



ORDINARY MEETING OF COUNCIL

Held on

Wednesday, 27 November 2019
4pm

at

Armidale Council Chambers

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

IN ATTENDANCE: Ms Susan Law (Chief Executive Officer), Ms Kim Bryan (General Manager Organisational Development), Mr Mark Piorkowski (General Manager Operations), Mr Scot MacDonald (General Manager Businesses), Ms Kelly Stidworthy (Service Leader Finance), Ms Nathalie Heaton (Principal Advisor Governance, Risk and Safety), Mr Mark Burgess (Acting Service Leader Roads and Parks), Mr Ambrose Hallman (Service Leader Sustainability and Development), Ms Leah Cook (Service Leader Asset Planning and Design) and Ms Renata Davis (Executive Officer).

MINUTES

1. CIVIC AFFIRMATION AND ACKNOWLEDGEMENT OF COUNTRY
2. STATEMENT IN RELATION TO LIVE STREAMING OF COUNCIL MEETING
3. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

PROCEDURAL MOTION

237/19

Moved Cr Widders Seconded Cr Robinson

That Councillor Tiley's apology be accepted.

The Motion on being put to the vote was CARRIED.

4. DISCLOSURES OF INTERESTS
Nil.

5. PUBLIC FORUM (HAVE YOUR SAY)

Ms Annette Kilarr spoke against item 11.1 *FOR DECISION: Response to Climate Emergency Resolution.*

6. CONFIRMATION OF MINUTES

CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 23 OCTOBER 2019

238/19

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.

PROCEDURAL MOTION

239/19

Moved Cr Robinson Seconded Cr O'Brien

That Item 11.1 be brought forward.

The Motion on being put to the vote was CARRIED.

11.1 FOR DECISION: Response to Climate Emergency Resolution

Ref: AINT/2019/25747 (ARC16/0864)

240/19

Moved Cr Gray

Seconded Cr Robinson

- a) That a report be prepared and presented to Council by July 2020 with input from a working group of the Environmental Sustainability Advisory Committee (ESAC) and the community, on the current initiatives and additional future actions that can be undertaken in the short, medium and long term to:
1. Reduce greenhouse emissions aiming, by 2030, for no additional contribution from our region to the global temperature rise.
 2. Adapt to current and anticipated climate change impacts.
 3. Reduce atmospheric concentrations of greenhouse gases, e.g. Sequester and store carbon in trees and soils.
- b) Endorse the establishment of a working group to establish a report on current initiatives and additional future actions.
- c) Endorse the draft Terms of Reference for the working group.
- d) That Project Zero30 have both input and review role over the short, medium and long term actions.

AMENDMENT

Moved Cr O'Connor

Seconded Cr O'Brien

- a) That a report be prepared and presented to Council by April 2020 with input from a working group of the Environmental Sustainability Advisory Committee (ESAC) and the community, on the current initiatives and additional future actions that can be undertaken in the short, medium and long term to:
1. Reduce greenhouse emissions aiming, by 2030, for no additional contribution from our region to the global temperature rise.
 2. Adapt to current and anticipated climate change impacts.
 3. Reduce atmospheric concentrations of greenhouse gases, e.g. Sequester and store carbon in trees and soils.
- b) Endorse the establishment of a working group to establish a report on current initiatives and additional future actions.
- c) Endorse the draft Terms of Reference for the working group.
- d) That Project Zero30 have both input and review role over the short, medium and long term actions.

The amendment being put to the vote was LOST.

AMENDMENT

Moved Cr Robinson Seconded Cr O'Brien

- a) That a report be prepared and presented to Council by April 2020 with input from a working group of the Environmental Sustainability Advisory Committee (ESAC) and the community, on the current initiatives and additional future actions that can be undertaken in the short, medium and long term to:
 1. Reduce greenhouse emissions aiming, by 2030, for no additional contribution from our region to the global temperature rise.
 2. Adapt to current and anticipated climate change impacts.
 3. Reduce atmospheric concentrations of greenhouse gases, e.g. Sequester and store carbon in trees and soils.
- b) Endorse the establishment of a working group to establish a report on current initiatives and additional future actions.
- c) That Council ask the Environmental Sustainability Advisory Committee to review the draft Terms of Reference in December.
- d) That Project Zero30 is invited to contribute to and advise the working group in the short, medium and long term.

The amendment being put to the vote was LOST.

The original Motion was put to the vote and CARRIED UNANIMOUSLY.

7. MAYORAL MINUTE

7.1 FOR DECISION: Mayoral Minute - Motion of Thanks - Bushfire Emergencies

Ref: AINT/2019/27008 (ARC16/0025)

241/19

Moved Cr Murray

- a) **That Council recognise and thank the RFS for their dedication and commitment to fighting the fires in the region which have saved lives, livestock and assets.**
- b) **That Council recognise and thank all the agencies that have supported and worked with the RFS.**
- c) **That Council recognise the resilience of the communities of the Armidale Region and the support they have provided to each other.**
- d) **That Council holds an official reception for the Emergency Services, staff and other volunteers in February or March to thank them one-to-one for their outstanding contributions.**

The Motion on being put to the vote was CARRIED UNANIMOUSLY

7.2 FOR DECISION: Mayoral Minute - Motion of Thanks - Bushfire Emergencies

242/19

Moved Cr Murray

Councillors, I apologise for the lateness of this minute. However, I thought while it was still timely, we, the Armidale Regional Council should acknowledge the much appreciated convoy of water from the South of the State to us here in the Armidale region that occurred last Saturday.

We have just talked about the fires and the way the community and services rallied around to keep us safe.

Now we talk about the drought and how a community in the south of the state came to the aid of a community in the north.

It was a prime example of how our communities work with each other and have each others' backs in times of difficulty.

Peter McMahon and Chris Murphy mobilised the Sydney Irish community to donate and bring water to our region. Our community based organisations – Rotary, CWA, Armidale Business Chamber and Local Land Services handled the logistics from this end. Armidale Regional Council helped when asked, but at the end of the day it was a prime example of making things happen for communities by communities.

I think it is a prime example of how communities help each other. Governments, whether they be local, state or federal can only facilitate and support. It is the strength of communities that will sustain us.

Please join with me in thanking the Sydney Irish and our local communities in undertaking this much appreciated initiative.

The Motion on being put to the vote was CARRIED UNANIMOUSLY

8. NOTICES OF MOTION

8.1 FOR DECISION: Action relating to fire emergencies *Ref: AINT/2019/26974 (ARC16/0025)*

243/19

Moved Cr Robinson

Seconded Cr O'Brien

That Council

- a) Express its sincere thanks to all the firefighters who have worked so hard for our safety in these very difficult times;
- b) Continues to express empathy for all those who suffered loss or injury;
- c) Continues to explore all possible avenues for funding and support from other levels of Government in these difficult times of fires and severe drought.

The Motion on being put to the vote was CARRIED.

8.2 FOR DECISION: Payment of invoices

Ref: AINT/2019/27069 (ARC16/0025)

244/19

Moved Cr Galletly

Seconded Cr Martin

- a) That Armidale Regional Council recognises that this prolonged drought is impacting our businesses.
- b) To assist our small to medium sized businesses, Armidale Regional Council will pay its local suppliers duly submitted invoices within 5 working days.

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

9. REPORTS FOR DECISION - LEADERSHIP FOR THE REGION

9.1 FOR DECISION: Acquisition of Land at Guyra for the Purpose of Creating a Public Road

Ref: AINT/2019/26270 (DA-155-2016)

245/19

Moved Cr Murat

Seconded Cr Widders

- a) That Council proceed with the compulsory acquisition of the land described as Part Lot 7309 in DP 1145106, being the area marked Lot 500 in the attached Draft Plan of Acquisition, for the purpose of creating a public road in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.
- b) That Council make an application to the Minister and the Governor for approval to acquire Part Lot 7309 in DP 1145106, being the area marked Lot 500 in the attached Draft Plan of Acquisition, by compulsory process under section 177(1) of the Roads Act 1993.
- c) That the land be classified as Operational Land.
- d) That the Chief Executive Officer and Mayor be authorised to Sign and Seal any required documents to complete the acquisition and sale.

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

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

10.1 FOR DECISION: 2019/20 First Quarter Budget Review

Ref: AINT/2019/25969 (ARC18/2703)

Moved Cr Gray

Seconded Cr Murat

- a) That Council note the 2019/20 First Quarter Budget Review;
- b) That Council resolve to amend the 2019/20 budget in accordance with the Quarterly Budget Review Statement for the period 1 July 2019 to 30 September 2019 tabled at the attachment, which contains a revised Consolidated operating deficit of \$4.7m predominantly due to the financial impacts of the drought; and
- c) That Council note the significant negative financial impact on the Water Fund resulting from the drought and response to long term water security and the consequent financially unsustainable outlook that currently exists for the Water Fund reserve.

AMENDMENT

246/19

Moved Cr O'Connor

Seconded Cr Robinson

- a) **That Council note the 2019/20 First Quarter Budget Review;**
- b) **That Council resolve to amend the 2019/20 budget in accordance with the Quarterly Budget Review Statement for the period 1 July 2019 to 30 September 2019 tabled at the attachment, which contains a revised Consolidated operating deficit of \$4.7m predominantly due to the financial impacts of the drought; and**
- c) **That Council note the significant negative financial impact on the Water Fund resulting from the drought and response to long term water security and the consequent financially unsustainable outlook that currently exists for the Water Fund reserve.**
- d) **That in response to Item C, the options for seeking further assistance from the State Government be brought to a Councillor Workshop.**

The Amendment being put to the vote was CARRIED.

The Amendment became the Substantive Motion and was CARRIED.

**10.2 FOR DECISION: Hydrotherapy Pool - Stronger Country Communities Fund
Round 2**

Ref: AINT/2019/26490 (ARC18/2965)

Moved Cr Gray

Seconded Cr Murat

- a) That, based on the limited scope of the proposed hydrotherapy pool funded under the NSW Government's SCCF-2 grant, Council resolves not to proceed with the project in its current form unless additional capital can be sourced, and under the condition that Hunter New England Health agrees to operate the new facility under an extended lease agreement with Armidale Regional Council.
- b) That Council, supported by NSW Government departments, commence an expression of interest process to secure sufficient external investment to extend the scope of the SCCF-2 grant, with the aim of developing a commercially viable Regional Hydrotherapy Pool complex (H2) within the Monckton Aquatic Centre.
- c) That the expression of interest include options to fund, design, construct and/or operate the H2 Complex on a commercial basis with third parties, under 'arms length' SPV, public-private partnership arrangements, and/or with Government agencies under lease or similar arrangements; and
- d) That, should an expression of interest prove unsuccessful in identifying suitable partner(s) for H2, Council undertake a review of the Monckton Aquatic Centre (including asset end of life timeframe and whole of life costs)s, with a view to generating options for development of a of an indoor heated pool at the Centre, both with and without a Hydrotherapy Pool.

AMENDMENT

247/19

Moved Cr Bailey

Seconded Cr O'Connor

That a Sub-Committee of five Councillors be formed to urgently look at options to ensure the Hydrotherapy Pool goes ahead as part of the Monckton Aquatic Centre and look at options of an expanded and enlarged gym, Hydropool of 25m, and options of outsourcing the management and operation of the complex.

The Amendment being put to the vote was CARRIED.

The Amendment became the Substantive Motion and was CARRIED.

10.3 FOR DECISION: Water Access Card Fee

Ref: AINT/2019/27271 (ARC18/2703)

Moved Cr Widders

Seconded Cr Gray

That Council adopt the proposed new Water Access Card Administration Fee of \$100.

AMENDMENT

248/19

Moved Cr Robinson

Seconded Cr O'Brien

a) That Council adopt the proposed new Water Access Card Administration Fee of \$100.

b) That Council informs the community that cases of hardship will be considered.

The Amendment being put to the vote was CARRIED.

The Amendment became the Substantive Motion and was CARRIED.

11. REPORTS FOR DECISION - ENVIRONMENT AND INFRASTRUCTURE

11.2 FOR DECISION: Planning Proposal No. 14 - Reclassification of Council land

Ref: AINT/2019/26343 (ARC16/1049)

249/19

Moved Cr Murat

Seconded Cr Widders

a) That Planning Proposal No. 14 to amend Armidale Dumaresq Local Environmental Plan 2012 – which proposes to reclassify Lot 101 DP 1237922 (86 Dangar Street, Armidale) from community land to operational land – be forwarded to the Department of Planning, Industry and Environment with a request that the Minister for Planning, Industry and Environment make the amendment of Armidale Dumaresq Local Environmental Plan 2012.

b) That the Armidale Ex Services Memorial Club be advised of Council's resolution.

DIVISION **Moved Cr Murat** **Seconded Cr Widders** *The result being:-*

FOR: *Crs P Bailey, J Galletly, D Gray, L Martin, A Murat, S Murray, D O'Brien, M O'Connor, D Robinson and B Widders*

AGAINST: *Nil*

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

11.3 FOR DECISION: Renaming of a Public Building - Guyra Community Hall to Gilbert White Memorial Hall

Ref: AINT/2019/26809 (ARC16/0001-4)

250/19

Moved Cr Gray

Seconded Cr Murat

That the Guyra Community Hall be renamed the 'Gilbert White Memorial Hall'.

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

12. REPORTS FOR DECISION - OUR PEOPLE AND COMMUNITY
Nil.

13. REPORTS FOR INFORMATION

PROCEDURAL MOTION

251/19

Moved Cr Gray

Seconded Cr Murat

That Items 13.2-13.5, and 16.1 be considered 'In Globo'.

The Motion on being put to the vote was CARRIED.

13.1 FOR INFORMATION: Presentation of Audited Financial Statements for year ended 30 June 2019

Ref: AINT/2019/25470 (ARC16/0469)

252/19

Moved Cr Gray

Seconded Cr Murat

That Council note the report on the presentation of the audited Annual Financial Statements for the Year Ended 30 June 2019.

The Motion on being put to the vote was CARRIED.

13.2 FOR INFORMATION: Integrated Planning and Reporting - Delivery Program 2018-2021 and Operational Plan 2019-2020 Progress Report - July to September 2019

Ref: AINT/2019/25487 (ARC17/1962)

253/19

Moved Cr Gray

Seconded Cr Murat

That the Delivery Program 2018-2021 and Operational Plan 2019-2020 Progress Report (July – September 2019) be noted.

The Motion on being put to the vote was CARRIED.

13.3 FOR INFORMATION: Cash and Investment Report October 2019

Ref: AINT/2019/25651 (ARC16/0001-4)

254/19

Moved Cr Gray

Seconded Cr Murat

That Council receive and note the Cash and Investment Report October 2019.

The Motion on being put to the vote was CARRIED.

13.4 FOR INFORMATION: Monthly Financial Report October 2019

Ref: AINT/2019/26489 (ARC19/3334)

255/19

Moved Cr Gray

Seconded Cr Murat

That Council receive and note the Monthly Financial Report for October 2019.

The Motion on being put to the vote was CARRIED.

**13.5 FOR INFORMATION: Summary of Resolutions of Council April 2019 -
September 2019**

Ref: AINT/2019/27017 (ARC16/0001-4)

256/19

Moved Cr Gray

Seconded Cr Murat

That the report outlining resolutions of Council from May 2019 to October 2019 and actions carried out, be noted.

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

**16.1 FOR INFORMATION: Minutes of the Audit and Risk Committee Meeting held
on 27 August 2019**

Ref: AINT/2019/25062 (ARC16/0522-2)

257/19

Moved Cr Gray

Seconded Cr Murat

That the Minutes of the Audit and Risk Committee meeting held on 27 August 2019 be noted.

The Motion on being put to the vote was CARRIED.

16.2 FOR DECISION: Community Wellbeing Advisory Committee Minutes
Ref: AINT/2019/26445 (ARC16/1052)

253/19

Moved Cr O'Brien

Seconded Cr Murat

That the Minutes of the Community Wellbeing Advisory Committee meeting held on 26th September be noted and the following recommendations endorsed:

- a) **That consideration of the terms of reference and the membership component of this committee be deferred until the proposed review of ARC Committees be tabled at the ARC Council meeting.**
- b) **That the Access Advisory Working Party be formed and membership advertised for to the wider community as soon as possible. That the Terms of Reference be provided for potential members and that once formed Minutes including recommendations are put to the Community Wellbeing Advisory Committee to review and provide recommendations to Council.**

- c) That key areas are identified and specialists in that area invited to participate in each meeting to highlight servicing gaps and potential actions the CWAC can participate, advocate for and engage in. Two sessions nominated:
 - i. Mental Health
 - ii. Youth
- d) That committee members review the Disability Action Inclusion Plan and provide feedback which will be provided to ARC along with recommendations and feedback from the Access Advisory Working Party and the DAIP be updated.
- e) That the CWAC consider an appropriate means of providing information to the community about the prevalence of needles in our community and or ways to address the inappropriate discarding of drug paraphernalia.
- f) That the CWAC establish an Ice Review Working Party.

The Motion on being put to the vote was CARRIED.

16.3 FOR DECISION: Minutes - Traffic Advisory Committee - E Meeting, 12 November 2019.

Ref: AINT/2019/26969 (ARC16/0168-4)

254/19

Moved Cr Martin

Seconded Cr Murat

That the Minutes of the Traffic Advisory Committee meeting held on 12th November 2019 be noted and the following recommendations endorsed:

- a) That approval be granted for the Special Event Transport Management Plan Guyra Christmas Party 2019 and associated road closures of Bradley Street between Mackenzie Street and Ollera Street between 12pm and 10pm on Friday 6th December 2019.
- b) That the temporary road closure of Canambe Street between Dumaresq and Kirkwood Street for the Armidale Show during operating hours on the 6th & 7th March 2020, be endorsed.
- c) That the request to change the Cinders Lane Loading Zone to unrestricted parking after hours be denied due to the amount of unrestricted after hours parking available in the Cinders Lane carpark.
- d) That a painted median be installed on the western side of Marsh Street at the intersection with College Ave be installed and the centre line be readjusted to suit.
- e) That one parking space at the northern end of Marsh Street at the intersection with College Ave be removed and hatched to reflect the adjustment of the centre line.
- f) That the Donnelly Street between Canambe and Kennedy parking on the verge issue and options be held over for consideration and discussion until the next Traffic Advisory Committee meeting.

The Motion on being put to the vote was CARRIED.

- c) **That Council make the resolutions made in Confidential Session public as soon as practicable.**
- d) **The Motion on being put to the vote was CARRIED.**

Council entered Closed Session at 6:21pm.

Council returned to Open Session at 6:27pm.

RESUMPTION OF MEETING

260/19 **Moved Cr Murat Seconded Cr Gray**

That the recommendations of Closed Session be adopted.

The Motion on being put to the vote was CARRIED.

19. **CLOSED SESSION**

19.1 **FOR DECISION: Tender for Clearscada and Telemetry RTU Upgrade**

258/19

- a) **That the tender from SAFEgroup Automation Pty Ltd be accepted for the ClearSCADA and Telemetry RTU Upgrade of the Armidale Regional Council's water and sewer business.**
- b) **That the Manager Utilities be delegated to sign and execute the relevant contract documents on Council's behalf.**
- c) **That \$650,900 plus GST be set aside from the water and sewer fund for the project.**

The recommendation was ADOPTED.

19.2 **FOR DECISION: Tender Recommendation for Supply and Delivery of Bulk Cationic Bitumen CRS** *Ref: AINT/2019/27020 (ARC18/2692)*

259/19

- a) **That Fulton Hogan Industries Pty Ltd be awarded the contract for the Supply and Delivery of Bulk Cationic Bitumen CRS for the period 1 January 2020 to 31 December 2021; and**
- b) **That a provision be allowed for a 12 month extension based on satisfactory supplier performance, which may take this contract through to 31 December 2022.**

There being no further business the Mayor declared the meeting closed at 6:28pm.