



ORDINARY MEETING OF COUNCIL

Held on

Wednesday, 27 February 2019
4pm

at

Guyra Council Chambers

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

IN ATTENDANCE: Ms Susan Law (Chief Executive Officer), Mr Lindsay Woodland (Group Leader Organisational Services), Mr Mark Piorkowski (Group Leader Service Delivery), Ms Kelly Stidworthy (Service Leader Finance), Ms Nathalie Heaton (Service Leader Governance Risk and Corporate Planning), Mr Greg Lawrence (Service Leader Economic Development and Marketing), Mr Ambrose Hallman (Service Leader Sustainability and Development), Ms Leah Cook (Service Leader Asset Planning and Design), Mr Phillip Perram (Service Leader Business Units) and Mrs Jessica Bower (Executive Officer).

MINUTES

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

Cr Gray has requested a leave of absence for 27 February 2019.

MOTION

1/19

Moved Cr Martin

Seconded Cr Robinson

That Cr Gray's request for a leave of absence for 27 February 2019 be accepted.

The Motion on being put to the vote was CARRIED.

4. DISCLOSURE AND DECLARATION OF INTERESTS

Name	Item	Nature of Interest	Reason/Intended Action
Clr Murray	11.2	<input type="checkbox"/> Pecuniary <input type="checkbox"/> Non Pecuniary – Significant Conflict <input checked="" type="checkbox"/> Non Pecuniary – Non Significant Conflict	Reason: Has met with the applicant, with other councillors/staff present. Intended action: Remain in the Chamber
Clr Murat	11.2	<input type="checkbox"/> Pecuniary <input type="checkbox"/> Non Pecuniary – Significant Conflict <input checked="" type="checkbox"/> Non Pecuniary – Non Significant Conflict	Reason: Has met with with applicant, with other councillors/staff present. Intended action: Remain in the Chamber
Clr Bailey	11.2	<input type="checkbox"/> Pecuniary <input type="checkbox"/> Non Pecuniary – Significant Conflict <input checked="" type="checkbox"/> Non Pecuniary – Non Significant Conflict	Reason: Met with the applicant in 2017 and 2018 with Councillors and/or staff present. Intended action: Remain in the Chamber
Cr Tiley	11.2	<input type="checkbox"/> Pecuniary <input type="checkbox"/> Non Pecuniary – Significant Conflict <input checked="" type="checkbox"/> Non Pecuniary – Non Significant Conflict	Had several dealings with the applicant while Administrator of Armidale Regional Council. Intended action: Remain in the Chamber

5. HAVE YOUR SAY – NIL

The two requests to speak were withdrawn.

6. CONFIRMATION OF MINUTES

CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 12 DECEMBER 2018

2/19

Moved Cr Martin Seconded Cr Murat

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

The Motion on being put to the vote was CARRIED.

7. MAYORAL MINUTE

L.1 FOR DECISION: Tingha Plateau Fire

Ref: AINT/2019/04120 (ARC16/0025)

3/19

Moved Cr Murray Seconded Cr Murat

That the Mayor write to the head of all agencies involved in managing the Tingha Plateau Fire and pass on Armidale Regional Council's gratitude.

The Motion on being put to the vote was CARRIED.

8. NOTICES OF MOTION

8.1 FOR DECISION: Cemetery and Crematoria Regulation 2018

Ref: AINT/2019/03578 (ARC16/0025)

Moved Cr O'Brien Seconded Cr O'Connor

- a) That Council notes that the Berejiklian Barilaro Government's new Cemetery and Crematoria Regulation 2018 which allows cemeteries to disinter human remains as little as 25 years after the burial and sell the plot to another party.
- b) That Council notes that during a recent review of the Cemetery and Crematoria Regulation 2018, a range of church groups, indigenous representatives and the broader community were simply unaware of the new regulation.
- c) That Council notes concerns the new laws may create two classes of burial rights in NSW.
- d) That Council does not offer renewable interment rights at any of its cemeteries.
- e) That Council writes to the Premier, The Hon Gladys Berejiklian MP advising that Council strongly opposes any law change that allows the reuse of burial plots and requests the NSW Government to urgently look for alternate solutions to address the need for more cemetery space.

The Motion was withdrawn.

8.2 FOR DECISION: NSW Election Priorities 2019

Ref: AINT/2019/03590 (ARC16/0025)

4/19

Moved Cr O'Brien

Seconded Cr Robinson

- a) That Council endorse Local Government NSW document, **NSW Election Priorities 2019 (Attachment A to this Minute)**; and
- b) That Council call upon all parties and candidates contesting the 2019 state election to commit to 12 priority areas identified in **NSW Election Priorities 2019**.

The Motion on being put to the vote was CARRIED.

8.3 FOR DECISION: National Air Quality and World Health Organisation Standards

Ref: AINT/2019/03587 (ARC16/0025)

5/19

Moved Cr O'Connor

Seconded Cr Widders

- a) That the following be deferred until after the Mayor's External Woodsmoke Advisory Group has reported its findings to Council:
 - i. That Council notes its adopted **Delivery Plan Objective of meeting National Air Quality and develops a strategy that sets out the steps required to meet this objective with the aim of starting to implement it before the beginning of winter 2019; and**
- b) That Council brief other levels of government on the urgent need for financial assistance to improve Armidale's winter air quality which will support ARC's efforts towards attracting regional growth, year round tourism, economic development and decentralisation.

The Motion on being put to the vote was CARRIED.

8.4 FOR DECISION: Councillor Meetings

Ref: AINT/2019/03588 (ARC16/0025)

6/19

Moved Cr O'Connor

Seconded Cr Robinson

- a) That Council hereafter adopt correct nomenclature (naming) for councillor meetings in particular that briefings (information download from staff) be identified as "Briefing" and Workshops (interactive sessions for discussion and policy development) be called "Workshops" and;
- b) That in the case of workshops, that background material for the workshops be provided to Councillors no less than five (5) working days prior to the date of the workshop.

The Motion on being put to the vote was CARRIED.

8.5 FOR DECISION: Budget 2019/20

Ref: AINT/2019/03589 (ARC16/0025)

7/19

Moved Cr O'Connor

Seconded Cr Widders

- a) That Council provide to Councillors and the public the final budget to be adopted for 2019/20 financial year two weeks in advance of the meeting of Council at which the budget is proposed to be adopted and;
- b) That the budget document referred to in paragraph A above be in a digital format which is both searchable and able to be copied.

The Motion on being put to the vote was CARRIED.

8.6 FOR DECISION: Improved public consultation processes

Ref: AINT/2019/03592 (ARC16/0025)

8/19

Moved Cr Robinson

Seconded Cr Widders

- a) That, as part of all future consultation processes, public submissions should be treated as non-confidential unless the submitter specifically requests confidentiality. Submitters would also be allowed to have their submissions treated as non-confidential, except for the name of the submitter, or other identifying material (which could be provided separately). This could be the default.
- b) That all potential participants of our public consultations are alerted to this change.
- c) For consistency with the 2017 Strategic Plan, where submissions have already been received for consultations that have not yet been decided by council, submitters are given the option of making their submissions (with or without identifying information) non-confidential.

The Motion on being put to the vote was CARRIED.

MOTION

9/19

Moved Cr Tiley

Seconded Cr O'Connor

That items 9.1 and 9.4 be deferred to allow Council to discuss at the next Council meeting, proposed to start at 2pm on Wednesday 27 March 2019.

The Motion on being put to the vote was CARRIED.

9. REPORTS FOR DECISION - LEADERSHIP FOR THE REGION

9.1 FOR DECISION: Public Exhibition of Model Code of Meeting Practice for Local Councils in NSW

Ref: AINT/2018/24933 (ARC16/0620)

RECOMMENDATION:

- a) That the Draft Model Code of Meeting Practice be endorsed;
- b) That the Draft Model Code of Meeting Practice go on public exhibition for a period of at least 28 days, from Friday 1 March 2019 to Monday 29 March 2019, and members of the community be given at least 42 days, to Monday 15 April 2019, in which to comment on the Draft Code;
- c) That a further report be provided to the 22 May 2019 Council meeting for consideration of any submissions received; and
- d) That if no submissions are made within the submission period, then the Model Code of Meeting Practice be adopted.

The item was deferred.

9.2 FOR DECISION: Conduct of Local Government Elections in September 2020 and Popular Election of Mayor

Ref: AINT/2018/26782 (ARC18/2712)

10/19

Moved Cr Widders

Seconded Cr Tiley

- (a) That Armidale Regional Council resolves:
 - (i) pursuant to section 296(2) and (3) of the Local Government Act 1993 (NSW) ("the Act") that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council;
 - (ii) pursuant to section 296(2) and (3) of the Act, as applied and modified by section 18 of the Act, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council; and
 - (iii) pursuant to section 296(2) and (3) of the Act, as applied and modified by section 18 of the Act, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council;
- (b) That Council not hold a constitutional referendum on the popular election of mayor in the 2024 election, in conjunction with the Council elections in September 2020; and
- (c) That Council delegate authority to the CEO to enter into negotiations with the Electoral Commissioner and to enter into a contract for the provision of administering elections of the Council.

The Motion on being put to the vote was CARRIED.

9.3 FOR DECISION: Australian Local Government Association Call for Notices of Motion *Ref: AINT/2018/27224 (ARC16/0109)*

11/19

Moved Cr Widders **Seconded Cr Martin**

(a) That Council attend the Australian Local Government Association National General Assembly in 2019.

The Motion on being put to the vote was LOST.

9.4 FOR DECISION: Adoption of Model Code of Conduct and Administration Procedures 2018 *Ref: AINT/2019/01274 (ARC16/0617)*

RECOMMENDATION:

- a) That the Model Code of Conduct for Local Councils in NSW 2018 be adopted; and
- b) That the Procedures for the Administration of the Model Code of Conduct be adopted.

The item was deferred.

9.5 FOR DECISION: 2018/19 Second Quarter Budget Review

Ref: AINT/2019/03192 (ARC17/2467)

12/19

Moved Cr Murat **Seconded Cr Martin**

- a) **That Council note the 2018/19 Second Quarter Budget Review.**
- b) **That Council resolve to amend the 2018/19 budget in accordance with the Quarterly Budget Review Statement for the period 1 October 2018 to 31 December 2018 tabled at the attachment.**

The Motion on being put to the vote was CARRIED.

Cr Robinson, Cr O'Connor and Cr O'Brien requested that their dissenting votes be recorded.

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

10.1 FOR DECISION: Public Exhibition of Draft Investment Policy

Ref: AINT/2018/27553 (ARC16/0001-3)

13/19

Moved Cr Tiley **Seconded Cr O'Connor**

That the Investment Policy be placed on public exhibition for 28 days, from 1st March 2019 to 28th March 2019; and if no significant submissions are received, that the Policy be adopted.

The Motion on being put to the vote was CARRIED.

10.2 FOR DECISION: Public Exhibition of Draft Tourism Strategy 2018-2020

Ref: AINT/2019/00149 (ARC18/2574)

14/19

Moved Cr Bailey

Seconded Cr Murat

- a) That Council adopts the Tourism Strategy as presented.
- b) That the 2018-2020 Tourism Strategy be placed on public exhibition for a period of 28 days and if no substantive amendments be proposed during that period it then be adopted.
- c) That the Regional Growth Advisory Committee have carriage of the Tourism Strategy and collaborate with the Arts, Cultural and Heritage Advisory Committee and Business Advisory Committee.

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

10.3 FOR DECISION: Evocities: Memorandum of Understanding

Ref: AINT/2019/03562 (ARC17/2172)

15/19

Moved Cr Bailey

Seconded Cr Murat

- a) That Armidale Regional Council's commitment to the continuation of the Evocities program for the period 2019/20 to 2022/23 be confirmed.
- b) That the MOU is to contain a clause that Evocities will conduct an external review of its operations and circulate the review findings to the Evocities member Councils.
- c) That Council authorise the Mayor and the CEO to execute the Memorandum of Understanding between ARC and Evocities for the period.

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

11. REPORTS FOR DECISION - ENVIRONMENT AND INFRASTRUCTURE

11.1 FOR DECISION: Review of Street Trading Policy *Ref: AINT/2019/03075 (ARC16/1132)*

16/19

Moved Cr Tiley Seconded Cr Murat

- a) That the Draft Local Approvals Policy be placed on public exhibition for 28 days and be open for submissions for a period of no less than 42 days, in accordance with the legislation;
- b) That additional public notice be given in accordance with Regulation 77 of the Local Government (General) Regulation 2005; and
- c) That the Draft Local Approvals Policy – Local Approvals Policy for Street Trading be submitted to the Departmental Chief Executive of the Office of Local Government for approval, prior to the Policy being adopted by Council, as the Policy contains exemptions for approval under Section 68 Local Government Act 1993.

The Motion on being put to the vote was CARRIED.

11.2 FOR DECISION: Planning Decision: Draft Amendment No 7 to Armidale
Dumaresq Local Environmental Plan 2008 *Ref: AINT/2019/03389 (A15/6623)*

17/19

Moved Cr Widders Seconded Cr Murat

- a) That Council exercise its local plan making delegations under Section 3.36 of the Environmental Planning and Assessment Act 1979 to adopt and make Draft Amendment No 7 to Armidale Dumaresq Local Environmental Plan 2012, consistent with Planning Proposal No 7.
- b) That the proponent and persons who made submissions during the public exhibition period for Planning Proposal No 7 be advised of Council's decision.
- c) That Council enter into a Voluntary Planning Agreement (VPA) (amended as detailed in this report) for the contribution towards the roundabout currently under construction, closure and reconnection of Mills and Kia Ora Roads through the new roundabout, NBN extension, Embellishment of Open Space, Bio Banking Offsets for the land the subject of the Planning Proposal No 7 opposite the Armidale Regional Airport.
- d) That subject to the above the Mayor and CEO be authorised to sign and seal the VPA accompanying Planning Proposal No 7 and other documents required for its registration on title for Lot 1 DP 1173995, Lot 1 DP 1195163 and Lot 14 DP 5188.
- e) That Council require a review of the Aboriginal archaeological report during the development application assessment process which includes consultation with local members of the Aboriginal community.

The Motion on being put to the vote was CARRIED.

DIVISION The result being:-

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

AGAINST: Nil

11.3 FOR DECISION: Local Approvals Policy - Solid Fuel Heating Appliances

Ref: AINT/2019/03786 (ARC16/1082)

18/19

Moved Cr O'Connor

Seconded Cr Widders

- a) That the 23 written submissions received by the public in relation to the exhibition of the "Local Approvals Policy - Draft Solid Fuel Heating Appliances" be noted and acknowledged by Council.
- b) That based upon the content and nature of the submissions, that the "Draft Local Approvals Policy – Solid Fuel Heating Appliances" be amended to ensure any solid fuel appliance to be installed in the Armidale Urban Area shall have an overall average efficiency of not less than 60% as tested and calculated in accordance with Standard 4012, and have an appliance particulate emission factor, as tested and calculated in accordance with Standard 4013, not greater than: 1g/kg (for heaters without catalytic combustors), or 0.8 g/kg (for heaters with catalytic combustors).
- c) That with the above amendments, Council adopts the amended draft local policy under *Section 161 of the Local Government Act 1993*, subject to consent from the Departmental Chief Executive of the Office of Local Government for approval, prior to the Policy being adopted by Council, as the Policy contains exemptions for approval under Section 68 Local Government Act 1993.

AMENDMENT

That the item be deferred and dealt with in conjunction with Item 8.3 (resolution 5/19).

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

11. REPORTS FOR DECISION - OUR PEOPLE AND COMMUNITY

12.1 FOR DECISION: Appointment of Councillor Representative on NSW Public Libraries Association

Ref: AINT/2019/00163 (ARC17/1594)

19/19

Moved Cr O'Brien

Seconded Cr Murat

That Council appoint Councillor Margaret O'Connor to the NSW Public Libraries Association as its authorised Elected Representative for 2018-2019 and 2019-2020.

The Motion on being put to the vote was CARRIED.

12.2 FOR DECISION: Draft POL145 Museum Collection Management

Ref: AINT/2019/00891 (ARC17/1784)

20/19

Moved Cr Tiley

Seconded Cr Murat

- (a) That the Draft Museum Collection Management Policy be endorsed;**
- (b) That the Draft Museum Collection Management Policy be placed on public exhibition for a period of no less than 28 days, from Wednesday 6 March 2019 to Wednesday 3 April 2019;**
- (c) That a further report be provided to the 24 April 2019 Council meeting for consideration of any submissions received; and**
- (d) That if no submissions are made within the submission period, then the Museum Collection Management Policy be adopted retrospectively.**

The Motion on being put to the vote was CARRIED.

13. REPORTS FOR INFORMATION

13.1 FOR INFORMATION: Cash & Investment Report For December 2018

Ref: AINT/2019/02686 (ARC18/2774)

21/19

Moved Cr Murat

Seconded Cr Widders

That Council note the Cash and Investment Report, as at 31 December, reporting investments held of \$71,810,139 and a consolidated Bank Account balance of \$1,500,199, excluding the Trust Fund.

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

13.2 FOR INFORMATION: Cash & Investment Report For January 2019

Ref: AINT/2019/02698 (ARC18/2774)

22/19

Moved Cr Murat

Seconded Cr Bailey

The Council note the Cash and Investment Report, as at 31 January 2019, reporting investments held of \$73,356,818 and a consolidated Bank Account of \$180.79, excluding the Trust Fund.

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

13.3 FOR INFORMATION: Councillor Induction and Professional Development Program

Ref: AINT/2018/25669 (ARC17/2043)

23/19

Moved Cr Widders Seconded Cr Bailey

- a) That Council note the report on the delivery of councillor induction program and professional development activities following the election of the new Council in September 2017; and
- b) That Council note the report on the Councillor expenses for the period July – December 2018 which total \$20,811.42.

The Motion on being put to the vote was CARRIED.

Cr O'Connor requested that her dissenting vote be recorded.

13.4 FOR INFORMATION: Code of Conduct Complaint Statistics Report 2018

Ref: AINT/2018/27258 (ARC16/1155)

24/19

Moved Cr Tiley Seconded Cr Murat

That the 2018 Code of Conduct Complaint Statistics Report for the period 1 September 2017 to 31 August 2018 be noted.

The Motion on being put to the vote was CARRIED.

13.5 FOR INFORMATION: Economic Development Strategy Review

Ref: AINT/2018/27455 (ARC16/0875-2)

25/19

Moved Cr Bailey Seconded Cr Galletly

- a) That the review as per the attached spreadsheet be noted; and
- b) That the Regional Growth Advisory Committee have carriage of further reviews.

AMENDMENT

Moved Cr O'Connor Seconded Cr O'Brien

- a) That the review as per the attached spreadsheet be noted; and
- b) That the review be the subject of a future Councillor Workshop; and
- c) That the future review be deferred to the first Ordinary Council meeting after that Workshop.

The amendment was withdrawn.

The Motion on being put to the vote was CARRIED.

SUSPENSION OF STANDING ORDERS

26/19

Moved Cr Murat Seconded Cr Robinson

That standing orders be suspended at 6:05pm to allow a short recess.

The recommendation was ADOPTED.

RESUMPTION OF STANDING ORDERS

27/19

Moved Cr Martin Seconded Cr Robinson

That standing orders resume at 6:17pm.

The recommendation was ADOPTED.

13.6 FOR INFORMATION: Procurement - Acceptance of Tenders Under CEO

Delegated Authority as at 31 December 2018

Ref: AINT/2019/01266 (ARC17/2016)

28/19

Moved Cr Murat Seconded Cr Martin

That Council note the report on the acceptance of tenders, under the CEO delegated authority to accept tenders with a contract value of up to \$500,000, up to 31 December 2018.

The Motion on being put to the vote was CARRIED.

13.7 FOR INFORMATION: Sale of Land for Overdue Rates 2018

Ref: AINT/2019/01540 (ARC16/0822)

29/19

Moved Cr Tiley Seconded Cr Murat

That Council note the successful outcome of the sale of land for overdue rates which resulted in rates and charges and sale costs totalling \$704,005 being recovered and rates and charges and sale costs totalling \$255,689 being written off.

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

13.8 FOR INFORMATION: Quarterly Water Adjustment Report

Ref: AINT/2019/02346 (ARC16/0193)

30/19

Moved Cr Murat

Seconded Cr Martin

That Council note the report detailing water adjustments, made under the provisions of the Water Account Adjustment Management Policy, for the December quarter, totalling \$9475.19.

The Motion on being put to the vote was CARRIED.

13.9 FOR INFORMATION: Monthly Financial Report January 2019

Ref: AINT/2019/03195 (ARC16/0488)

31/19

Moved Cr Tiley

Seconded Cr Murat

That Council note the Monthly Financial Report for January 2019.

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 DECISION: Minutes - Traffic Advisory Committee meeting - 5 February 2019

Ref: AINT/2019/02541 (ARC16/0168)

32/19

Moved Cr Martin

Seconded Cr Murat

(a) **That the Minutes of the Traffic Advisory Committee meeting held on 5th February 2019 be noted, and**

(b) **That the following recommendation from the Traffic Advisory Committee Meeting be adopted:**

(i) **That the Special Event Transport Management Plan for the Armidale Cycling Club's 2019 New England Festival Criterium be endorsed.**

(ii) **That approval be provided for the Special Event Transport Management Plan for the staging of the 'Tour de Rocks' Thursday 11th April to Saturday 13th April 2019, for the occupation and usage of Armidale Dumaresq Council Local Government Area (LGA) local roads only, pending approval for the use of local roads within the LGA of Kempsey by Kempsey Council, and of any regional classified roads from the Roads and Maritime Services, and any further recommendations from NSW Police.**

(iii) **That approval be provided for Special Event Transport Management Plan**

request for the use of local roads of Guyra, Saturday 9 March 2019, for the Five Cent Friday Melanoma March 2019, including safety recommendations made from NSW Police.

- (iv) That Council provides suitable road closure signage to the event organisers for the closure of Dangar Street between Dumaresq and Kirkwood Streets, from 6am to 9am on Thursday the 11th April 2019.**
- (v) That 2 disability parking spaces be installed in Beardy Street adjacent to the APVMA Building at the cost of the developer, and in line with Australian Standards AS2890.5 Clause 4.5.**
- (vi) That “No Stopping” be installed on the northern side of Monro Street from the start of the bus zone west along Monro for the length of 100m.**
- (vii) That “No Entry” signs with “Staff and Residents Excepted” supplementary plate be installed at the start of the unformed section of Monro Street.**
- (viii) That “No Entry” signs with “Buses, Staff and Residents Excepted” supplementary plate, be installed at the entrance of Monro Street to replace existing buses only signage.**
- (ix) That School staff be provided with identification for their cars to allow parking in Monro Street.**
- (x) That BB lines be installed in Duval Street for the length of 200m on approach to Crest Road to prevent U-Turn movements.**
- (xi) That a No stopping zone be install on the corner of Crest and Harden Street for the default distance of 10m.**
- (xii) That the existing “No Parking” opposite the bus zone at the Armidale Super School be changed to a “No Stopping”.**

The Motion on being put to the vote was CARRIED.

**16.2 FOR INFORMATION - Minutes - Business Advisory Committee 17 October 2018,
4 December 2018 and 5 February 2019** *Ref: AINT/2019/02348 (ARC17/2172)*

33/19

Moved Cr Martin

Seconded Cr Murat

- a) That the Minutes of the Business Advisory Committee meeting held on 17th October 2018 be noted;
- b) That the following recommendations from the Business Advisory Committee meeting held on 17th October 2018 be adopted;
 - I. That the Mall Engagement be placed on hold until after the completion of the Masterplan.
- c) That the Minutes of the Business Advisory Committee meeting held on 4th December 2018 be noted;
- d) That the following recommendations from the Business Advisory Committee meeting held on 4th December 2018 be endorsed;
 - II. That the local draft approval policy be placed on public exhibition moving the existing part two assessment criteria to Part 1 exemptions of requiring approval for street trading activities approval required under Section 68.
 - III. That the matter of fees and charges be removed from this policy and dealt with in the Council's annual fees and charges process.
 - IV. That the Council implement a simple single licence process for street trading activities which maintains flexibility.
 - V. That the Business Advisory Committee supports the concept of a master plan that weaves all the other masters plans into one single document and that the Business Advisory Committee has carriage of this master plan.
- e) That the Minutes of the Business Advisory Committee meeting held on 5th February 2019 be noted;
- f) That the following recommendations from the Business Advisory Committee meeting held on 5th February 2019 be endorsed;
 - VI. That it be noted the focus points for the Business Advisory Committee for 2019, include:
 - a) Putting the Buzz in Business
 - b) Scope support for the DA process
 - c) Master Plan

The Motion on being put to the vote was CARRIED.

16.3 FOR INFORMATION: Minutes of the Environmental Sustainability Advisory Committee - 4 February 2019

Ref: AINT/2019/02451 (ARC16/0864)

34/19

Moved Cr Robinson Seconded Cr Murat

That the Minutes of the Environmental Sustainability Advisory Committee meeting held on 4 February 2019 be noted.

The Motion on being put to the vote was CARRIED.

16.4 FOR INFORMATION: Minutes - Armidale Regional Youth Advisory Committee - 11 February 2019

Ref: AINT/2019/03071 (ARC16/0591)

35/19

Moved Cr Widders Seconded Cr Murat

That the Minutes of the Armidale Regional Youth Advisory Committee meeting held on 12 February 2019 be noted.

The Motion on being put to the vote was CARRIED.

16.5 FOR INFORMATION: Minutes - Regional Growth Advisory Committee - 14 February 2019

Ref: AINT/2019/03367 (ARC17/2172)

36/19

Moved Cr Bailey Seconded Cr Murat

a) That the Minutes of the Regional Growth Advisory Committee meeting held on 14 February 2019 be noted.

The Motion on being put to the vote was CARRIED.

16.6 FOR DECISION: Minutes - Community Wellbeing Advisory Committee - 6

December 2018 and 31 January 2019

Ref: AINT/2019/00239 (ARC16/1052)

37/19

Moved Cr O' Brien

Seconded Cr Murat

That the Minutes of the Community Wellbeing Advisory Committee meeting held on 6 December 2018 be noted;

- (a) That the Armidale Neighbourhood Centre be included as a member of the Community Wellbeing Advisory Committee and that the Terms of Reference be amended to reflect this change;**

That the following recommendations from the Community Wellbeing Advisory Committee meeting held on 6 December 2018 be adopted:

- (b) That Council provide information about sources of possible assistance to all residents along with rates notices, including notices of arrears;**
- (c) That Council recommend to the Joint Organisation of Councils that they contact Rotary and other organisations raising funds for drought relief, to offer assistance in distributing funds and identifying community needs and also consider the possibility of setting up a telephone hotline/one-stop-shop to simplify the process of finding help and assistance when people are in need.**

That the Minutes of the Community Wellbeing Advisory Committee meeting held on 31 January 2019 be noted and the following recommendation adopted;

- (d) That the Committee strongly supports the initiatives as detailed in the Australian Local Government Association Federal Election Initiatives publication. In particular, the Committee seeks action from Council to support the following initiatives: -**
- Promote equitable access to community services**
 - Promote communities from the impacts of natural disasters**
 - Promote healthier communities**
 - Foster Indigenous well-being and prosperity, and**
 - Support local government's current work in addressing affordable housing and homelessness issues.**

The Motion on being put to the vote was CARRIED.

16. MATTERS OF AN URGENT NATURE - NIL

17. QUESTIONS ON NOTICE - NIL

PROCEDURAL MOTION

38/19

Moved Cr Murat

Seconded Cr Galletly

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

- 19.1 FOR DECISION: Request for Tender- Armidale Regional Landfill Contract #4 Operational Area Construction. (AINT/2019/02469) - *As this report deals with commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council (Section 10A (2)(d)(ii) of the Local Government Act 1993). Council closes 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: Awarding Tender for Lot 1-72 New England Highway. (AINT/2019/02694) - *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.*
- 19.3 FOR DECISION: Easement details for Malpas Dam to Guyra Pipeline . (AINT/2019/02766) - *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.*
- 19.4 FOR DECISION: Land Divestment - Residential Tenancy Leased Properties. (AINT/2019/02775) - *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.*
- 19.5 FOR DECISION: Sale of land For Unpaid Rates – Land classification as Operational. (AINT/2019/03554) - *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.*

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.

The Motion on being put to the vote was CARRIED.

Council entered Closed Session at 6:32pm.

Council returned to Open Session at 6:39pm.

OPEN SESSION

39/19 **Moved Cr Murat Seconded Cr Martin**

That the recommendations of Closed Session be adopted.

The Motion on being put to the vote was CARRIED.

18. **CLOSED SESSION**

19.1 **FOR DECISION: Request for Tender- Armidale Regional Landfill Contract #4
Operational Area Construction** *Ref: AINT/2019/02469 (ARC18/2906)*

40/19

That the tender for the Regional Landfill Contract #4 Operational Area Construction be awarded to the JNC Group for a total tender price of \$750,552.00, including GST

The Motion on being put to the vote was CARRIED.

19.2 **FOR DECISION: Awarding Tender for Lot 1-72 New England Highway**

Ref: AINT/2019/02694 (ARC17/1507)

41/19

That the recommendation from the tender evaluation panel for Lot 1-72 New England Highway from Hargreaves Property Group with the tendered purchase price of \$2,250,000.00 be accepted, subject to Armidale Regional Council GLE Grant application for the building of the Business park, being successful and the grant deed signed.

The Motion on being put to the vote was CARRIED.

MOTION

42/19

That Council convey to the NSW Government and our local member the Hon Adam Marshall MP our appreciation for the allocation of \$6 million for the Armidale Regional Airport Business Park.

The Motion on being put to the vote was CARRIED.

19.3 FOR DECISION: Easement details for Malpas Dam to Guyra Pipeline

Ref: AINT/2019/02766 (ARC17/1529)

43/19

- a) That Council note that easements are required to be established to ensure the right for entry and use of for the construction and ongoing maintenance and operations of the Malpas Dam/Guyra Pipeline landholders;
- b) That Council pay the four landholders the compensation determined under the Local Government Act 1993 and the Land Acquisition (Just Terms Compensation) Act 1991

The Motion on being put to the vote was CARRIED.

19.4 FOR DECISION: Land Divestment - Residential Tenancy Leased Properties

Ref: AINT/2019/02775 (ARC18/2525)

44/19

- a) That the CEO be delegated authority to dispose of the following properties based on the Reserve Prices detailed in the report:
 - Lot 15 DP 827025
 - Lot 1 DP 1153810
- b) That the Council seal be affixed to the documents associated with the Contracts of Sale for the above Lots.

The Motion on being put to the vote was CARRIED.

19.5 FOR DECISION: Sale of land For Unpaid Rates – Land classification as Operational

Ref: AINT/2019/03554 (ARC16/0822)

45/19

- (a) That pursuant to Section 31 (2A) of the Local Government Assessment Act 1993, Council classify Lot 1 DP 1136216 and Lot 1 DP 336154 as Operational Land
- (b) That the Chief Executive Officer and Mayor be authorised to Sign and Seal any required documents to complete the sales.

The Motion on being put to the vote was CARRIED.

There being no further business the Mayor declared the meeting closed at 6:40pm.