

# Armidale

Regional Council

BUSINESS PAPER

ORDINARY MEETING OF COUNCIL

To be held on

Wednesday, 10 August 2016  
9am

at

Guyra Council Chambers

**Members**

Administrator, Dr Ian Tiley

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Mr Anthony Hardwick

**Item:** 6.1 **Ref:** AINT/2016/03403  
**Title:** A new Armidale Regional Council War Memorial Library **Container:**  
ARC16/0001  
**Author:** Executive Officer  
**Attachments:** Nil

**Introduction:**

I have taken considerable advice in regard to the Armidale new library project since my commencement in May this year. This advice has demonstrated support for a new modern library facility. However, the feeling across the whole new Regional Council Area provides a very divided and divisive view on the form and cost associated with a new library facility.

**Consideration**

As Administrator I wish to progress a new facility as it has been the subject of investigations, considerations and community debate since 2001. The former Armidale Dumaresq War Memorial Library Working Party, the Civic Precinct Committee, various Councils and more recently, a whole of Council committee has not been able to secure grant funds or agree on an affordable and financially sustainable method to build the DA approved library at a price tag of \$9 - 13million.

I have reviewed the report presented to the whole of Council Committee in October 2015 when that Committee considered a comprehensive suite of options and several funding scenarios for the new building versus the refurbishment of existing buildings including the current library.

I consider that there are two alternatives worthy of further consideration and I have asked the Interim General Manager to investigate these options with the assistance of an appropriately qualified person, to determine whether they can meet the Library NSW guidelines for a new library and also to consider whether they can achieve the same level of CBD association as the current and proposed new Library building.

Should this analysis demonstrate that they meet the guidelines for a 'State of the Art' library, I have asked for the estimated cost to Council and its ratepayers for these options.

I have requested that an initial report be ready for me to consider at the 24 August 2016 Ordinary Meeting of Armidale Regional Council.

**Item:** 7.2.1 **Ref:** AINT/2016/02584  
**Title:** Processing of Development Applications **Container:** A02/0114  
**Author:** Director of Planning and Environmental Services  
**Attachments:** Nil

**RECOMMENDATION:**

- a) That Council commence a community information campaign outlining where and how to access information relating to development and building related applications to assist applicants in the preparation of a comprehensive and complete application.
- b) That Council include in its community information campaign advice that it will be implementing a roster system for counter access to Planners and Building Surveyors.
- c) Where Council is satisfied that an application contains the required information but is deficient in detail, a letter seeking additional information be issued providing the applicant 30 days to provide the specified information. Should the information not be received within the prescribed 30 days, a 7 day final advice letter be issued advising that unless the information is received or the application is withdrawn within the final 7 days, the application will be assessed based on the inadequate information and likely lead to a refusal.
- d) Council apply the provisions of the Environmental Planning and Assessment Act and reject inadequate and/or incomplete Development and other Building related applications. The rejected application shall be returned to the applicant with an explanation as to what information must be provided before the application can be resubmitted.
- e) Following the community information campaign Council implement a roster system for access to a Planner / a Building Surveyor between the hours of 11am - 1pm each day. Access to Planning and Building staff outside the 11am - 1pm access period shall be by mutually agreed appointment only.
- f) That Council identify, fund (within existing budgets) and implement specific in house, on the job and external training for all Customer Service and Administrative Support staff to provide them with the skills and knowledge to deal with basic/intermediate property, planning and building related enquiries.
- g) That Council continue with the implementation of the recommendations from the Internal Audit in a timely manner.
- h) That the Consultants undertaking the review of the Organisation Structure consider opportunities and capacity to transfer "Administrative tasks" away from the professional staff and back to customer service and administrative support staff.

**Introduction:**

The Administrator has requested this report to be brought forward following representations from community members during his Listening Tour and at a number of interviews and meetings.

**Report:**

The processing of Development Applications often comes under criticism, some warranted, but more often than not it is unwarranted due to the many challenges that consent authorities have to consider and manage.

The many factors which impact upon timely processing of applications can be split into 3 areas:

1. The applicant/application - applications being submitted with inadequate information, misunderstanding of permissible and prohibited development, non payment of fees, works already commenced, plans not complying with legislation/standards, site location/restrictions;
2. The consent authority – staffing resources/expertise, staff leave and absences, other competing duties and tasks, counter/phone/email enquiries, internal assessment processes and systems, legislation changes and associated impacts;
3. Referrals/Government Agencies – Rural Fire Service, RMS, Office of Water etc.

While Council staff endeavour to assist and provide information to applicants to ensure that their applications and required information, plans and associated information are complete and sufficient to support the proposed development, the percentage of complete applications received would only sit at around 60%, with the 40% of incomplete applications consuming proportionally more of the processing officers time thus taking them away from processing the complete applications.

Accepting inadequate or incomplete applications adds considerable time and delays with processing applications. The former Armidale Dumaresq Council, as a matter of process, did not reject such applications. Rather, staff sought additional information from applicants to address the shortcoming which was not always forthcoming in a timely manner. This method comes at the expense of processing complete applications.

This is common across NSW and many of the larger Council's address this by appointing a duty Planner at the front counter to deal with counter enquiries and reviewing applications as they are received. Any application which is deficient or incomplete is rejected and handed back immediately.

Armidale Regional Council does not have the capacity for a Duty Planner, with counter enquiries being dealt with at the time someone comes in drawing a Planner or Building Surveyor away from their assessment work. Council can however alter its current practice of being available at the front counter at any time to setting specific access times which is also common throughout NSW. By having a Planner and Building Surveyor rostered on between set hours provides certainty for customers and clients that someone will be available between specific times and enables the Planner and Building Surveyor to better manage their day around the counter times.

Council can also provide training for its Customer Service Staff to provide them with the knowledge and skills enabling them to field, deal with and resolve an increased number of enquiries relating to development or building related applications.

Over recent years there has been a tendency for Planners and Building Surveyors to be called to the front Counter to respond to property enquiries. These may be from individuals looking to purchase properties and seek "free advice" about development potential rather than applying for a Section 149 certificate or reviewing the many planning documents available online through Council and also the Department of Planning.

Whilst up to now Council has not applied the appropriate fees and charges that it has established in its Revenue Policy, this may be one area where staff could be more pro active in charging for their time for **repetitive requests for information from the same applicant and/or on multiple properties**. An enormous amount a time is taken up with multiple requests for information on a property.

The NSW Department of Planning have for a number of years provided public performance comparisons for the number of, value and processing of “local development” of all council’s within NSW.

This Data is very comprehensive enabling individual Council’s to benchmark how they are going in a number of development and building areas. It also allows Council and the public to compare a particular Council against a neighbouring Council, similar sized Council (DLG Code) and against the state averages (mean).

In the 2014/15 monitoring period the following figures have been extracted from the Departments publication:

LOCAL DEVELOPMENT PERFORMANCE MONITORING 2014-15						
Council name	DLG code	Number of EFT staff allocated to development assessment	Number of DA determined	Value of DA determined	Number of DA approved	Mean net time for DA determined
Armidale Dumaresq Council	4	1.8	154	18,988,027	154	55
Bellingen Shire Council	11	2.4	169	17,652,883	165	47
Clarence Valley Council	4	10	682	91,430,465	681	37
Guyra Shire Council	9	2	53	62,493,450	52	26
Kempsey Shire Council	4	2.4	280	40,799,296	280	33
Tamworth Regional Council	4	15	491	202,681,271	489	30
Uralla Shire Council	10	1	80	4,615,330	79	21
Walcha Council	9	0.2	22	1,894,851	22	16
NSW		1071.95	62,647	30,596,616,872	61,108	48

As identified above, the average processing times for DA’s for the former Armidale Dumaresq Council were 55 days, 7 days above the state average and well above the adjoining LGA’s.

It is very important to understand that during the majority of this period Council operated with reduced planning staff and divisional Director/Manager which did impact upon the resources noting that only 1.8 FTE assessment staff were available.

Regrettably the vacancies have continued through into the current 2015/16 period. Notwithstanding, Council has improved the assessment times slightly into an average of 51 days.

Council's Internal Auditors - Thomas Noble Russell (TNR), undertook an audit of the Armidale Dumaresq Council – Development Application & Assessment Process in June 2015 with the aim to “review the efficiency and effectiveness of Council's development application and assessment processes”. The audit report is broken into 10 key areas:

1. Development Application Framework
2. Development Application Receipting Process
3. Effective Use of the Development Assessment Software
4. Internal Service Levels
5. Developer Dedications
6. Collection of Developer Contributions (s64 & 94)
7. Pathway System Access Rights
8. Maintaining the Pathway System
9. Quality Control
10. Staff Development & Performance Management

This audit identified a number of matters and issues which impact upon Council's ability to efficiently process applications as they are received. The report makes a number of recommendations which are in various stages of implementation.

**Completed:**

- Processes implemented with DA allocation and distribution now being undertaken by Administrative Assistant.
- Fees being applied where Council has to print off working copies of plans etc.
- Regular reports now available for Director.
- Determination made regarding Development Engineers location. Actual relocation deferred due to merger and organisation structure review currently underway.

**Underway:**

- Engineering Standards, Specifications and standard conditions currently being prepared by consultant Development Engineer – completion expected December 2016.
- Checklists being used for lodgement of DA's.

**Imminent:**

- Council's Planning Instruments, DCP, S64 & S94 plans are proposed to be updated and simplified – see report in this business paper.
- Checklists for numerous classes and types of development to be completed in conjunction with revised DCP.
- Online lodgement of DA's and other applications (deferred due to merger).
- DA Assessment workflows to be scheduled once Manager of IT has the opportunity – merger implementation tasks currently taking priority.
- Targeted “Pathway” training to be scheduled in conjunction with above.

All of the above identified actions/recommendations will collectively assist staff with a more efficient assessment process. Through the Organisational Structure Review process it is hoped that the consultants will be able to consider what opportunities may exist to enable a transfer of “Administrative tasks” away from the professional staff and back to administrative support staff.

**Financial Implications:**

Delays in processing of Development Applications have a considerable impact upon an applicant. Similarly incomplete and inadequate applications which cause delays also contribute to additional and unnecessary costs for Council, the applicant and other applicants.

**Environmental Implications:**

There are no environmental impacts or implications with this report.

**Policy Issues:**

The recommendations contained in this report will, if adopted form the basis of an internal SPN for the processing of applications.

**Social Implications:**

There are social implications associated with delays in processing applications which may relate to housing and other community or essential development proposals.

**Integrated Planning and Reporting Issues:**

The recommendations contained in this report will assist with good governance as identified in the Community Strategic Plan.

**Risk Management Issues:**

Implementing the recommendations contained in this report will reduce the risk of a deemed refusal challenge.

**Legal Issues:**

Provided Council complies with the provisions of the Act when processing development and other building related applications, the legal issues and risks are minimised.



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**Item:** 7.2.2 **Ref:** AINT/2016/02611  
**Title:** Preparation of New Planning Policies and Documents - Local  
Environmental Plan, Development Control Plan and Section 64 & 94  
Developer Contribution Plans. **Container:** ARC16/0030  
**Author:** Director of Planning and Environmental Services  
**Attachments:** Nil

**RECOMMENDATION:**

- a) That Council note and support the actions thus far regarding the harmonisation of the Local Environmental Plan.
- b) That Council proceed to call quotations from suitably qualified and appropriately experienced consultants to review, prepare, exhibit and finalise the following plans for the new Armidale Regional Council:
- Draft Development Control Plan;
  - Draft Section 64 - Developer Servicing Plans for Water and Sewer;
  - Draft Section 94 Developer Contribution Plans which may include contributions toward Rural Roads, Community Facilities, Embellishment of Open Space, Emergency Services, Major Roads, Car Parking, Regional Airport, Plan Administration, Extractive Industries, Waste Management and the like;
  - Draft Section 94A Development Levy Plan.
- c) That the Administrator and General Manager be authorised to accept the most advantageous quotations for Council after considering the quoted price, the estimated completion period, prior experience and demonstrated ability to deliver.

**Introduction:**

The Administrator has requested that this report and these actions be brought forward to facilitate the preparation and development of a new and revised suite of Planning Policies and Documents to facilitate progress with the merger and standardisation of controls over the new Armidale Regional Council area.

**Report:**

Council at its 15 June 2016 meeting resolved *Min 29/16* :

- (a) *That Council prepare a Planning Proposal for Draft Armidale Regional Local Environmental Plan 2017, which will harmonise, consolidate and replace Armidale Dumaresq Local Environmental Plan 2012 and Guyra Local Environmental Plan 2012 as outlined in this report.*
- (b) *That Council seek endorsement from the Minister for Planning for Council to prepare the Planning Proposal for Draft Armidale Regional Local Environmental Plan 2017.*
- (c) *That Council seek quotations from suitably qualified consultants in accordance with its procurement procedures and the procurement requirements of the Act and provided for through the merger process.*
- (d) *That the Administrator and General Manager be authorised to accept the most advantageous quotation for Council after considering the quoted price, the estimated completion period, prior experience and demonstrated ability to deliver.*

**Local Environmental Plan:**

On 23 June the Interim General Manager, Director Planning and Environmental Services and Manager Strategic Planning met with representatives of the Department of Planning and Environment in Tamworth to discuss the above resolutions to progress the “harmonisation” of the two current LEP’s.

The meeting provided evidence to the Department that the proposed “harmonisation” would generally be a like for like process with no significant changes likely and no one being disadvantaged.

The representatives requested that a further explanation of the “harmonisation” be prepared and sent to the Department with the aim of gaining the Departments support to proceed. This advice has now been sent to the Department.

Quotations have been sought and the preferred consultant is ready to proceed as soon as the Department of Planning and Environment give the go ahead.

**Development Control Plan and Section 64 & 94 Plans:**

As part of its normal review processes the former Armidale Dumaresq Council was, prior to the merger, undertaking a review of its Development Control Plan (DCP) and Developer Contribution Plans.

Council is now at the point with its merger implementation process that the revision and development of the current DCP’s and Section 64, 94 & 94A Developer Contribution Plans of the former two councils can proceed.

Whilst the two former Council’s DCP’s are similar in some areas there are matters in each that may not be relevant to the other and to provide clarity and certainty across the new LGA it is important that only one DCP applies. Similarly, it is important the any new DCP aligns with current best practice and the guidelines from the Department which advise that a DCP is a guiding document only providing opportunity and flexibility with modern design, construction and building practices, methods and materials.

DCP’s should provide guiding principles, aims and/or objectives along with Performance Criteria supported by minimum Deemed to Satisfy (DTS) or Acceptable Solutions. Current best practice provides that where a particular proposal does not meet the DTS or Acceptable Solutions, the applicant must then demonstrate how their design or proposal meets or achieves the relevant principles and objectives.

Division 6 of Part 3 of the Environmental Planning and Assessment Act 1979 outlines the Purpose and Status of DCP’s under s74BA which in essence provide guidance to developers/applicants as to how they may meet the aims of Local Environmental Plans relating to development that is permissible.

A DCP will support and supplement (but cannot override or replace) the provisions in an LEP. While DCPs do not have the same level of statutory weight as an LEP, they are an important consideration in the development assessment and approval process.

**Section 64 Contributions** are levied pursuant to the Local Government Act 1993 for water and sewer infrastructure, both existing and future demand. For Council to be able to levy a contribution it must have an adopted Developer Servicing Plan (DSP) in order to levy a Section

64 contribution. The Water Management Act 2000 provides guidance for the development and preparation of DSP's.

The former Armidale Dumaresq Council has had DSP's in place for some years and has been charging the contributions. These current plans are due for review. The former Guyra Shire Council did not have DSP's in place and was unable to levy such contributions.

It is proposed that Developer Servicing Plan's for Water and Sewer are prepared for public consultation over the new Local Government Area for each water and sewer supply system/catchment.

#### **Section 94 and 94A Plans (Developer Contribution Plans)**

Similar to s64, for Council to levy developer contributions it must have Developer Contribution Plans in place to enable a contribution to be charged against specified development. Notwithstanding, the state government have implemented a maximum total a Council may impose. However, the maximum may be exceeded where a Council can demonstrate and justify exceeding the maximum.

Developer Contributions may be applied pursuant to Section 94 if Council is satisfied that a proposed development or activity will or is likely to require or increase the demand for public amenities within an area. A contribution may be levied for future works or where the development or activity may benefit from existing amenities or services that have already been provided.

Items where contributions are typically applied due to development include but not limited to, Rural Roads, Community Facilities, Embellishment of Open Space, Emergency Services, Major Roads, Car Parking, Regional Airport, Plan Administration, Extractive Industries, Waste Management and the like.

**Section 94A** of the Environmental Planning and Assessment Act allows a Council to impose a fixed levy on new development based on a prescribed percentage of the total costs associated with the development. A section 94A levy may only be imposed where a contribution pursuant to s94 has not previously been applied.

The Environmental Planning and Assessment Regulations outline the Maximum percentage that a Council may impose for certain types of development:

- *if the proposed cost of carrying out the development is up to and including \$100,000—nil, or*
- *if the proposed cost of carrying out the development is more than \$100,000 and up to and including \$200,000—0.5 per cent of that cost, or*
- *if the proposed cost of carrying out the development is more than \$200,000—1 per cent of that cost.*

The Department of Planning and Environment have issued a Planning Circular and Guideline which outlines how the "cost of development" is derived.

Like section 94 Contributions, a section 94A levy must be expended towards capital costs associated with the provision, extension or augmentation of public amenities or public services and must be authorised by a contributions plan.

A section 94A contributions plan must identify the relationship between the expected types of development in the area and the demand for additional public amenities and services to meet that development, and include a works schedule that contains an estimate of their cost and staging.

Both the former Armidale Dumaresq and Guyra Shire Council's had Section 94 Plans, however only Guyra had a Section 94A plan. It is proposed that the various plans are reviewed and new plans prepared to cover the new LGA.

**Financial Implications:**

The preparation of the above mentioned Plans will be undertaken by external consultants to ensure that a comprehensive review is undertaken so that all new plans are current best practice that remove red tape, facilitate good development, encourage investment and fairly split contributions from developers for existing infrastructure and services as well as contribute to the future needs and demands as a result of development.

The costs associated with the new merged Council Local Environmental Plan, Development Control Plan, Developer Contributions Plans and Developer Servicing Plans will be funded through the Merger Implementation Funds, noting that in each plan there is a component to recoup the costs of preparing the plan.

**Environmental Implications:**

Consideration of environmental matters are applied during the preparation of each of the abovementioned plans.

**Policy Issues:**

Each of the plans become Policy of Council when adopted.

**Social Implications:**

Consideration of the social impacts and benefits are undertaken during the preparation of each of the plans.

**Integrated Planning and Reporting Issues:**

The Community Strategic Plan provides for good governance, responsible environmental management and maintaining infrastructure as three key elements for Council.

**Risk Management Issues:**

Ensuring that the relevant legislation relating to the preparation and adoption of the plans are followed will minimise the risk of appeal or challenge.

**Legal Issues:**

Until new plans are adopted, Council can continue to legally apply the current plans of the two former councils.

**Item:** 7.2.3 **Ref:** AINT/2016/02664  
**Title:** Proposed Meeting Dates for September 2016 to January 2017  
**Container:** ARC16/0001  
**Author:** Chief Finance and Information Officer  
**Attachments:** Nil

**RECOMMENDATION:**

**That Council adopt the following schedule for Ordinary Meetings to be held on the following dates commencing at 9am, at the locations listed below:**

**14 September 2016 (Armidale office Council Chamber, 135 Rusden Street, Armidale)**  
**5 October 2016 (Guyra office Council Chamber, 158 Bradley St, Guyra)**  
**26 October 2016 (Armidale office Council Chamber, 135 Rusden Street, Armidale)**  
**16 November 2016 (Armidale office Council Chamber, 135 Rusden Street, Armidale)**  
**7 December 2016 (Guyra office Council Chamber, 158 Bradley St, Guyra)**  
**18 January 2017 (Armidale office Council Chamber, 135 Rusden Street, Armidale).**

**Introduction:**

Listed above are the proposed Armidale Regional Council meeting dates for the remainder of the 2016 calendar year, along with the first meeting for 2017.

**Report:**

Section 9 of the *Local Government Act 1993* requires Council to give notice of the times and venue for its meetings. A single advertisement of the dates for meetings satisfies the requirement for Council's regular Ordinary Meetings. Council is required, under the Act, to meet at least ten times per year, each time in a different month. Within the recommendation above are the proposed dates.

**Financial Implications:**

Meetings are currently budgeted.

**Environmental Implications:**

No environmental implications are considered in this report.

**Policy Issues:**

Armidale Regional Council's Code of Meeting Practice applies to the conduct of the meetings.

**Social Implications:**

The frequency of the meetings along with the adoption of the Public Forum and Deputations of Community Groups segments provides the community with an increased opportunity to engage with Council and raise issues and initiatives for consideration.

**Integrated Planning and Reporting Issues:**

Not applicable.

**Risk Management Issues:**

No risk management issues are considered in this report.

**Legal Issues:**

Complies with the *Local Government Act 1993*.

<b>Item:</b>	7.3.1	<b>Ref:</b> AINT/2016/02708
<b>Title:</b>	Tingha Flood Study - Final Report	<b>Container:</b> G11/21
<b>Author:</b>	Director Of Engineering	
<b>Attachments:</b>	1. Final Report Tingha Flood Study	

**RECOMMENDATION:**

**That the Tingha Flood Study – Final report be adopted and that Council apply for funding in the next round to prepare a Flood Risk Management Study and Plan during 2017/18.**

**Introduction:**

Council engaged Jacobs as the consultants to conduct the Tingha flood study in 2015. The draft report was submitted to Council at its meeting held on 23 May 2016 where it was resolved to put the document on public display.

**Report:**

The draft Tingha Flood Study was put on public exhibition from 25 May – 24 June 2016 in Tingha and the Guyra office and on Council's website. No public submissions were received. The Tingha flood study is the first step in the overall flood management process with the next step being the preparation of a Flood Risk Management Study and a Flood Risk Management Plan (both of these final two steps are contained within one document). The Department of Heritage and Environment offers funding on the basis of 80% with Council contributing the remaining 20%. Applications are called annually with the next round being for 2017/18.

**Financial Implications:**

The final claim has been submitted for the current project and a budget provision will need to be made in next year's budget if Council proceeds down the path of preparing a Flood Risk Management Study and Plan.

The study was funded primarily with a grant from Office of Environment and Heritage and a small Council contribution.

**Environmental Implications:**

Flooding is a natural occurrence and planning needs to take place to ensure development is not impacted significantly.

**Policy Issues:**

Not applicable.

**Social Implications:**

There are considerable social implications. It is important for potential flooding issues to be known when preparing development applications.

**Integrated Planning and Reporting Issues:**

Not applicable.

**Risk Management Issues:**

It is important for Council to be aware of flood levels when considering development applications and consider limiting development in high flood risk areas.

It also provides valuable information for emergency services in the event of a flood occurring because properties can be identified that will require evacuating.

**Legal Issues:**

A flood plan provides the public with knowledge as to potential impacts on property, buildings and access. This allows an ability to assess future purchases and development.

**Item:** 7.3.2 **Ref:** AINT/2016/02721  
**Title:** Guyra Drought Management Plan **Container:** G07/6778  
**Author:** Director Of Engineering  
**Attachments:** 1. Guyra Drought Management Plan -July 2016

**RECOMMENDATION:**

- a) **That the Guyra Drought Management Plan be adopted.**
- b) **That Council thanks the Minister for Primary Industries, Lands and Water the Hon Niall Blair MLC for his interim response to Council's submission.**

**Introduction:**

At the Council meeting held on 23 May 2016, it was resolved that the draft Guyra Drought Management Plan be put on public display inviting comments.

**Report:**

The draft Guyra Drought Management Plan was put on public display and a copy was forwarded to the Tomato Farm. No comments were received.

The plan has been updated by removing the references to Guyra Shire and replacing them with Armidale Regional Council.

The plan can be adopted by Council.

Council also provided a submission to the Minister for Primary Industries, Lands and Water the Hon Niall Blair MLC, via the local Member Mr Adam Marshall MP's office, during the period of low rainfall during May/June 2016 to allow the NSW Government to look at funding options for drought proofing.

**Financial Implications:**

Not applicable.

**Environmental Implications:**

Saving water by limiting wastage will have a positive environmental impact.

**Policy Issues:**

The plan provides procedures that staff can follow in the event of drought.

**Social Implications:**

This plan attempts to limit the overall social impact of a drought.

**Integrated Planning and Reporting Issues:**

To improve services generally to the community and assist business.

**Risk Management Issues:**

It is prudent for Council to have a Drought Management Plan in place.

**Legal Issues:**

Not applicable.



<b>Item:</b>	7.3.3	<b>Ref:</b> AINT/2016/02733
<b>Title:</b>	Guyra and Tingha Draft Asset Management Plans for Water and Sewerage	<b>Container:</b> A08/4308
<b>Author:</b>	Director Of Engineering	
<b>Attachments:</b>	1. Guyra Water Asset Management Plan - Draft 2. Guyra Sewerage Asset Management Plan - Draft	

**RECOMMENDATION:**

**That the Draft Asset Management Plans for Guyra and Tingha Water Supplies and Sewerage Systems be put on public display for a period of 28 days from Wednesday 17 August until 14 September 2016.**

**Introduction:**

The former Guyra Shire Council did not have asset management plans for its water and sewerage systems. Staff have been working on them over the past few months and they are now ready for public display.

**Report:**

The Water and Sewer asset management plans are the last of the suite of asset management plans covering Guyra and Tingha.

The Plans have been prepared following consultation with the finance department and utilising the adopted 10 year financial plan. Details of the proposed capital works over the next 10 years are outlined in Appendix B in both documents.

The improvement plan in section 8.2 of each document outlines future improvements to the plans which will occur following the appointment of an Asset Manager (new position).

**Financial Implications:**

Consistent with the 10 year financial plan.

**Environmental Implications:**

Each project has its environmental implications which will be addressed when the project is executed.

**Policy Issues:**

Not applicable.

**Social Implications:**

The reports outline future projects to address social needs over the next 10 years.

**Integrated Planning and Reporting Issues:**

Projects over the next 10 years are covered.

**Risk Management Issues:**

Addressed in the individual reports.

**Legal Issues:**

These two plans represent the final set of asset management plans to cover Guyra and Tingha infrastructure.

**Item:** 7.3.4 **Ref:** AINT/2016/02988  
**Title:** Relay for Life 2016 - Request for in-kind donation **Container:**  
ARC16/0083  
**Author:** Director Regional Services  
**Attachments:** 1. Relay for Life 2016 request for in-kind donation

**RECOMMENDATION:**

- a) **That Council supports the Relay for Life organisers request for an in-kind donation of the recycling trailer and barriers boards worth \$180 for the 2016 Armidale Relay for Life to be held at the Armidale Showground on 26 and 27 November 2016.**

**Introduction:**

Within the attachment is a request for support from the co-ordinator for 2016 Armidale Get Active event.

**Report:**

Organisers of the 2016 Armidale Relay for Life event to be held at the Armidale Showground on 26 and 27 November 2016, are requesting support from Armidale Regional Council by the way of an in-kind donation of the recycling trailer, witches hats and barriers boards.

The recycling trailer hire is normally \$180, witches hats and barriers boards are loaned out to public events, a charge is only pursued when items are damaged.

**Financial Implications:**

The cost for Council's Large Events Recycling Trailer with twelve bins is \$180.

**Environmental Implications:**

Recycling improve the waste management and allows materials to be reprocessed rather than placed in landfill.

**Policy Issues:**

Community Grants and Donations policy.

**Social Implications:**

This is an important community fundraising event to assist local cancer sufferers and their families.

**Integrated Planning and Reporting Issues:**

The Community Strategic Plan supports recycling and social events.

**Risk Management Issues:**

Not applicable.

**Legal Issues:**

In accordance with Section 356 and 610E of the *Local Government Act 1993*.

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<b>Item:</b>	7.3.5	<b>Ref:</b> AINT/2016/03016
<b>Title:</b>	Sale of Airport Land	<b>Container:</b> A02/1013
<b>Author:</b>	Master Plan Coordinator	
<b>Attachments:</b>	Nil	

**RECOMMENDATION:**

- a) **That the Interim General Manager be authorised to negotiate the sale of land to existing General Aviation (GA) tenants at the price per square metre within the Airport precinct as previously adopted by Council when dealing with the 2016/17 Fees and Charges in June 2016**
- b) **That Council prepare a subdivision application and have this determined by external consultants to complete contracts of sale and for registration.**
- c) **That the proceeds of the sales be directed towards the construction of agreed infrastructure improvements to the freehold land.**
- d) **That where asset improvements are made to land that is sold in the future, that the asset improvement becomes part of the land and becomes the responsibility of the landowner. That a special condition is added to all land sale contracts to this effect.**
- e) **That any income and/or profits made from the operation of the airport and sale of land are returned to the airport operational budget to undertake improvements at the airport.**

**Introduction:**

Two General Aviation (GA) tenants have expressed interest in purchasing the lots they currently lease, together with additional land that they wish to add to their existing leasehold property. The proceeds of these sales would be initially applied to the undertaking of infrastructure works. These works would include corrective drainage, concreting of taxi ways and sealing generally, the location of concrete pads for landing and dust suppression measures. The sale of land at the airport has been considered by past councils and plans have been publically advertised with land costs per square metre. This report requests that all income from the sales of land or from other income received at the airport precinct is returned back into the airport to enhance the creation of jobs and facilities that grow the businesses.

**Report:**

The Airport Master Plan identified a number of initiatives to improve revenues and enhance the overall attractiveness of Armidale Regional Airport to both its current and to prospective tenants. One initiative is the sale of the land currently leased by GA tenants. Often these tenants invest significantly in business infrastructure, without the security of ownership of the land on which their investment sits. Multi-million dollar hangars are constructed on leased lots, for example. Over the past 20 years, there has been insufficient re-investment in Airport infrastructure in terms of taxiways, aprons and hard-stands (helicopters) and it is intended that the sale of land will assist in the funding of necessary upgrades.

The diagram attached indicates the leased areas currently occupied by airport tenants. These companies are highlighted in 'grey' on the diagram. In addition, two extra lots have been proposed for sale and are marked 'Vacant Lot' and shown in 'orange'. A review of the airport precinct and of the take-off, approach and OLS surfaces identified that additional land was available for use and for sale. This additional land is marked 'Available Land' and is highlighted in 'blue'. This land is adjacent to current businesses and would be suitable for sale back to that business. Council in any sale of land should include this land in the contract in a payment plan in

accordance with Council Policy enabling the current business to utilise this available and useable area. The land would be shown as separate lots in any subdivision plan for clarity.

The additional land area highlighted in 'blue' adjacent to the each existing premises amounts to approximately 3,400m<sup>2</sup>, 3,100m<sup>2</sup>, 6,300m<sup>2</sup> and 4,800m<sup>2</sup> respectively being an approximate total of 17,600m<sup>2</sup>.

Both SuperAir and Fleet Helicopters have indicated their interest in the purchase of additional land and their current lease area which would add to their overall business capabilities and assist improvements in efficiency. Coincident with the desire to purchase this land, is a request for certain infrastructure improvements to be undertaken. These include a taxiway from Shand Road and Taxiway 'B', between the hangar of Edwards Aviation and Fleet Helicopters and a hardstand in front of Fleet Helicopters. Certain drainage works are also required to clear stormwater currently ponding and hampering aircraft movement. Any improvements to assets that are made that will be incorporated on land for sale will need to be transferred to the landowner on the sale of the land and all future upgrading or maintenance becomes the landowner's responsibility.

This report and other reports to council, call for a long term airport maintenance and upgrade plans to be developed to allow council to address funding needs. It is also recognised that a four year plan is included in the council's delivery plan to address income and expenditure needs and allow community consultation at the time these plans are advertised. It is noted that in order to fund these upgrades and general works along Shand Road and across the airport, it is proposed to utilise the proceeds of the sale of land, including that being currently leased, the additional available land shown in blue and all future land sales from the industrial area south of the terminal.

Council will require an application to be prepared, approved and registered for the subdivision of the land at the time of settlement of the lots. Discussion has been entered into to determine the exact land areas required by tenants to allow the required applications to be prepared and processed.

**Financial Implications:**

Although the Contract of Sale would have been executed, a timing difference (delay) may exist between the constructions of infrastructure works and the receipt of settlement funds from the sale of land. Council would be required to fund/finance the cash flow during this time.

Long term funding will become available from the development and sale of land within the airport precinct. The airport is a business unit of council and all income from operational areas and land sales should be returned to the upgrading and operation of the airport where possible. Council should have a ten year and a four year (delivery plan) strategy to ensure that the airport and its operational funding is used to develop and enhance the business and community services the airport provides.

**Environmental Implications:**

There are no environmental implications.

**Policy Issues:**

To be undertaken in accordance with Council's Operations Plan, the Valuation Report and Council's approved pricing.

**Social Implications:**

There are no social implications.

**Integrated Planning and Reporting Issues:**

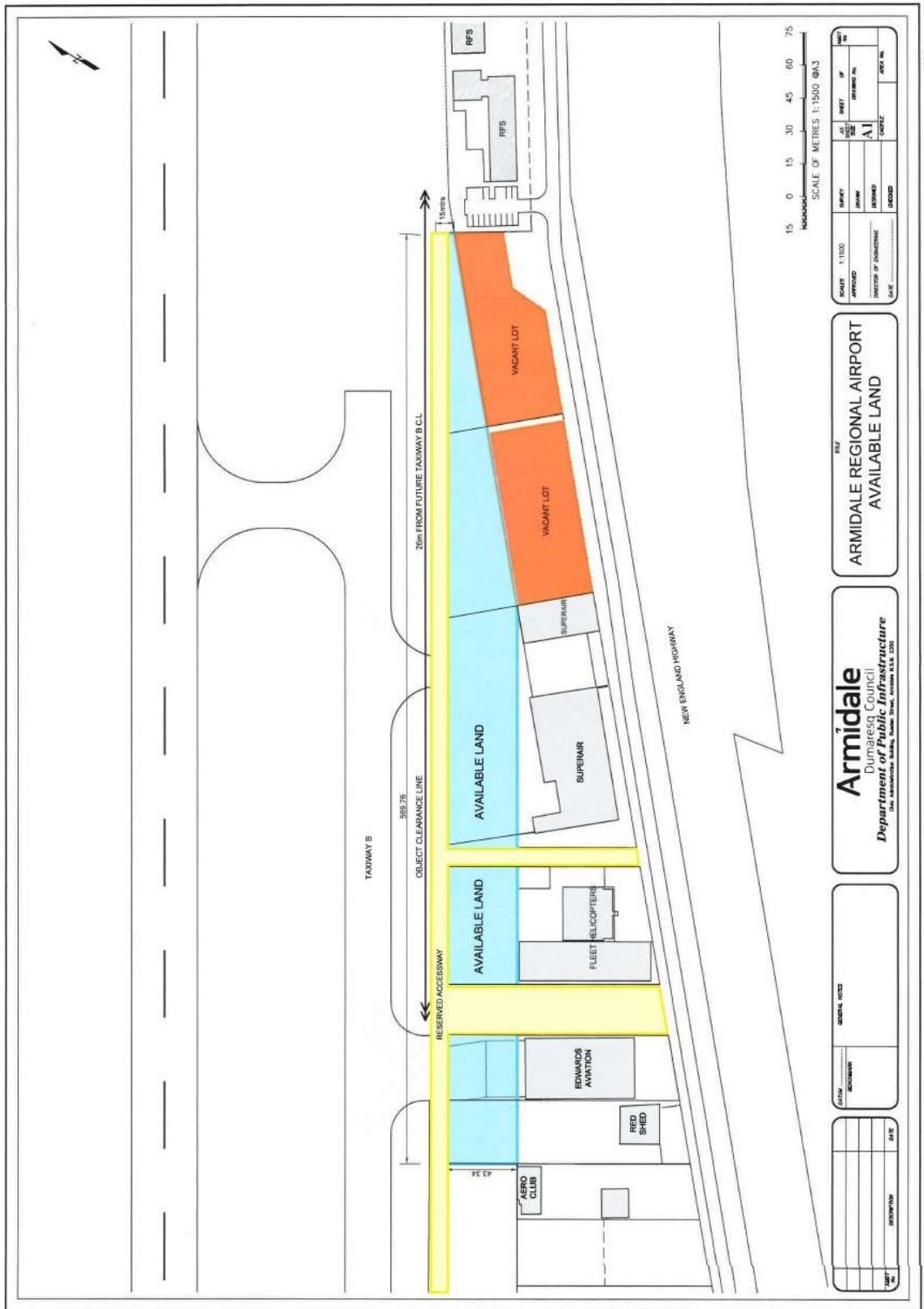
The sale of land and infrastructure improvements supports Council's IP&R goals of economic and employment growth.

**Risk Management Issues:**

Council needs to prepare an approved subdivision in order for settlement to take place.

**Legal Issues:**

Sale of Land will be in accordance with Council's prepared contracts of Sale and should include a Special Condition that indicates that any asset improvements undertaken on land that is sold becomes the liability of the landowner and that the landowner is wholly liable for any maintenance and renewal of the improvements on the land.



SCALE	1:1500	DATE	
APPROVED		DRAWN BY	
DIRECTOR OF PLANNING		CHECKED	
DATE		SCALE	

SELF  
**ARMIDALE REGIONAL AIRPORT**  
 AVAILABLE LAND

**Armidale**  
 Dumaresq Council  
 Department of Public Infrastructure  
The Armidale Building, South Street, Armidale NSW 2350

GENERAL NOTE

DATE	BY

FILE No.

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<b>Item:</b>	7.3.6	<b>Ref:</b> AINT/2016/03022
<b>Title:</b>	Taxiway and Apron work at Airport	<b>Container:</b> A02/1013
<b>Author:</b>	Airport Manager	
<b>Attachments:</b>	Nil	

**RECOMMENDATION:**

- a) That the proceeds of the sale of airside land in the General Aviation (GA) area be applied to airfield related infrastructure, Shand Road upgrades and other remedial works as identified under item 7.3.5 in this council business paper.
- b) That the Airport Manager prepares a plan of infrastructure upgrades consistent with this report for timely delivery and funded from future land sales.
- c) That the identified upgrades are developed to project delivery stage including plans and costings and discussed with tenants as to delivery timing in future budgets.
- d) That any income and/or profits made from the operation of the airport are returned to the airport operational budget to undertake improvements at the airport.

**Introduction:**

This Administrator has requested that this report and the actions be brought forward following an onsite meeting with airport tenants.

It has been identified from the Administrator's meeting and past meetings of Councillors and the Director of Regional Services that certain infrastructure upgrades and remedial works are required to the General Aviation (GA) lots including those currently leased by Super Air, Fleet Helicopters and Edwards Aviation. These works include taxiways, stormwater drainage, a fit for purpose apron/hardstand and a re-fuelling access point. It is intended that the proceeds of land being sold will first be applied to the provision of these works. Other general upgrade and infrastructure works are required to improve accessibility and to allow business growth. Initial designs, concept plans and costings have been prepared over the last three months that will be used in the plan preparation.

**Report:**

Over time, the key tenancies of Edwards Aviation, Fleet Helicopters and SuperAir have grown in size and breadth of operations, which has seen the construction of additional hangars, expanded parking and the increased use of Council's non gazetted access road (Shand Road); now serving the recently constructed RFS Air Base. These events have aggravated a lack of controlled drainage resulting in ponding that restricts movement of vehicles and aircraft in times of moderate to heavy rainfall. The absence of any properly constructed stormwater drainage from newer hangars aggravates this situation.

Of equal concern has been the impact of prop-wash and jet blast which adversely affects the three GA tenants – Edwards Aviation, Fleet Helicopters and SuperAir. Prop-wash and jet blast result from engine thrust blowing grit and gravel onto other aircraft and into hangars where aircraft maintenance and painting are being undertaken. Given the significant value of aircraft and helicopters and the adverse and costly impact on maintenance and on painting, it is highly desirable that this issue be eliminated.

The diagram below shows an initial concept of infrastructure and remedial works proposed to be undertaken. This initial concept requires further discussion and refinement.

- A fit for purpose taxiway is proposed from the Shand Road gate between the Edwards Aviation and Fleet Helicopters hangars and connecting with taxiway 'B'. Adequate and appropriate drainage is to be provided including swale drain to disperse excess water.
- A concrete hardstand is proposed on which helicopters can land and park and aircraft taxi without causing loose ground material to be 'blown-around' damaging aircraft.
- It is proposed that a Jet A1 and possibly Avgas fuel dispensing facility be established and a concrete pad is planned with taxiway access allowing visiting aircraft to refuel.

Preliminary costing of the works set-out in the concept plan (below) are \$120,000 for drainage and a further \$680,000 for taxiway and apron works.

**Financial Implications:**

A timing difference (delay) may exist between the construction of the infrastructure works and the receipt of the proceeds from the sale of land. This would require Council to fund/finance the cash flow during this period.

To ensure that future cash flow is available to improve airport operations that all income and/or profit generated from the airport is returned to the airport operational budget.

**Environmental Implications:**

There are no environmental implications.

**Policy Issues:**

To be undertaken in accordance with Council's Operations Plan, the Valuation Report and Council's approved pricing.

**Social Implications:**

There are no social implications.

**Integrated Planning and Reporting Issues:**

The sale of land and infrastructure improvements supports Council's IP&R goals of economic and employment growth.

**Risk Management Issues:**

Council needs to prepare an approved subdivision in order for settlement to take place.

**Legal Issues:**

Sale of Land will be in accordance with Council's prepared contracts of Sale.





**Item:** 7.4.1 **Ref:** AINT/2016/03113  
**Title:** Transition of the Recreation Access Program **Container:** A13/5950  
**Author:** Director of Planning and Environmental Services  
**Attachments:** Nil

**RECOMMENDATION:**

- a) **That Council note the transition of the Recreation Access Program through a Memorandum of Understanding to the Ascent Group Australia Limited (Armidale) ABN 54059901512 through to 30 June 2017.**
- b) **That Council offers the use of the Kent House Community Centre as a venue to continue to run RAP activities.**

**Introduction:**

Leading up to and during the preparation of the draft 2015/16 annual operational budget, Council was informed that the State Government block funding for the Recreation Access Program (RAP) will be reduced and phased out as a result of the introduction of the National Disability Insurance Scheme (NDIS). Council subsequently resolved that a review of the delivery of the Recreation Access Program be undertaken during the first half of 2016.

**Report:**

With the introduction and rollout of the NDIS and the unknown impact the NDIS may have on the RAP Council through the RAP Coordinator and the Manager Community Services registered the then Armidale Dumaresq Council with the National Disability Insurance Agency (NDIA) as a service provider. An NDIS Provider Number 21513924 was issued to the then Armidale Dumaresq Council. The next step in the registration process required Council to participate in a Quality Framework Review involving a complete audit of the RAP and undertaking a Third Party Verification (TPV). With a pending amalgamation and the full roll out of the NDIS in the New England region scheduled to commence 1 July 2016 Council decided to review the sustainability of the RAP.

The three year funding agreement the then Armidale Dumaresq Council signed with the Department of Aged, Disability and Home Care (ADHC), 1 July 2015 to 30 June 2018, included, for the first time, a "termination clause". The inclusion of a termination clause related directly to the rolling out of the NDIS and the transition of clients to individualised funding packages. With the inclusion of this clause and coupled with Council's decision to cut expenditure to match the external grant funds received for externally funded programs in the 2015/16 budget, and the then Coordinator resigning for personal reasons, Council undertook a full review of the RAP. Investigations included seeing if another local service provider would be interested in brokering the program from Council. Whilst an initial decision was made to look at brokering, representations were made to Council from members of the RAP Advisory Committee requesting Council to continue to deliver the RAP to 30 June 2016. Council subsequently resolved to proceed with delivering the RAP to 30 June 2016 undertaking a review leading up to the 2016/17 budget.

A new Coordinator was employed in October 2015 on a nine month term contract.

A report went to the 23 May 2016 Council meeting identifying seven local service providers who potentially could deliver the RAP as part of their current service delivery.

A full review commenced in April 2016 including discussions with the local ADHC office and a series of consultation meetings with the RAP Advisory Committee commenced on Thursday 28 April. Invitations were extended to all RAP clients and carers to attend along with the current RAP Coordinator, Manager Community Services and myself. Meetings were held every fortnight – 12 & 26 May; 9 & 23 June; 7 & 21 July. Several of the meetings included representatives from local service providers who expressed an interest in continuing to deliver the RAP.

A meeting was called on the 7 June inviting only local service providers identified in the report to Council in May, to discuss the future of the RAP. A discussion took place in regards to the continuation of the RAP to 30 June 2017 when Council's state government block funding will cease. The service providers were advised that there is approximately \$40,000 in grant funds and unspent program funds which Council will make available for a local support agency to provide the RAP to 30 June 2017.

At this meeting all service providers were invited to submit an Expression of Interest (EOI) to Council on how their service could deliver the RAP to 30 June 2017. The EOI was based on information collated from previous meetings and from RAP clients and carers.

Two EOI's were received from local disability service providers (The Ascent Group and House with No Steps). A third was received following a request from Pathfinders Inc.

At the 21 July meeting the clients and carers considered the three EOI's and after considerable debate and discussion agreed to reject the proposal from Pathfinders Inc. based on their proposal being a new venture in delivering disability support services.

Further discussion then focussed on debating the benefits and disadvantages of the other two agencies. After a lengthy discussion a general consensus could not be reached. The attendees identified a number of clarification questions which they requested be presented to the two agencies. Given the absence of a consensus the attendees asked Council to make the final decision. The decision would be based on the individual agency's original EOI and their responses to further questions. Whilst both the Ascent Group and House with No Steps are registered service providers under the NDIS and equally have the management and capacity to deliver the RAP, there were some points of difference. The main point of difference, and this being a major concern of the RAP Advisory Committee, is the Ascent Group has committed to transfer all RAP funds into direct support and consume the coordination/management costs within their existing overheads. House with No Steps advised they would use RAP funds to cover 2-4 hours per week to coordinate the RAP, and the remainder of the funds would go to directly support clients to participate in RAP activities.

Both agencies advised they would support clients accessing RAP activities to identify these activities as part of their individualised funding package. This will hopefully sustain the RAP into the future.

After carefully considering the merits of both EOI's and whilst either provider could deliver the services the Ascent Group be offered the continued delivery of the RAP into the future.

**Financial Implications:**

The funds to be used are externally funded and will have no impact on Council.

**Environmental Implications:**

There are no environmental implications with this report or the Recreation Access Program.

**Policy Issues:**

The RAP established a number of procedures which will be provided to the Ascent Group.

**Social Implications:**

This program is a social inclusion program for people with disabilities. The Ascent Group is a local disability service provider.

**Integrated Planning and Reporting Issues:**

The RAP fits within the Our People element under the principle of “maintaining and where possible improving people’s social, cultural and economic wellbeing”.

**Risk Management Issues:**

Consideration of the various risks associated with the RAP have been considered and with the handing over of existing policies and procedures coupled with the existing policies and procedures of the Ascent Group it is considered that all risks have been addressed.

**Legal Issues:**

The RAP will continue to be run in accordance with the Legal Funding agreement that Council has with ADHC.

**Item:** 8.1 **Ref:** AINT/2016/02440  
**Title:** Community Safety Advisory Committee - Minutes of the meeting held on 12 July 2016 **Container:** A02/0059-8  
**Author:** Director of Planning and Environmental Services  
**Attachments:** 1. Minutes - Community Safety Advisory Committee - 12 July 2016

**RECOMMENDATION:**

**That the Minutes of the Community Safety Advisory Committee meeting held on 12 July 2016 be noted.**