



ORDINARY MEETING OF COUNCIL

Held on

Thursday, 26 April 2018

1pm

at

Armidale Council Chambers

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

IN ATTENDANCE: Mr Chris Rose (Interim Chief Executive Officer), Mr Lindsay Woodland (Group Leader Organisation Services), Mr Mark Piorkowski (Group Leader Service Delivery), Mr Keith Lockyer (Service Leader Finance and Information Technology), Ms Kim Bryan (Service Leader People Safety and Communications), Mr Ambrose Hallman (Service Leader Sustainability and Development), Ms Nathalie Heaton (Service Leader Governance Risk and Corporate Planning), and Mr Peter Wilson (Senior Governance Officer).

MINUTES

1. CIVIC PRAYER AND RECOGNITION OF TRADITIONAL OWNERS
2. STATEMENT IN RELATION TO LIVE STREAMING OF COUNCIL MEETING
3. APOLOGIES

Moved Cr Gray

Seconded Cr O'Connor

That Cr Galletly's apology be accepted.

The Motion on being put to the vote was CARRIED.

4. DISCLOSURE AND DECLARATION OF INTERESTS

| Name | Item | Nature of Interest | Reason/Intended Action |
|--|--|---|--|
| Chris Rose (Interim Chief Executive Officer) | 11.1 Modification to DA-198-2016/A - New Boarding School constructed at The Armidale School - Modification concerns the re-calculation of Water and Sewer Contributions under Section 64 of the Local Government Act, 1993 | <input type="checkbox"/> Pecuniary <input type="checkbox"/> Non Pecuniary – Significant Conflict <input checked="" type="checkbox"/> Non Pecuniary – Non Significant Conflict | Reason: A consultant working for the Armidale School was an employee when he was the CEO at Toowoomba City Council between 2004-2006 Intended action: Leave the Chamber |

| Name | Item | Nature of Interest | Reason/Intended Action |
|--|---|---|---|
| Chris Rose (Interim Chief Executive Officer) | 19.2 Provision of Human Resources, Training and Work Health and Safety Services | <input checked="" type="checkbox"/> Pecuniary <input type="checkbox"/> Non Pecuniary – Significant Conflict <input type="checkbox"/> Non Pecuniary – Non Significant Conflict | Reason: ICEO is the Managing Director of a company named in the report, Crest Performance Intended action: Leave the Chamber |

5. HAVE YOUR SAY

Dr Beyersdorf spoke on Item 8.1 - Public Display of Former Mayoral Portraits.

Mr Darshan Wood and Mr Rob Taber spoke against Item 13.6 - Rail Trail Business Case.

ANZAC DAY

Cr Murat thanked Council staff for their efforts in preparing for ANZAC Day, this was also acknowledged by the RSL Club.

6. CONFIRMATION OF MINUTES

CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 MARCH 2018

49/18 Moved Cr Martin Seconded Cr Widders

That the minutes be taken as read and be accepted as a true record of the Meeting.

The Motion on being put to the vote was CARRIED.

7. MAYORAL MINUTE

L.1 Mayoral Minute - Draft Black Gully Flying Fox Camp Management Plan

Ref: AINT/2018/07425 (ARC16/0901)

Motion

Moved Cr O'Connor Seconded Cr Robinson

That the recommendation in Item L.1 be considered in Seriatim.

The Motion on being put to the vote was LOST.

50/18 **Motion**
Moved Cr Murray Seconded Cr Murat

- (a) That the Draft Black Gully Flying Fox Camp Management Plan be endorsed;**
- (b) That the Draft Black Gully Flying Fox Camp Management Plan go on public exhibition for a period of not less than 28 days, from Monday 30 April 2018 to Monday 28 May 2018;**
- (c) That a further report be provided to the June 2018 Council meeting for consideration of any submissions received; and**
- (d) That if no submissions are made within the submission period, then the Black Gully Flying Fox Camp Management Plan be adopted retrospectively.**

The Motion on being put to the vote was CARRIED.

Cr O'Connor requested that her dissent be recorded.

8. NOTICES OF MOTION

8.1 FOR DECISION: Public Display of Former Mayoral Portraits

Ref: AINT/2018/06727 (ARC16/0025)

51/18 Moved Cr O'Brien Seconded Cr O'Connor

That the Interim Chief Executive Officer cause a report to come to the next Ordinary Meeting of Council regarding the removal, current location and reinstatement to public display of the Mayoral Portraits of the former Dumaresq , Armidale City and Armidale Dumaresq Mayors.

The Motion on being put to the vote was CARRIED.

9. REPORTS FOR DECISION - LEADERSHIP FOR THE REGION

9.1 FOR DECISION: Council Meeting Cycle for Ordinary Meetings for 2018-2019

Ref: AINT/2018/05961 (ARC16/0620)

52/18

Motion

Moved Cr Gray

Seconded Cr Murat

- a) That Ordinary Meetings of Council be held in accordance with the Code of Meeting Practice, Part D Operative Parts, Clause 1.1; and
- b) That the Ordinary Council Meeting cycle for the 2018-2019 financial year be as follows:
- Wednesday 25 July 2018, 1.00pm in Armidale
 - Wednesday 22 August 2018, 1.00pm in Armidale
 - Wednesday 26 September 2018, 1.00pm in Guyra
 - Thursday 24 October 2018, 1.00pm in Armidale
 - Wednesday 28 November 2018, 1.00pm in Tingha
 - Wednesday 12 December 2018, 1.00pm in Guyra (Second Wednesday)
 - Wednesday 27 February 2019, 1.00pm in Armidale
 - Wednesday 27 March 2019, 1.00pm in Armidale
 - Wednesday 24 April 2019, 1.00pm in Guyra
 - Wednesday 22 May 2019, 1.00pm in Armidale
 - Wednesday 26 June 2019, 1.00pm in Armidale

AMENDMENT

Moved Cr O'Brien

Seconded Cr O'Connor

- a) That Ordinary Meetings of Council be held in accordance with the Code of Meeting Practice, Part D Operative Parts, Clause 1.1; and
- b) That the Ordinary Council Meeting cycle for the 2018-2019 financial year be as follows:
- Wednesday 25 July 2018, 6.00pm in Armidale
 - Wednesday 22 August 2018, 6.00pm in Armidale
 - Wednesday 26 September 2018, 6.00pm in Guyra
 - Thursday 24 October 2018, 6.00pm in Armidale
 - Wednesday 28 November 2018, 6.00pm in Tingha
 - Wednesday 12 December 2018, 6.00pm in Guyra (Second Wednesday)
 - Wednesday 27 February 2019, 6.00pm in Armidale
 - Wednesday 27 March 2019, 6.00pm in Armidale
 - Wednesday 24 April 2019, 6.00pm in Guyra
 - Wednesday 22 May 2019, 6.00pm in Armidale
 - Wednesday 26 June 2019, 6.00pm in Armidale

The Amendment was withdrawn.

AMENDMENT

Moved Cr Robinson

Seconded O'Connor

That the report on the Council Meeting Cycle for Ordinary Meetings for 2018-2019 be considered at a workshop.

The Amendment on being put to the vote was CARRIED.

The Amendment became the substantive Motion and on being put to the vote was CARRIED.

PROCEDURAL MOTION

53/18 **Moved Cr Robinson Seconded Cr Gray**

That Items in Section 13 be brought forward.

The Motion on being put to the vote was CARRIED.

**13.1 FOR INFORMATION: Procurement - Acceptance of Tenders Under CEO
Delegated Authority** *Ref: AINT/2018/05486 (ARC17/2016)*

54/18 **Moved Cr Widders Seconded Cr Robinson**

That the report on Procurement - Acceptance of Tenders Under CEO Delegated Authority be deferred.

The Motion on being put to the vote was CARRIED.

Cr Diane Gray left the meeting, the time being 2:01 pm.

13.2 FOR INFORMATION: Cash & Investments Report for March 2018
Ref: AINT/2018/05980 (ARC16/0001-3)

55/18 **Moved Cr Murat Seconded Cr Bailey**

That Council note the Cash & Investments Report, as at 31 March 2018, reporting Investments held of \$61,301,787.67 and a consolidated Bank Account balance of \$3,178,213.22, excluding the Trust Fund.

The Motion on being put to the vote was CARRIED.

Cr Diane Gray returned to the meeting, the time being 2:02 pm.

13.3 FOR INFORMATION: Quarterly Water Adjustment Report
Ref: AINT/2018/06070 (ARC17/2153)

56/18 **Moved Cr Murat Seconded Cr Martin**

That Council note the report detailing water adjustments, made under the provisions of the Water Account Adjustment Management Policy, for the December and March quarters,

totalling \$24,082.73.

The Motion on being put to the vote was CARRIED.

13.4 FOR INFORMATION: Status of Merger Funds March 2018

Ref: AINT/2018/06111 (ARC17/1519)

57/18 **Moved Cr Tiley** **Seconded Cr Martin**

That Council note the report on the budget deficit, the Stronger Communities Fund \$10M and New Council Implementation Fund \$5M as at the 31 March 2018.

The Motion on being put to the vote was CARRIED.

Cr O'Connor requested that her dissent be recorded.

13.5 FOR INFORMATION: Enterprise Risk Management Framework

Ref: AINT/2018/06179 (ARC16/0692)

58/18 **Moved Cr Tiley** **Seconded Cr Murat**

That the Enterprise Risk Management Framework and report be noted.

The Motion on being put to the vote was CARRIED.

13.6 FOR INFORMATION: Rail Trail Business Case (Supplementary Report)

Ref: AINT/2018/06670 (ARC16/0085)

59/18 Motion
Moved Cr Bailey **Seconded Cr Gray**

That Council note the progress report on the development of a business case for the New England Rail Trail, in accordance with Council's resolution of 28 February 2018.

AMENDMENT

Moved Cr Robinson **Seconded Cr O'Connor**

That consideration of the need and the brief for the consultancy be deferred until after the budget workshop next week.

The Amendment on being put to the vote was LOST.

AMENDMENT

Moved Cr O'Connor **Seconded Cr O'Brien**

That Council take no further action in relation to letting a contract for a feasibility study or business case for the Guyra Rail Trail and that the matter be addressed as an in house desktop study.

The Amendment on being put to the vote was CARRIED.

The Amendment became the substantive Motion and on being put to the vote was CARRIED.

Cr Bradley Widders left the meeting, the time being 2:33 pm.

13.7 FOR INFORMATION: Update on Addressing Issues at the University of New England

Ref: AINT/2018/07185 (ARC16/0003-3)

60/18

Moved Cr Robinson Seconded Cr Tiley

That the report on addressing issues at the University of New England be noted.

The Motion on being put to the vote was CARRIED.

Cr Bradley Widders returned to the meeting, the time being 2:37 pm.

9.2 FOR DECISION: Endorsement of Draft Revenue Policy (Parts A & B) 2018-2019

Ref: AINT/2018/06270 (ARC17/1962)

MOTION

Moved Cr Robinson Seconded Cr O'Connor

That recommendations parts (a) and (b) be considered separate to part (c).

AMENDMENT

Moved Cr Tiley Seconded Cr Gray

a) That the Draft Revenue Policy – Fees and Charges 2018-2019 (Part A) be endorsed;

b) That the Draft Revenue Policy – Ordinary Rates and Annual Charges 2018-2019 (Part B) be endorsed;

c) That the Draft Revenue Policy (Parts A & B), prepared under the Integrated Planning and Reporting Framework, be placed on public exhibition from Monday 30 April to Monday 28 May 2018; and

d) That following the exhibition period (not less than 28 days), a report be presented to Council on 27 June 2018, to consider community submissions and adoption of the Revenue Policy.

The Amendment on being put to the vote was CARRIED.

The Amendment became the substantive Motion and on being put to the vote was CARRIED.

Cr Robinson requested that her dissent be recorded.

10. REPORTS FOR DECISION - GROWTH, PROSPERITY AND ECONOMIC DEVELOPMENT

10.1 FOR DECISION - Stronger Community Fund - (Supplementary Report)

Ref: AINT/2018/07631 (ARC16/0875)

61/18

Moved Cr Robinson

Seconded Cr Murat

- a) That Council rank the twelve (12) listed projects in order of merit;
- b) That the grant applications be submitted by the 4 May 2018 closing date; and
- c) If practical and feasible, that the \$95,000 funding as described in the Sports Council minutes also be considered in the funding submission.

The Motion on being put to the vote was CARRIED.

Cr O'Connor requested that her dissent be recorded.

MOTION

62/18

Moved Cr Gray

Seconded Cr Murat

That Council adopt the following as its order of merit:

1. Hydrotherapy Facility
2. Mother of Ducks Lagoon Upgrade
3. Super Playground - Curtis Park
4. Tingha Skate Park Upgrade
5. Guyra Community Hub
6. Armidale Gymnastics Centre (AGC)
7. New England Mountain Bike Club
8. North Armidale Tennis Club
9. Guyra's Polocrosse Club
10. Hockey New England
11. Armidale Tennis Club
12. Guyra Gun Club

The Motion on being put to the vote was CARRIED.

Cr O'Connor requested that her dissent be recorded.

The Interim Chief Executive Officer left the Chamber at 2.48pm.

11. REPORTS FOR DECISION - ENVIRONMENT AND INFRASTRUCTURE

11.1 FOR DECISION: Modification to DA-198-2016/A - New Boarding School constructed at The Armidale School - Modification concerns the re-calculation of Water and Sewer Contributions under Section 64 of the Local Government Act, 1993

Ref: AINT/2018/05991 (DA-198-2016/B)

63/18

Moved Cr Gray

Seconded Cr Martin

That the report on Modification to DA-198-2016/A - New Boarding School constructed at The Armidale School - Modification concerns the re-calculation of Water and Sewer Contributions under Section 64 of the Local Government Act, 1993 be deferred.

The Motion on being put to the vote was CARRIED.

The Interim Chief Executive Officer returned to the Chamber at 2.49 pm.

The Group Leader Organisational Services left the Chamber at 2.53pm and did not return to the meeting.

11.2 FOR DECISION: Modification to DA-19-2009/A - Deletion of Conditions 7 and 47

Ref: AINT/2018/06093 (DA-19-2009/B)

64/18

Moved Cr Gray

Seconded Cr Martin

That Council delete Conditions 7 and 47 from DA-19-2009/A.

The Motion on being put to the vote was CARRIED.

DIVISION

FOR: Crs P Bailey, D Gray, L Martin, A Murat, S Murray and B Widders

AGAINST: Crs D O'Brien, M O'Connor, D Robinson and I Tiley

11.3 FOR DECISION: Purchase of crown land to enable access to new Guyra SES HQ

Ref: AINT/2018/06902 (ARC17/1951)

65/18

Moved Cr Murat

Seconded Cr Martin

That Council approve the lodging of an application to Crown Lands to acquire Lot 7023 DP1058834, at Guyra to enable access to the new Guyra SES HQ that is in the process of being constructed.

The Motion on being put to the vote was CARRIED.

12. REPORTS FOR DECISION - OUR PEOPLE AND COMMUNITY

12.1 FOR DECISION: Community Small Grant Applications R1 2017/2018

Ref: AINT/2018/07053 (ARC16/0443-2)

66/18

Moved Cr Murat

Seconded Cr Martin

That Council approve funding of \$10,600 under the 2017/18 Community Assistance Small Grants for the following organisations:

| Grant Recipient | Program Delivery | Grant \$ (Max \$1000) |
|---|--|--------------------------|
| Armidale and New England Gumbaynggir Descendants | Equipment for Under 14s Girls Netball Team | \$1000 |
| Armidale Pipe Band Inc. | Funding towards cost of restoration of nine antique drums to be used in Armistice Day commemoration in November 2018. | \$1000 |
| Black Gully Printmakers | Equipment and materials to create prints for Judith Wright Festival exhibition at NERAM, 3 May to 16 June 2019. | \$1000 |
| Female and Fierce | Workshops for young women (15-20) to build confidence, leadership skills, networking skills and supportive relationships. | \$800 |
| New England and North West Sub Branch, Children's Book Council of Australia | Support Booked In! Children's Literature Festival, 6-9 May, 2018. | \$1,000 |
| Nepalese Community Armidale | Support Teej Celebration 2075. A festival to welcome the monsoon season, primarily celebrated by girls and women. | \$1000 |
| Sutherland Shire Environment Centre | Support Speaking 4 the Planet, a public speaking and drama competition for local high school students | \$1000 |
| Armidale Hospital & Community Health Staff Social Club | Support the production of 'Armidale's Got Talent' Hospital Revue to raise money for United Hospital Auxiliary. | \$1000 |
| Cancer Council NSW | Support Armidale Relay for Life 2018 | \$1000 |
| Harmony Group Armidale Inc. | Harmony Communication Workshops to improve interpersonal communications, particularly focusing on Nonviolent Communications. | \$1000 |
| Sustainable Living Armidale | Equipment to create re-useable 'boomerang bags' made from recycled materials, a sustainable alternative to plastic bags. | \$800 |
| TOTAL | | \$10,600 |

The Motion on being put to the vote was CARRIED.

14. REQUESTS FOR LEAVE OF ABSENCE
Nil.

15. AUTHORITY TO AFFIX COUNCIL SEAL
Nil.

16. COMMITTEE REPORTS

PROCEDURAL MOTION

67/18 **Moved Cr Murat** **Seconded Cr Gray**

That items in 16.1 , 16.2 and 16.5 be considered "In Globo".

The Motion on being put to the vote was CARRIED.

16.1 FOR INFORMATION - Minutes - Business Advisory Committee - 13 March 2018

Ref: AINT/2018/06624 (ARC17/2172)

68/18 **Moved Cr Murat** **Seconded Cr Gray**

That the following resolutions from the Business Advisory Committee meeting held on 13 March 2018 be noted:

(a) That the Reference Group work with King & Campbell to provide a second draft for the Reference Group to consider.

16.2 FOR INFORMATION: Minutes - Business Advisory Committee - 4 April 2018

Ref: AINT/2018/06137 (ARC17/2172)

69/18 **Moved Cr Murat** **Seconded Cr Gray**

That Council note the Minutes of the Business Advisory Committee meeting held on 4 April 2018, as there were no committee recommendations that require a council decision.

16.5 FOR INFORMATION: Minutes - Regional Growth Advisory Committee - 5 April 2018

Ref: AINT/2018/06591 (ARC16/0169)

70/18 **Moved Cr Murat** **Seconded Cr Gray**

That Council note the Minutes of the Regional Growth Advisory Committee meeting held on 5 April 2018, as there were no committee recommendations that require a council decision.

The Motion on being put to the vote was CARRIED.

Cr Ian Tiley left the meeting, the time being 3.18pm and returned to the meeting at 3.19 pm.

Cr Margaret O'Connor left the meeting, the time being 3:19 pm.

16.3 FOR DECISION: Minutes - Armidale Regional Sports Council (Advisory Committee) - 13 March 2018

Ref: AINT/2018/05932 (ARC16/0330)

71/18

Moved Cr Murat

Seconded Cr Gray

- a) That the Minutes of the Armidale Regional Sports Council (Advisory Committee) meeting held on 13 March 2018 be noted;
- b) That Council note the reinstatement of small funding criteria as follows:
 - 1) \$250.00 per Individual selected at State Level
 - 2) \$500.00 per Individual selected at Australian Level
 - 3) Applications will not be accepted from Individuals under the age of 10 (as of the date of application) and applications will not be accepted from Masters athletes;
- c) That Council note the allocation of up to \$600 for the purchase of Sports Trophies for the Sports Awards Night to be held Tuesday 28 November 2017 at 6.30pm;
- d) That Council note the Sports Council small funding allocations to Stuart Geddes, Chloe Belle Lincoln, Sarah Williams, Deborah McMahon, William Brunston, Maxwell Wayte, Nathan Czinner, Raymond Enks, Lawson Fittler, Millie Mazzai, Andre Cooper in the amount of \$250 per person;
- e) That Council note the small funding allocation to Megan Frost to represent Australia in Futsal Soccer in the amount of \$500; and
- f) That the following projects be referred to Council's grants program for consideration in future appropriate grant funding opportunities:
 - 1) Grandstand seating at Lions Park in Guyra (Approximate cost \$80,000)
 - 2) Coverage of the pool at the Monkton Aquatic Centre in Armidale (Approximate cost unknown)
 - 3) Portable grandstand seating for multiple sporting facilities in Guyra (Approximate cost unknown)
 - 4) Armidale Regional Australia Bank Sportsground Carpark Stage 1 (Approximate cost \$500,000)
 - 5) Moran Oval Drainage (Approximate cost \$90,000)
 - 6) Indoor Sporting complex at the Australia Bank Sportsground (Approximate cost \$190,000)
 - 7) Fitness Equipment at Armidale Creeklands Fitness Circuit (Approximate cost \$95,000)

The Motion on being put to the vote was CARRIED.

Cr Ian Tiley left the meeting, the time being 3.18pm and returned to the meeting at 3.19 pm.

Cr Margaret O'Connor left the meeting, the time being 3:19 pm.

16.4 FOR DECISION: Minutes - Traffic Advisory Committee Meeting - 3 April 2018.

Ref: AINT/2018/05948 (ARC16/0168)

72/18

Moved Cr Martin

Seconded Cr Murat

That the following recommendations from the Traffic Advisory Committee meeting held on 3 April 2018 be adopted:

- a) That approval be granted for the temporary road closures for the Armidale 2018 ANZAC Day March and Commemoration Service that will occur on Wednesday 25 April 2018, for Faulkner Street from Dumaresq Street to Beardy Street and the connecting intersections with Moore Street, East Mall and Rusden Street;
- b) That approval be granted for the temporary road closures for the Tingha 2018 ANZAC Day March and Commemoration Service that will occur on Wednesday 25 April 2018;
- c) That approval be granted for the temporary road closures for the Guyra 2018 ANZAC Day March and Commemoration Service that will occur on Wednesday 25 April 2018;
- d) That the Tingha Public School be advised that the event is approved and that the Tingha depot staff will provide the necessary signage;
- e) That no changes be made to the parking at Faulkner St access for 92 and 100 Barney Street and the location be monitored for any changes;
- f) That the drop off arrangements in Dangar Street for the CWA be endorsed;
- g) That 3 x 15 minute parking space be installed in Rusden Street one in front of 182 Rusden Street, east of the Library driveway and two installed on the western side of the driveway at 186 Rusden Street in front of the Big Light Bulb; and
- h) That the "Give Way" signs at the intersection of Opal Street and Ruby Street Tingha be changed to "Stop" signs

The Motion on being put to the vote was **CARRIED**.

Cr Margaret O'Connor returned to the meeting, the time being 3:20 pm.

17. MATTERS OF AN URGENT NATURE
Nil.

18. QUESTIONS ON NOTICE
Nil.

PROCEDURAL MOTION

73/18

Moved Cr Martin

Seconded Cr Widders

That the meeting be adjourned at 3.25pm.

RESUMPTION OF MEETING

76/18 **Moved Cr Martin** **Seconded Cr Gray**

That Council adopt the following resolutions:

19.1 FOR DECISION: Land Portfolio Divestment Strategy and Plan

Ref: AINT/2018/01999 (ARC18/2525)

77/18

- a) That Council endorse the recommendations detailed in the report;**
- b) That the CEO be delegated authority to dispose of the following properties based on the Reserve Prices detailed in the report:**
 - Lot 24 DP 1166745
 - Lot 41 DP 1166745
 - Lot 53 DP 1166745
 - Lot 50 DP 732610
 - Lot 15 DP 237379
 - Lot 16 DP 237379
- c) That the Council seal be affixed to the documents associated with the Contracts of Sale for the above Lots; and**
- d) That a status report on the Land Portfolio Divestment Strategy be submitted to Council in July and December 2018.**

The Motion on being put to the vote was CARRIED.

19.2 FOR DECISION: Provision of Human Resources, Training and Work Health and Safety Services

Ref: AINT/2018/05335 (ARC17/2424)

78/18

That Council accepts twenty-five tenders and rejects five received for a supplier panel contract for the Provision of Human Resources, Training & Work Health and Safety Services

The Motion on being put to the vote was CARRIED.

19.3 FOR DECISION: Sale of Land For Unpaid Rates

Ref: AINT/2018/06459 (ARC16/0822)

79/18

That Council:

- a) sell the properties, detailed in the property schedule (Attachment A) for rates arrears and charges, in accordance with the provisions of Section 713 of the Local Government Act 1993**
- b) endorse the appointment of Richardson & Wrench Real Estate Agent and Auctioneer to conduct the Public Auction;**

- c) fix the sale to be conducted at the Town Hall, 127 Rusden Street, Armidale NSW 2350 commencing at 10.00am on Friday, 14 September, 2018;**
- d) advertise the auction in the “NSW Government Gazette”, Armidale Express, Guyra Gazette, on Council’s Website and Facebook page, in accordance with the provisions of Section 715(1) of the Local Government Act 1993;**
- e) notify and serve Notice to all persons having an interest in the land of the sale;**
- f) obtain Valuations from the Valuer General for properties with less than 5 years rates outstanding;**
- g) acknowledge that the Chief Executive Officer (CEO) has certified, in accordance with Section 713 (3) of the Local Government Act 1993, that the properties listed (Attachment C) have five or more year’s outstanding rates or in the case of Vacant Land, the amount of rates exceeds the current valuation;**
- h) delegate authority to the Chief Executive Officer (CEO), to set a reserve sale price and order of sale for each property listed (Attachment A) in consultation with the approved Real Estate Agent and having regard to all relevant legislative and common law considerations;**
- i) withdraw any property from sale, only if the arrears of rates and charges are paid in full and a written agreement is entered into to pay the current year’s rates by 30 June of the financial year, in which the arrangement is made.**
- j) require the payment of arrears by cash or Bank Cheque or payments by personal cheque or EFT must be made at least ten (10) business days prior to the auction to allow for clearance by the relevant banking institution;**
- k) delegate authority to the Chief Executive Officer to sign any documents required by and relating to the sale of land for unpaid rates and that the Council seal be affixed to the documents associated with the Contracts of Sale;**
- l) offer for sale by private treaty, any property which does not sell at auction, having regard to the provisions of Section 716 of the Local Government Act 1993;**
- m) delegate authority to the Chief Executive Officer to negotiate the purchase price on Council’s behalf when and if required;**
- n) note that a further report will be submitted to Council in August 2018, advising progress of the Sale, setting of Reserves and advice regarding properties to be acquired by Council; and**
- o) note that it is intended to sell the properties with vacant possession, which may require action to be taken in the Supreme Court of NSW.**

The Motion on being put to the vote was CARRIED.

There being no further business the Mayor declared the meeting closed at 3.47pm.