



## ORDINARY MEETING OF COUNCIL

Held on

Wednesday, 26 September 2018  
4pm

at

Armidale Council Chambers

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

**IN ATTENDANCE:** Ms Susan Law (Chief Executive Officer), Mr Lindsay Woodland (Director Organisational Services and Transformation), Mr Mark Piorkowski (Director Operations), Ms Nathalie Heaton (Acting Service Leader People, Safety and Communications), Ms Kelly Stidworthy (Service Leader Finance), Mr Peter Wilson (Acting Service Leader Governance Risk and Corporate Planning), Mr Greg Lawrence (Service Leader Economic Development and Marketing), Mr Rob Shaw (Service Leader Roads and Parks), Mr Ambrose Hallman (Service Leader Sustainability and Development), Ms Krista Schmidt (Service Leader Community and Customer Services), Ms Leah Cook (Service Leader Asset Planning and Design), Mr Phillip Perram (Service Leader Business Units) and Mrs Jessica Bower (Executive Officer).

MINUTES



**7.2 FOR DECISION: Mayoral Minute - Acknowledgement of AW Edwards Building  
Award for Armidale Airport Terminal** *Ref: AINT/2018/20959 (ARC16/0025)*

189/18 Moved Cr Murray                      Seconded Cr Martin

That Council recognise the achievements of AW Edwards, the building contractors responsible for the upgrade of the Armidale Regional Airport Terminal, who have been awarded a Master Builders Association Excellence in Building Award – Extensions, Renovations and Refurbishments \$5m - \$10m 2018 for the new Terminal.

The Motion on being put to the vote was CARRIED.

**PROCEDURAL MOTION**

190/18 Moved Cr Murray                      Seconded Cr Bailey

That Item 12.1 FOR DECISION: Armidale Neighbourhood Centre Financial Sustainability and Remodelling be considered before Item 8.1 FOR DECISION: Notice Of Motion - Armidale Neighbourhood Centre Financial Assistance and Office Space.

The Motion on being put to the vote was CARRIED.

**12.1 FOR DECISION: Armidale Neighbourhood Centre Financial Sustainability and  
Remodelling** *Ref: AINT/2018/20111 (ARC18/2827)*

191/18 Moved Cr Bailey                      Seconded Cr Gray

(a) That Council support the Armidale Neighbourhood Centre to investigate the possible option of a Hub model and develop a sustainable business model for its client service delivery; and

(b) That a feasibility assessment be carried out to determine if a HUB business model is financially viable and sustainable for the long term.

The Motion on being put to the vote was CARRIED.

8. NOTICES OF MOTION

**8.1 FOR DECISION: Notice Of Motion - Armidale Neighbourhood Centre Financial Assistance and Office Space**

*Ref: AINT/2018/18635 (ARC18/2827)*

192/18

Moved Cr Tiley

Seconded Cr O'Connor

MOTION

- a) That Council recommence financial support to the Armidale Neighbourhood Centre, to enable it to continue its present level of operations and service to the disadvantaged members of the community;
- b) That for the 2018-2019 financial year, such support be \$20,000 and that the appropriate budget adjustment be made in Council's first Quarterly Budget Review for 2018-2019;
- c) That in following years, until a better arrangement is secured, the Council's financial support be increased annually by CPI equivalent;
- d) That Council make representations, through Adam Marshall MP, to the appropriate NSW Government Minister for additional financial support to the Armidale Neighbourhood Centre, to enable the Centre to provide much needed additional services to those suffering disadvantage; and
- e) That Council liaise with the ANC to endeavour to allocate more space to the Centre for dispensing of services.

AMENDMENT

Moved Cr Murray

Seconded Cr Gray

- a) That Council recommence financial support to the Armidale Neighbourhood Centre, to enable it to continue its present level of operations and service to the disadvantaged members of the community;
- b) That for the 2018-2019 financial year, such support be \$20,000 and that the appropriate budget adjustment be made in Council's first Quarterly Budget Review for 2018-2019;
- c) That in following years, until a better arrangement is secured, the Council's financial support be increased annually by CPI equivalent;
- d) That Council make representations, through Adam Marshall MP, to the appropriate NSW Government Minister for additional financial support to the Armidale Neighbourhood Centre, to enable the Centre to provide much needed additional services to those suffering disadvantage; and
- e) That Council liaise with the ANC to endeavour to allocate more space to the Centre for dispensing of services.
- f) That Council directs the CEO to make immediate adjustments to existing Community Services budgets to give effect to (b) and (c).

The amendment was withdrawn and incorporated into the motion to read as follows.

**MOTION**

- a) That Council recommence financial support to the Armidale Neighbourhood Centre, to enable it to continue its present level of operations and service to the disadvantaged members of the community;
- b) That for the 2018-2019 financial year, such support be \$20,000 and that the appropriate budget adjustment be made in Council's first Quarterly Budget Review for 2018-2019;
- c) That in following years, until a better arrangement is secured, the Council's financial support be increased annually by CPI equivalent;
- d) That Council make representations, through Adam Marshall MP, to the appropriate NSW Government Minister for additional financial support to the Armidale Neighbourhood Centre, to enable the Centre to provide much needed additional services to those suffering disadvantage; and
- e) That Council liaise with the ANC to endeavour to allocate more space to the Centre for dispensing of services.
- f) That Council directs the CEO to make immediate adjustments to existing Community Services budgets to give effect to (b) and (c).

The Motion on being put to the vote was CARRIED.

9. REPORTS FOR DECISION - LEADERSHIP FOR THE REGION

**9.1 FOR DECISION: Endorsement Of Draft Procurement Policy**

*Ref: AINT/2018/18734 (ARC16/1041)*

193/18

Moved Cr Robinson

Seconded Cr Murat

- (a) That the Draft Procurement Policy be endorsed;
- (b) That the Draft Procurement Policy be placed on public exhibition for a period of not less than 28 days, from Friday 28 September 2018 to Friday 26 October 2018;
- (c) That a further report be provided to the November 2018 Council meeting for consideration of any submissions received; and
- (d) That if no submissions are made within the submission period, then the Procurement Policy be adopted retrospectively.

The Motion on being put to the vote was CARRIED.

**9.2 FOR DECISION: Invitation To Join Regional Cities NSW**

*Ref: AINT/2018/19268 (ARC18/2825)*

194/18

Moved Cr Robinson

Seconded Cr Gray

That Council:

- a) Accept the invitation to join Regional Cities NSW (RCNSW), with a formal review of Council's membership to take place within the first 24 months of the formal commencement of RCNSW, to ensure it is meeting its stated objectives;
- b) Note that whilst sixteen (16) Councils have been invited to join RCNSW, a minimum of nine (9) Councils will be needed to establish RCNSW;
- c) Allocate \$5,000 for membership of RCNSW from 1 January 2019 to 30 June 2019; and
- d) Note that any future requests for financial contributions over and above the annual membership fee to RCNSW will be reported to Council for further consideration.

The Motion on being put to the vote was CARRIED.

### 9.3 FOR DECISION: Review Of Organisation Structure 2018

*Ref: AINT/2018/19936 (ARC16/0057)*

195/18

MOTION

Moved Cr Gray

Seconded Cr Robinson

That Council endorse the Organisation Structure, which incorporates a CEO and two (2) senior staff positions within the organisation.

AMENDMENT

Moved Cr O'Connor

Seconded Cr O'Brien

- a) That Council endorse the Organisation Structure, which incorporates a CEO and two (2) senior staff positions within the organisation; and
- a) That a Councillors Workshop be held by the end of December 2018 on the progress of the Organisation Structure.

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

The Motion on being put to the vote was CARRIED.

### 9.4 FOR DECISION: Endorsement of Draft Rates and Charges Write-Off Policy

*Ref: AINT/2018/20108 (ARC18/2889)*

196/18

Moved Cr Murat

Seconded Cr Tiley

- (a) That the Draft Rates and Charges Write-Off Policy be endorsed;
- (b) That the Draft Rates and Charges Write-Off Policy be placed on public exhibition for a period of not less than 28 days, from Friday 28 September 2018 to Friday 26 October 2018;
- (c) That a further report be provided to the November 2018 Council meeting for consideration of any submissions received; and
- (d) That if no submissions are made within the submission period, then the Rates and Charges Policy be adopted retrospectively.

The Motion on being put to the vote was CARRIED.

Councillors O'Connor and Cr O'Brien requested that their dissent be recorded.

**9.5 FOR DECISION: Draft Financial Statements for the Year Ended 30 June 2018**

*Ref: AINT/2018/20015 (ARC18/2756)*

197/18

**Moved Cr Robinson                      Seconded Cr Murat**

- a) That the Draft Financial Statements for the Year Ended 30 June 2018 be adopted, as presented, for referral to Council's Auditor in accordance with Section 413(1) of the *Local Government Act 1993*.
- b) That the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer be authorised to sign the Statements by Councillors and Management on the preparation of the General Purpose and Special Purpose Financial Statements for the year ended 30 June 2018 as prescribed by Section 413(2)(c) of the *Local Government Act 1993*.
- c) That the Chief Executive Officer be delegated the authority to issue the audited Financial Statements for the Year Ended 30 June 2018 immediately upon receipt of the Auditor's Reports subject to there being no material audit changes or audit issues.

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

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

11. REPORTS FOR DECISION - ENVIRONMENT AND INFRASTRUCTURE

**11.1 FOR DECISION: Land Acquisition and Disposal to facilitate Platform Road  
Realignment**

*Ref: AINT/2018/19449 (ARC18/2702)*

198/18

**Moved Cr Murat                      Seconded Cr Tiley**

- a) That Council approve of the land acquisition and disposal by direct negotiation and as detailed in the Land Acquisition Plan; and
- b) That the Council seal be affixed to the land acquisition and disposal documents

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

**11.2 FOR DECISION - Airport Fees and Charges**

*Ref: AINT/2018/19804 (ARC16/1225)*

199/18

**Moved Cr Gray                      Seconded Cr Martin**

- a) That Council adopt the Draft 2018/19 Revenue Policy Airport Fees and Charges as described in Table 1; and
- b) That the adopted General Aviation Armidale Airside based Exemptions and Annual Concessions take effect retrospectively from 1 July 2018.

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



12. REPORTS FOR DECISION - OUR PEOPLE AND COMMUNITY

**12.2 FOR DECISION: Fee Waiver - Guyra Community Hall - Guyra League and Hockey Clubs**

*Ref: AINT/2018/20415 (ARC16/0633)*

200/18 **Moved Cr Galletly** **Seconded Cr Martin**

**That Council waive the fee of \$306 for the hire of the Guyra Community Hall on the 6 October 2018 in accordance with S356 of the Local Government Act 1993.**

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

**ADOPTION BY EXCEPTION RESOLUTION**

201/18 **Moved Cr Murat** **Seconded Cr Martin**

**That the recommendations for Items 13.1, 13.2 and 13.3 be adopted.**

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

13. REPORTS FOR INFORMATION

**13.1 FOR INFORMATION: Monthly Financial Report August 2018**

*Ref: AINT/2018/19699 (ARC17/2467)*

202/18 **Moved Cr Murat** **Seconded Cr Martin**

**That Council note the Monthly Financial Report for August 2018.**

**13.2 FOR INFORMATION: Cash & Investment Report For August 2018**

*Ref: AINT/2018/19790 (ARC18/2774)*

203/18 **Moved Cr Murat** **Seconded Cr Martin**

**That Council note the Cash and Investment Report, as at 31 August 2018, reporting investments held of \$62,165,847 and a consolidated Bank Account balance of \$9,367,179.74, excluding the Trust Fund.**

**13.3 FOR INFORMATION: Delivery Program 2017-2021 Six Monthly Progress Report  
- January 2018 to June 2018**

*Ref: AINT/2018/19862 (ARC16/0502)*

204/18

**Moved Cr Murat**

**Seconded Cr Martin**

**That the six monthly report on the Delivery Program be noted.**

14. REQUESTS FOR LEAVE OF ABSENCE - NIL

15. AUTHORITY TO AFFIX COUNCIL SEAL - NIL

16. COMMITTEE REPORTS

**16.1 FOR DECISION: Minutes - Environmental Sustainability Advisory Committee - 15 August  
2018 Ref: AINT/2018/19817 (ARC16/0864)**

205/18

**Moved Cr Robinson**

**Seconded Cr O'Connor**

**That the Minutes of the Environmental Sustainability Advisory Committee meeting held on 15 August 2018 be noted.**

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

**MOTION**

**Moved Cr Robinson**

**Seconded Cr O'Brien**

That Council consider where it wishes to:

Not withstanding motions 309/17(b) and 310/17(b) in which the Council resolved to appoint one Councillor to the Environmental Sustainability Advisory Committee, appoint a further Councillor to that Committee.

The Motion on being put to the vote was LOST.

**16.2 FOR DECISION: Minutes - Audit and Risk Committee - 28 August 2018**

*Ref: AINT/2018/18750 (ARC16/0522-2)*

206/18

Moved Cr Gray

Seconded Cr Murat

That the following resolutions from the Audit and Risk Committee meeting held on 28 August 2018 be noted:

- a) That the Committee note the AO update on the External Audit 2017-2018;
- b) That the Committee note the Annual Leave Balance Report, as at 30 June 2018;
- c) That the Committee note the progress report on the resource sharing initiative;
- d) That the Committee note that the first meeting of the NEWA Audit and Risk Committee will be held on Tuesday 27 November 2018; and
- e) That the Committee note the AO Report 'Fraud Controls in Local Councils' June 2018 and the proposed actions to be undertaken, by Council and the Office of Local Government, in response to the findings of the report.

That the following recommendations from the Audit and Risk Committee meeting held on 28 August 2018 be adopted:

- a) That the Committee endorse Council contracting the Internal Audit Function through the LGP Internal Audit and Management Consulting Services Panel arrangement;
- b) That the Committee recommend to Council that a panel member be engaged to complete the 2016-2019 Internal Audit Plan, as far as possible;
- c) That the Committee recommend that Council share the cost with Tamworth Regional Council of Michael O'Connor attending the Forum;
- d) That the Committee recommend that Councillor Margaret O'Connor and independent member, Sebastian Hempel attend the Forum; and
- e) That the Committee recommend to Council that the expression of interest, received from David Tanner to become an independent committee member, not be considered at this point in time and that a review of the independent member committee composition be undertaken, when the Office of Local Government releases the revised Guidelines for the mandatory Audit, Risk and Improvement Committee.

The Motion on being put to the vote was CARRIED.

**16.3 FOR DECISION: Minutes - Armidale Regional Youth Advisory Committee - 29 August 2018**

*Ref: AINT/2018/19271 (ARC16/0591)*

207/18

Moved Cr Widders

Seconded Cr Murat

- a) That the Minutes of the Armidale Regional Youth Advisory Committee meeting held on 29 August 2018 be noted; and
- b) That the amended Terms of Reference for the Armidale Regional Youth Advisory Committee be endorsed.

The Motion on being put to the vote was CARRIED.

**16.4 FOR DECISION: Minutes - Arts, Cultural & Heritage Advisory Committee - 30 August 2018**

*Ref: AINT/2018/19852 (ARC16/0217)*

208/18

Moved Cr O'Connor

Seconded Cr Gray

That the Minutes of the Arts, Cultural and Heritage Advisory Committee meeting held on 30 August 2018 be noted and the following recommendations endorsed:

- (a) That the Draft Public Art Policy 2018 – 2022 be endorsed;
- (b) That the Draft Public Art Policy 2018 – 2022 be placed on public exhibition for a period of no less than 28 days, from Wednesday 3 October 2018 to Wednesday 31 October 2018;
- (c) That a further report be provided to the November 2018 Council meeting for consideration of any submissions received; and
- (d) That if no submissions are made within the submission period, then the Public Art Policy 2018 – 2022 be adopted retrospectively.
- (e) That a working group from the Arts, Cultural and Heritage Committee develop an EOI proposal for local Guyra artists to create further public art work in the Guyra main street redevelopment as a stage two project subject to funding.
- (f) That policy planning for a night time economy is carefully considered when redeveloping the Armidale CBD.
- (g) That the resignation of Cherene Spendelove from the Arts, Cultural and Heritage Advisory Committee be accepted.

The Motion on being put to the vote was CARRIED.

**16.5 FOR DECISION: Minutes - Traffic Advisory Committee - 4 September 2018**

*Ref: AINT/2018/20148 (ARC16/0168)*

209/18

Moved Cr Martin

Seconded Cr Widders

- a) That the Minutes of the Traffic Advisory Committee meeting held on 4<sup>th</sup> September 2018 be noted;
- b) That Council endorse the proposed identified regulatory changes be installed in Peter Monley Drive and Saumarez Drive at Armidale Regional Airport.
  - i. That the “No Stopping” areas be highlighted with signage and associated yellow line marking.
  - ii. That a one ¼ hr parking space be installed near the Nifty/Startrack Express Depot.
  - iii. That a new Loading Zone and No Stopping signs be installed in front of the Airport entry;
- c) That it be noted that if in case of bad weather or as a contingency if the main street of Guyra is unsuitable due to construction work, the Guyra Bowling Club car park and club

facilities will be used to host the event on the September 29<sup>th</sup> 2018;

- d) That preliminary approval be granted for the road closure of Rusden Street between Marsh Street and entry/exit driveway of the Rusden Street public carpark in conjunction with the Special Event Transport Management Plan for the Welders Dog Beer Festival to be held on 8<sup>th</sup> December 2018 pending approval from the Emergency Service on the road closures and Emergency access to the site;
- e) That the temporary closure of Marsh Lane in conjunction with the Special Event Transport Management Plan for the Welders Dog Beer Festival to be held on 8<sup>th</sup> December 2018 be the public to allow for event traffic only, closure to be manned by event staff;
- f) That the request for the road closure of Jessie Street between Barney and Rusden Street on Saturday 27<sup>th</sup> October 2018, for the St Marys School Fete be approved;
- g) That West Avenue be dedicated as a One Way Street with traffic flowing west from Butler Street, east to Markham Street;
- h) That the RMS be requested to investigate the concern and any possible lane or light changes to the intersection of Marsh Erskine Street intersection;
- i) That an after hours Taxi zone the length of two vehicle spaces from 10pm Friday – 3am Saturday, and 10pm Saturday – 3am Sunday be installed on Marsh Street between Beardy and Dumaresq Street;
- j) That the temporary Taxi Rank in the East Mall be removed;
- k) That the Construction Vehicle Zone in Cinders Lane will be extended until 31<sup>st</sup> December 2018, however Heavy vehicles are not to stay stationary all day in the location;
- l) DA-116-2018 Ex Services Motel Development
  - i. That the Developers be advised that the entry/exit for the Motel be made left in left out only, with a Centre Median Island being installed to ensure compliance.
  - ii. That all costs associated be at the expense of the Developer.

The Motion on being put to the vote was CARRIED.

17. MATTERS OF AN URGENT NATURE - NIL

18. QUESTIONS ON NOTICE - NIL

#### PROCEDURAL MOTION

210/18

Moved Cr O'Brien

Seconded Cr Martin

That the meeting be adjourned for a short recess at 5.55pm.

The Motion on being put to the vote was CARRIED.

**PROCEDURAL MOTION**

211/18

**Moved Cr Galletly                      Seconded Cr Gray**

**That the meeting be resumed at 6:00pm.**

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

**PROCEDURAL MOTION**

212/18

**Moved Cr Gray                              Seconded Cr Martin**

**a) That Council move into closed Session to receive and consider the following items:**

19.1 FOR DECISION: General Aviation. (AINT/2018/19797) - *As this report deals with commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it (Section 10A(2)(d)(i) of the Local Government Act 1993). Council closes part of this meeting, in accordance with Council's Code of Meeting Practice, as consideration of this matter in open Council would be contrary to the public interest.*

19.2 FOR DECISION: Request for Tender - Provision of Bulk Materials 2018-2020. (AINT/2018/18723) - *As this report deals with commercial information of a confidential nature which, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c) of the Local Government Act 1993). Council closes the meeting, in accordance with Council's Code of Meeting Practice, as consideration of this matter in open Council would be contrary to the public interest. (Financial - Supplier pricing displayed - As per Tendering Guidelines 3.16 )*

**b) That Council exclude the press and public from the proceedings of the Council in Confidential Session pursuant to Section 10A, subsections 2 & 3 and section 10B of the Local Government Act 1993, on the basis that the items to be considered are of a confidential nature.**

**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 6.01pm.

Council returned to Open Session at 6:03pm.

**OPEN SESSION**

213/18 **Moved Cr Gray**                      **Seconded Cr Martin**

**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: General Aviation**

*Ref: AINT/2018/19797 (ARC16/1225)*

214/18 **That Council endorse the Commercial in Confidence Agreement with General Aviation Businesses at the Armidale Regional Airport.**

**19.2 FOR DECISION: Request for Tender - Provision of Bulk Materials 2018-2020**

*Ref: AINT/2018/18723 (ARC18/2733)*

215/18 **That Council accepts six tenders received for a supplier panel contract for the Provision of Bulk Materials from 1 November 2018 to 31 October 2020.**

There being no further business the Mayor declared the meeting closed at 6:03pm.