process for Commissioning Public Art

In commissioning new works of public art, the general process for the Council will take the following form:

- Appoint the Council's Project Manager for the work and establish a multi-disciplinary team to provide input. The team should comprise of a Council nominated staff from the Public Infrastructure Department and the Department of Sustainable Planning and Living.
- Select a suitable site from the Program *(yet to be fully developed)* Site List.
- Identify category of commission, whether :
    a. Open Tender
    b. Limited Tender
    c. Purchase or direct commission
- Prepare a specific site brief, with input from the Public Arts Advisory Panel.
- Outline the approximate cost of the works
- Secure the Council's approval to proceed with the commission
- Prepare an artists brief and circulate to the Arts Advisory Panel and Council for discussion and finalisation prior to issuing.

It is a requirement of all Public Art projects that documentation, both visual and narrative of any new and emergent artwork be provided to Council (along with the contact details of the artist/s and proponents) be provided to council for inclusion in an ongoing register of Public art within the LGA.

2. Preparing a Site Brief

Prior to engaging an artist, a site brief should be developed. The purpose of this brief is to clarity early ideas and capture relevant information for consultation purposes. It will also provide background information for the development of an artist's brief.

The Program will identify 5 sites for public art works and the site brief will identify the most appropriate of these nominated sites.

The site brief will include:

- A description of the project proposal including the intent, firm ideas about the art form and medium; scale of the proposal; a preliminary project budget and other information that allows a working understanding of the final outcome.
- Details and images of the nominated site with opportunities and constraints
- Context or location for the artwork including its relationship to the architecture or landscape.
- Strategies for community information and involvement including target groups, local stakeholders and community organizations.
- Themes or community issues the project could address.
- Examples of work by preferred or shortlisted artists.
- Identified stages for implementing the Project.
- An outline of how the project will address sustainability, maintenance and public safety issues.

3. Preparing an Artists' Brief

The Council will describe in the artists' brief how the Council's staff will be involved in the delivery of the Project. A Project Manager will be appointed to liaise with the artist throughout the duration of the Project. The artists' brief will also contain a description of the various contractual arrangements appropriate to the supply and installation of the artwork.

The artists' brief should contain the following items:

- The site brief;
- A thematic framework if the artist is required to response to specific themes or subjects;
- A maximum project brief;
- Preferred materials, fabrication and installation requirements if this is relevant;
- Artist selection criteria;
- Project management information;
- Timeframes;
- Maintenance plan.

4. Contractual Arrangements

A commissioning contract between the artist and the Council will be prepared and ratified prior to work commencing. The contract will be administered by the Council's appointed Project Manager and must address, although is not limited to, the following:

- The terms and conditions relating to the delivery, presentation and installation timeframes;
- The intended life of the work;

- The amount, and how and when it is to be paid for the work;
- The artist must provide a maintenance plan upon completion of the work which will inform the maintenance to be undertaken by Council;
- Artists must have a current insurance policy covering Public Liability and Professional Indemnity. A certificate of currency is required as evidence;
- If an Aboriginal or Torres Strait Islander community or create is involved with a public art project, consideration needs to be given to including special provisions in the contact which safeguard the Aboriginal cultural and intellectual property concerns of the community or the individual;
- Acknowledges that Artists' Moral Rights (as defined in the Moral Rights Amendment to the Commonwealth Act 1972) over all works will be respected by Council;
- The Artist must outline how they comply with their WH&S statutory obligations
- The contact must outline the responsibilities for the parties in relation to confidential information;
- The terms and conditions, consistent with the Council's obligations under the Copyright Act if Council intends to remove, relocate or dispose of the work.

B. Decommissioning of Public Artworks

Some public artworks may lose community appeal or become superfluous for various reasons eg. Safety concerns, poor condition and diminished aesthetic value). An artwork may also need to be removed from public display or relocated to another area due to changes made to its physical surroundings.

A work may be considered for removal when:

- Its condition has deteriorated to such an extend that it can no longer be considered to be the original work of art;
- Its condition has deteriorated beyond restoration, or where the cost of restoration is excessive in relation to the original cost of the work or the current value of the work;
- The cost of ongoing maintenance is prohibitive;
- The work has deteriorated to a point where it is unsafe or presents a danger to the public;
- The artwork has reached its endurance attributes / limits and that the space which it occupies is required for a preferred and Council-approved purpose;
- It is being replaced by a new piece of artwork identified to be more suited to the site or the surrounding context is no longer appropriate for the existing artwork.

C. Integrating Art with Capital/Functional Works

1. Selection of Projects with Integrated Artwork

In identifying which projects within the draft capital works are to have a component of integrated artwork, the Council will identify potential projects and pass this information onto the Arts Advisory Panel. This action will be carried out annually. Council staff, in consultation with the Public Arts Advisory Panel, will bring forward at least one identified project every 2 years to be costed and submitted and considered as part of Council's capital works program budget.

2. Project Management

The delivery of approved works will be carried out in accordance with Council's project management procedures, and the Council's policy for outsourcing works to approved consultants/contractors, and performance reporting framework. The delivery of the Project will be monitored via the Council's quarterly reporting system.

References

To be completed.

Applies to:	Community Services Staff
Officer Responsible:	Community Services Manager
Associated Documents:	Superseded POL200
Legislation:	Local Government Act 1993 and General Regulation
History:	POL200-24 January 2011
G&R Meeting Date:	N/A
Council Meeting:	23 July 2012
Council Minute Number:	198/12
TRIM File Number:	A12/5661 – INT/2012/11159
Review Date:	1 October 2016
Reasons for Change:	Reviewed Policy

Table of Contents

1. Our Vision for Public Art 3
2. Introduction 3
3. The Council's Integrated Planning Model 4
4. The Benefits of High Quality Public Art 5
5. Role of the Public Arts Advisory Panel 5
6. Review of the current situation 6
   6.1 Location of Existing Public Art, Monuments and Sculptures 6
   6.2 Maintenance and Budgetary Considerations 6
7. Public Art Principles and Objectives 6
   7.1 Public Art Objectives 6
   7.2 Public Art Principles 7
8. The Council's Approach to Enhancing Public Art and Program 8
   8.1 Funding Sources 8
   8.2 Identification of Priority Locations 9
   8.3 Sustainability and Public Art Works 9
   8.4 Register of Public Artworks 9
   8.5 Descriptions of Public Artworks 9
   8.6 Donations of Public Artworks 10
   8.7 Community Initiated and Social Engagement Public Art Projects 10
   8.8 Community Participation and Engagement Process 10
   8.9 Marketing and Promotion 10
   8.10 Restoration of Artworks 10
   8.11 Relocation of Artworks 10
   8.12 Disposal of Public Artworks 11
Attachment 1: Public Art Commissioning and Decommissioning Guidelines 12
   A. Public art commissioning process 12
      1. Process for Commissioning Public Art 12
      2. Preparing a Site Brief 12
      3. Preparing an Artists' Brief 13
      4. Contractual Arrangements 13
   B. Decommissioning of Public Artworks 14
   C. Integrating Art with Capital/Functional Works 15
      1. Selection of Projects with Integrated Artwork 15
      2. Project Management 15
References 15

1. Our Vision for Public Art

"To provide advice to Council on the creation of excellent works of art in the public domain and to assist Council develop a Public Arts Plan".

Our public places are an important part of our City providing space for people to meet, sit and interact – influencing the vibrancy and vitality of an area. The Council recognises that high quality public art has the ability to enhance public spaces and places. It can also add immeasurable value to a community's sense of place, contribute to civic identify, acknowledge local heritage, address community needs, tackle social exclusion and provide educational value.

2. Introduction

This Public Art Policy and Program has been prepared to provide a framework for Council's planning and decision making in relation to the commissioning and acquisition of public art, as well as its ongoing care and maintenance.

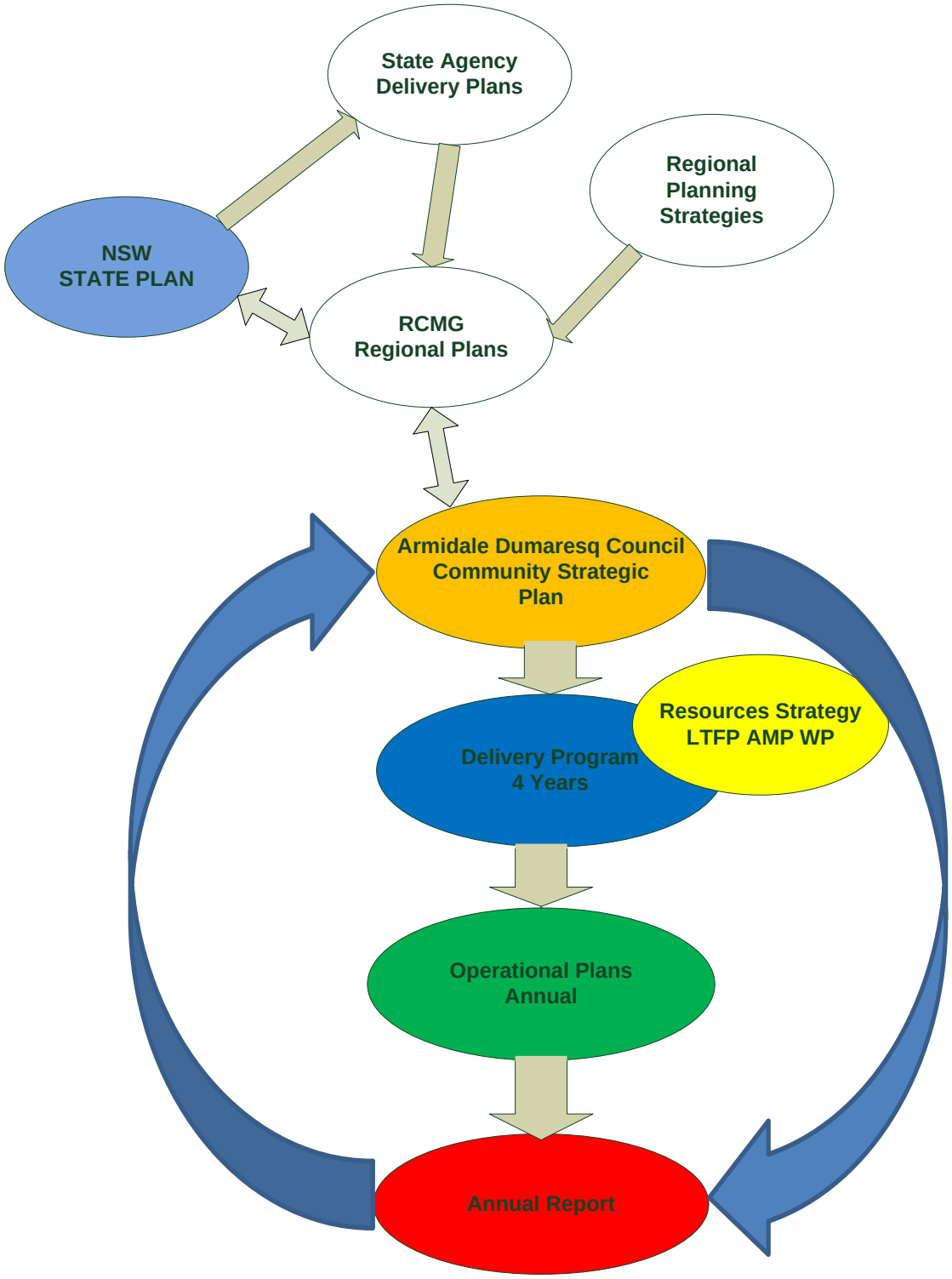
The need to prepare a Public Art Policy and Program has been identified as a key action within Council's Community Safety Plan to facilitate a regular program of temporary and permanent public art which is integrated with the City's rich cultural heritage, as well as reducing levels of anti-social crime.

In preparing this document Council has referred to other local Councils in NSW and their public art policies and strategies, as well as consulting with other key stakeholders including Arts North West, New England Regional Art Museum (NERAM) and local arts and cultural practitioners through the Arts Advisory Panel.

This document sets out the following:

- Clarifies the Council's objectives and methodology for the procurement of quality pubic art in the Armidale Dumaresq LGA;
- Describes the decision making process of acquiring public art, either through commission, direct purchase or accepting donations;
- Identifies the circumstances where developers can play a valuable place making role by incorporating public art within their building project;
- Provides a framework for community groups and individuals proposing public arts projects for consideration as a Council supported project.

3. The Council's Integrated Planning Model



4. The Benefits of High Quality Public Art

Public art is increasingly used as an aid for revitalising urban spaces and engaging with communities. It enhances the physical environment, thereby enriching the simple experience of being in a place. It can create an environment of quality that attracts more people, raises a town centre's profile and improves economic outcomes. Public art can make a significant contribution to social health and well being of the local community, and be good for local business.

Public art is mostly located in public places and spaces but may also be incorporated into private areas open to the public such as shopping centres, schools, parks, CBD, streetscapes and buildings. Public art can be represented as a literal piece of artwork such as a sculpture, a painting, a wall mosaic or a mural. It can be incorporated into a functional object, including paving, water features, seating and lighting. It can also be a temporary work such as an art performance in an outdoor public space.

Community involvement and engagement with the development of a work of public art promotes social cohesion and gives local residents the opportunity to shape their local neighbourhood instilling a sense of pride. Public art is often created by the local communities themselves and is enhanced with the help of experienced community artists.

5. Role of the Public Arts Advisory Panel

In 2011 Council resolved to establish a Public Arts Advisory Panel comprising of local arts and cultural institutions like NERAM and Arts North West, and practitioners to advise Council on its public arts initiatives. Terms of Reference for the Panel were adopted and outlines how the Panel is to operate. Membership to the Panel consists of Council's key staff from Sustainable Living and Lifestyle and Public Infrastructure Departments, one Councillor, local artists, local art experts, community members, NERAM and the Police.

Its role is to provide advice to Council on the creation of excellent works of art in the public domain and to assist Council develop a Public Arts Plan.

The Panel operates on a consensus basis and meetings monthly.

In relation to the Council's Public Art Plan and Program, the Panel's role includes, although is not limited to:

- Providing input and feedback on conceptual briefs when engaging artists for Council's Public Art Program and place-making projects;
- Assisting in identifying any gaps in public art provision and suitable sites within the CBD, outer lying villages and key public spaces;
- Assisting and advising in the Council's decision making process relating to the acquisition and commission of the Council's public art projects;

- Advising Council in the development of art policy and project development matters brought before the Panel, including subsequent reviews of existing policies and programs.

6. Review of the current situation

6.1 Location of Existing Public Art, Monuments and Sculptures

(This has yet to be fully developed)

6.2 Maintenance and Budgetary Considerations

When a decision is made to acquire a piece of public art, the financial costs extend beyond the commissioning and installation stages. The artwork will require on-going care and maintenance for the duration of its identified life-span.

Any additional public art would be placed on Council's asset management register and would be included in Council's maintenance plan, given a value and a timeframe.

Council believes that investment in high quality public art brings into the City important community and social benefits. Public art provides a focal point to public space, and people are more likely to use places that are safe and attractive. As Council acquires public artworks to enhance the environment the annual maintenance budget will need to increase proportionately in order to protect and retain the value of its public art assets. Therefore it is essential to articulate in this Plan and Program what Council wants to achieve when commissioning public art, together with a set of guiding principles to ensure value for money and successful public art outcomes. The objects and guiding principles are set out below.

7. Public Art Principles and Objectives

7.1 Public Art Objectives

One objective of this Policy includes supporting the goal set out in Council's Community Safety Plan which is to "reduce antisocial behaviours by creating opportunities in the urban landscape for local artists, including youth, to showcase their artistic skills, reflecting the way of life of people living and working in the Armidale LGA.". In 2010 Council introduced a graffiti vandalism management plan which promotes a zero tolerance to graffiti vandalism. To promote a balanced approach Council is introducing a public arts program to assist, providing local artists with legal public canvasses to express their art work and other civic pride and beautification projects. The program also includes other forms of art works.

The Public Art Policy and Program will also implement public art to achieve one or more of the following outcomes:

- To celebrate cultural and creative diversity;
- Create a strong cultural identify;
- To foster community respect and pride;
- To introduce public art into the local landscape;

- To ensure that art in the public domain will demonstrate its relevance to the local people, place and history, and that local artists, community, business and industry are engaged in the process;
- To introduce public art into the local landscape;
- To embrace and consider all innovative ideas which come to Council from the community;
- To celebrate creativity and innovation.

Public artworks can be located in, or form part of:

- Building developments;
- Public open space;
- Private space physically or visually accessible to members of the public;
- Streetscape; and
- Transport and utility networks.

7.2 Public Art Principles

In planning for and commissioning public artworks, the Council will adopt the following principles:

- Public artworks should contribute to an area's cultural identify and help to create a sense of place;
- Artworks should be appropriate to the local community in which they are to be sited;
- Public artworks should help to build stronger, more connected communities within the Armidale Dumaresq LGA;
- Public art should improve the amenity of public spaces and promote opportunities for social interaction;
- Community involvement should be encouraged in the development of public art projects;
- Public artworks should be able to be enjoyed and experienced by people of different ages and backgrounds;
- Neighbourhood art projects should be developed with a community audience in mind;
- Public artworks should engage and involve people of different ages, including young people, and provide an opportunity to explore cultural diversity;
- Public artworks should be sensitive to the area's cultural heritage;
- Projects should response to the social history of Armidale Dumaresq;
- Public artworks should relate well to the built and natural environment;
- The Council should encourage collaboration with architecture and design teams on capital works projects;
- Public artworks should exemplify artistic excellence and integrity;
- Encourage works that are original and showcase excellence in Australian art and design;
- The integrity of artists must be respected in the way the work is treated and represented by Council;
- Artworks must be constructed using sustainable materials and processes;
- Public artworks must consider public safety and easily maintained;
- Artworks must be designed to be durable and are to be maintained at a minimal cost.

8. The Council's Approach to Enhancing Public Art and Program

8.1 Funding Sources

Armidale Dumaresq Council aims to either acquire or commission and complete, at a minimum, one public artwork every 2 years. The Council recognises that best practice Public Art projects can only be achieved through the allocation of adequate budgets. Council will consider public art opportunities as part of its annual budget. In this regard, the Council's financial contribution to public art will be through one of the following 2 methods:

a. Infrastructure projects with a component of built in artwork, funded under the Council's annual capital works program;
b. Specific budget allocation for iconic/stand-alone artwork.

Every year, in developing the new financial year's draft capital works program, council staff will review its building program and nominate projects which offer the best opportunities to integrate public art. Examples of infrastructure projects with a built-in art component are artistic designed alternative paving treatment, colour selection, façade treatment to buildings, fencing or new street furniture.

Nominated projects will be costed and submitted for Council's endorsement as part of its Plan of Management and budget process. This process requires the Council's staff to consider in advance how public art may be assimilated within the design and deliver process of public facilities improvement works. On occasions, the Council may consider it appropriate to allocate a special budget to acquire or commission a piece of stand-alone or iconic public artwork. Guidelines for the commissioning of new public art works are described in Attachment 1.

In appropriate circumstances, the Council will enter into a voluntary planning agreement with developers in addition to S94 requirements. The type of public artwork will depend on the nature of the development proposal and opportunities present at the development site and its surrounds. A nationally accepted guide of 1% of construction costs will be used as a starting point for negotiations on voluntary planning agreements.

Other approaches may include:

- Community groups/individuals may propose public art funded by an external source;
- Grants from arts institutions / agencies;
- Partnerships or sponsorships from philanthropic corporate organisations.

8.2 Identification of Priority Locations

In a 10 year public arts program, 5 sites would be identified as suitable sites for public artworks. The Arts Advisory Panel will work with key Council officers to identify these sites. Some of these sites may be identified outside of the CBD and include outlying villages.

8.3 Sustainability and Public Art Works

The Council encourages the use of implementing ecologically sustainable practices as part of all its facilities and activities including the planning, design, and implementation of all outdoor public art projects. Council will also seek public artwork that is appropriate to the environment in which they are to be installed.

8.4 Register of Public Artworks

All public artworks will be identified on the Council's asset register including a description of the artwork, maintenance requirements and decommissioning details.

8.5 Descriptions of Public Artworks

It is the Council's intention to support a diverse range of creative public artworks that are most suited to the circumstances of the nominated sites. Artworks may include, but are not limited to:

- Decorative: where the primary purpose is to aesthetically enhance the environment or structure, such as incorporated imagery or sculpture, paving elements and lighting;
- Iconic: a stand-alone or significant work, where the artists' approach is largely independent of other considerations. Examples include sculpture, water features, lighting or multimedia;
- Integrated/functional: works that are fully incorporated within the design of the built or natural environment. Integrated works may include floor and window design, lighting, landscaping and associated elements. Artwork is inclusive of street furniture, seating, gateways, shelters, bollards. Commissioned as public art functional requirements will be unique and have the potential to celebration local distinctiveness;
- Site specific: designed specifically for, and responsible to, a particular site through scale, material, form and concept;
- Interpretive: where the primary purpose is to describe, educate and comment on issues, events or situations. Examples include signage, pavement inlays, sculpture, seating, landscaping and murals;
- Commemorative: where the primary purpose is to acknowledge and recall an event, activity or a person important to the local community. Examples include sculpture, murals, pavement design and gardens;
- Temporary: where the work is not intended to be permanent. A piece or event may be momentary or remain for a fixed time. Wide-ranging outcomes are possible including performance, garden planting, text, installations and multimedia.

8.6 Donations of Public Artworks

From time to time, artists and members of the community offer to donate artworks to Council with the expectation that the works will be cared for and suitably displayed in the public domain. All public art accepted by Council will be on the basis of an agreed timeframe. This timeframe may be reviewed at any time during the originally agreed lifecycle should the Council have concerns regarding the condition of the artwork or safety aspects. All permanent donations will be accompanied by a legal document transferring full rights of ownership to Council. The Council will have exclusive copyright licence of the works, however full copyright will remain with the artist of the work.

8.7 Community Initiated and Social Engagement Public Art Projects

Community initiated art refers to any proposal by an individual, community group or other external party to create and or fund a piece of public art. Social engagement projects targeted at hard to reach groups who would benefit from direct involvement would also be supported. These proposals must be supervised by a project coordinator to ensure access in equity outcomes and facilitate project outcomes.

8.8 Community Participation and Engagement Process

Where practicable, and in circumstances when timing is not an issue, an option for the Council's Arts Advisory Panel will be sought before the Council commissions or accepts a donation of public artwork. All donated artwork will be added to the asset register and maintained in accordance with the Council's commissioning and decommissioning processes, as outlined in Attachment 1 *(yet to be fully developed).*

8.9 Marketing and Promotion

Any new public artwork for Council should have a marketing and communication strategy developed to ensure the best climate in which an artwork can be understood and received. Marketing and promotion are also about advocacy for public art and developing the public's understanding of contemporary arts practice.

8.10 Restoration of Artworks

Public artworks including monuments, sculptures and water features in the public domain are subject to wear and tear and degradation over time. In addition, they are occasionally vandalised, graffitied or broken. As part of the acquisition of any new artwork, the artist must provide a maintenance schedule upon completion of the work. The schedule should outline requirements for regular cleaning, maintenance or servicing, specifically what is required, who should do it and how often eg. Cleaning agents for surface treatments and materials. Details of any spare parts that have been lodged must also be provided.

8.11 Relocation of Artworks

Circumstances sometimes arise where redevelopment of a site or changed uses render an artwork inappropriate and require its relocation. The Council must consult with the artist before preparing a report addressing the following maters: insurance, risk management, valuation, engineering and legal.

8.12 Disposal of Public Artworks

Disposal of public art must be done with the knowledge and in consultation with the artist, where possible. If, after making reasonable enquiries the Council cannot identify or locate the artist, or the artist's representative, then the Council may dispose of the public artwork as it sees fit. All decisions and actions should be fully documented. Artworks should first be offered for sale at a price based on independent valuation, first to the artist, then to other institutions or the public or at an auction. Funds from any decommissioned public artwork should be reused for new or upgraded public art within the LGA. Objects which are destroyed should be disposed of in a responsible manner.

Attachment 1: Public Art Commissioning and Decommissioning Guidelines

A. Public art commissioning process

1. Process for Commissioning Public Art

In commissioning new works of public art, the general process for the Council will take the following form:

- Appoint the Council's Project Manager for the work and establish a multi-disciplinary team to provide input. The team should comprise of a Council nominated staff from the Public Infrastructure Department and the Department of Sustainable Planning and Living.
- Select a suitable site from the Program *(yet to be fully developed)* Site List.
- Identify category of commission, whether :
    a. Open Tender
    b. Limited Tender
    c. Purchase or direct commission
- Prepare a specific site brief, with input from the Public Arts Advisory Panel.
- Outline the approximate cost of the works
- Secure the Council's approval to proceed with the commission
- Prepare an artists brief and circulate to the Arts Advisory Panel and Council for discussion and finalisation prior to issuing.

It is a requirement of all Public Art projects that documentation, both visual and narrative of any new and emergent artwork be provided to Council (along with the contact details of the artist/s and proponents) be provided to council for inclusion in an ongoing register of Public art within the LGA.

2. Preparing a Site Brief

Prior to engaging an artist, a site brief should be developed. The purpose of this brief is to clarity early ideas and capture relevant information for consultation purposes. It will also provide background information for the development of an artist's brief.

The Program will identify 5 sites for public art works and the site brief will identify the most appropriate of these nominated sites.

The site brief will include:

- A description of the project proposal including the intent, firm ideas about the art form and medium; scale of the proposal; a preliminary project budget and other information that allows a working understanding of the final outcome.
- Details and images of the nominated site with opportunities and constraints
- Context or location for the artwork including its relationship to the architecture or landscape.
- Strategies for community information and involvement including target groups, local stakeholders and community organizations.
- Themes or community issues the project could address.
- Examples of work by preferred or shortlisted artists.
- Identified stages for implementing the Project.
- An outline of how the project will address sustainability, maintenance and public safety issues.

3. Preparing an Artists' Brief

The Council will describe in the artists' brief how the Council's staff will be involved in the delivery of the Project. A Project Manager will be appointed to liaise with the artist throughout the duration of the Project. The artists' brief will also contain a description of the various contractual arrangements appropriate to the supply and installation of the artwork.

The artists' brief should contain the following items:

- The site brief;
- A thematic framework if the artist is required to response to specific themes or subjects;
- A maximum project brief;
- Preferred materials, fabrication and installation requirements if this is relevant;
- Artist selection criteria;
- Project management information;
- Timeframes;
- Maintenance plan.

4. Contractual Arrangements

A commissioning contract between the artist and the Council will be prepared and ratified prior to work commencing. The contract will be administered by the Council's appointed Project Manager and must address, although is not limited to, the following:

- The terms and conditions relating to the delivery, presentation and installation timeframes;
- The intended life of the work;

- The amount, and how and when it is to be paid for the work;
- The artist must provide a maintenance plan upon completion of the work which will inform the maintenance to be undertaken by Council;
- Artists must have a current insurance policy covering Public Liability and Professional Indemnity. A certificate of currency is required as evidence;
- If an Aboriginal or Torres Strait Islander community or create is involved with a public art project, consideration needs to be given to including special provisions in the contact which safeguard the Aboriginal cultural and intellectual property concerns of the community or the individual;
- Acknowledges that Artists' Moral Rights (as defined in the Moral Rights Amendment to the Commonwealth Act 1972) over all works will be respected by Council;
- The Artist must outline how they comply with their WH&S statutory obligations
- The contact must outline the responsibilities for the parties in relation to confidential information;
- The terms and conditions, consistent with the Council's obligations under the Copyright Act if Council intends to remove, relocate or dispose of the work.

B. Decommissioning of Public Artworks

Some public artworks may lose community appeal or become superfluous for various reasons eg. Safety concerns, poor condition and diminished aesthetic value). An artwork may also need to be removed from public display or relocated to another area due to changes made to its physical surroundings.

A work may be considered for removal when:

- Its condition has deteriorated to such an extend that it can no longer be considered to be the original work of art;
- Its condition has deteriorated beyond restoration, or where the cost of restoration is excessive in relation to the original cost of the work or the current value of the work;
- The cost of ongoing maintenance is prohibitive;
- The work has deteriorated to a point where it is unsafe or presents a danger to the public;
- The artwork has reached its endurance attributes / limits and that the space which it occupies is required for a preferred and Council-approved purpose;
- It is being replaced by a new piece of artwork identified to be more suited to the site or the surrounding context is no longer appropriate for the existing artwork.

C. Integrating Art with Capital/Functional Works

1. Selection of Projects with Integrated Artwork

In identifying which projects within the draft capital works are to have a component of integrated artwork, the Council will identify potential projects and pass this information onto the Arts Advisory Panel. This action will be carried out annually. Council staff, in consultation with the Public Arts Advisory Panel, will bring forward at least one identified project every 2 years to be costed and submitted and considered as part of Council's capital works program budget.

2. Project Management

The delivery of approved works will be carried out in accordance with Council's project management procedures, and the Council's policy for outsourcing works to approved consultants/contractors, and performance reporting framework. The delivery of the Project will be monitored via the Council's quarterly reporting system.

References

To be completed.

Armidale Regional Council

MINUTES

BUSINESS PAPER

GAYINYAGA COMMITTEE

Held on

Wednesday, 15 June 2016
12pm

at

Function Room

PRESENT: Dr Ian Tiley (ARC Administrator/Acting Chair), Mrs Noelene Brietkopf (Elder), Mrs Lorna Hague (Elder), Mr Herman Beyersdorf (Community Member), Mr Cyril Green (ARC ACLO), Ms Mandy Cutmore (HNEH), Mr Rob Richardson (Community Member), Mrs Margaret Walford (Elder), Mr Tom Briggs (AMS).

IN ATTENDANCE: Hayley Ward (ARC minute taker), Jane Guilfoyle (ARC Community Services Manager).

WELCOME AND ACKNOWLEDGEMENT OF COUNTRY

1. LEAVE OF ABSENCE/APOLOGIES

Vicki Dennison, Rhonda Kitchener, Fay Griffiths.

At this morning's Council meeting this committee was reconstituted and will continue as the Gayinyaga Aboriginal Consultative Committee. Dr Tiley welcomed the members and said he looked forward to working with the local Aboriginal community. He hoped that this committee can make recommendations that can be adopted by Council that will have a positive impact on the Aboriginal community. He also welcomed former councillors Herman Beyersdorf and Rob Richardson.

Dr Tiley requested that for the minutes he would rather the members form a consensus and agree on matters rather than make formal recommendations that are moved and seconded.

2. CONFIRMATION OF PREVIOUS MINUTES -
CONFIRMATION OF THE MINUTES OF THE GAYINYAGA COMMITTEE MEETING HELD ON 11 MAY 2016

RECOMMENDATION
Moved: Mrs Lorna Hague **Seconded: Mr Noelene Brietkopf**
That the minutes be taken as read and be accepted as a true record of the Meeting.
CARRIED.

3. DECLARATIONS OF INTEREST

Nil.

4. BUSINESS ARISING

4.1 Election of New Chair *Ref: INT/2016/06362*

There were no nominations from the floor. It was agreed to defer this item to the next meeting.

5. CORRESPONDENCE

Nil.

6. ADMINISTRATION REPORTS

6.1 Armidale Cemetery Memorial *Ref: INT/2016/06357*

The location and structure of the memorial has been decided. Funding is being sought to pay for the structure and for an artist to create an artwork.
Dr Tiley suggested that funding could be provided from the Stronger Regional Fund.

The committee agreed that an amount of $20,000 from the Stronger Communities Fund be allocated to the Aboriginal Cemetery Memorial.

ACTION: Dr Tiley asked that a report be submitted outlining the project to support the allocation of the funding.

6.2 Aboriginal Development Fund *Ref: INT/2016/06358*

The revised guidelines for the Aboriginal Development Fund have been endorsed by Council. This morning Council approved $1000 to support Madison Moran participate in a number of state and interstate sporting activities. Dr Tiley encouraged others to also apply for funding.

6.3 Update on Action plan to consult with the Aboriginal and wider community regarding the renaming or dual naming of MacDonald Park *Ref: INT/2016/06361*

Cyril Green and Jo Harrison have developed a survey outlining potential names for the community to consider. Mrs Hague suggested publicising the historical facts of Commissioner MacDonald to inform the wider community. She also suggested talking directly to the descendants of MacDonald to seek their opinion.

The committee agreed that:

a) **Out of respect to the descendants of Commissioner MacDonald, the park is dual named.**
b) **At the next meeting a list of potential names will be discussed for the dual naming of Macdonald park.**
c) **These names will be presented to the Aboriginal community for them to decide on the preferred name.**
d) **When the Aboriginal community decide on a preferred name this will be presented to the wider community for further consultation.**

7. GENERAL BUSINESS

7.1 Inclusion of Guyra Community into Gayinyaga Committee *Ref: INT/2016/06359*

Due to the amalgamation the former Guyra Shire area community is invited to participate in the Gayinyaga committee. A discussion took place on the inclusion of the Guyra Shire community and it was suggested that the meetings are held in rotation in other communities to enable interested participants to attend.

The committee agreed that:

a) **The Gayinyaga TOR be amended to allow membership of Aboriginal people in the former Guyra Shire area.**
b) **That the enlarged Gayinaga committee meetings rotate to other areas.**

7.2 Local Government Aboriginal Network Conference Tweed Heads *Ref: INT/2016/06360*

The conference will be held on 24-26 August . In previous years a councillor, Council's ACLO and a Gayinyaga member attended this conference.

The committee agreed that:

a) **Cyril Green, Council's ACLO, attend the Local Government Aboriginal Network Conference.**
b) **Council pay the costs for Mandy Cutmore to also attend the conference.**
C) **Council pay the registration fee for Noelene Breitkopf to attend the conference.**

Dr Tiley assured the meeting that Council is committed to the Gayinyaga committee and the Aboriginal community.

Tom Briggs asked if Council will continue to support the Aboriginal Action Plan. Dr Tiley said if this plan is supported by the Gayinyaga committee then Council will continue to support it.

Rob Richardson asked for clarification around their attendance at the meeting in relation to the TOR. Dr Tiley said he can delegate responsibilities to former mayors to attend meetings.

The committee agreed that the TOR is amended to clarify that Armidale Regional Council have two representatives, one being the Administrator and the other being the former mayor Herman Beyersdorf, attend the Gayinyaga committee.

The committee formerly expressed their appreciation to Rob Richardson for his long commitment and support of this committee. Tom Briggs, Mrs Hague and other members also expressed their appreciation.

8. UPCOMING EVENTS

There being no further business the Chairman declared the meeting closed at 1.20pm.