



ORDINARY MEETING OF COUNCIL

Held on

Wednesday, 28 July 2021
4pm

at

Armidale Council Chambers

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

IN ATTENDANCE: Mr James Roncon (General Manager), Mr Scot MacDonald (Director Businesses & Services), Mr Damien Connor (Chief Officer Corporate and Strategy), Ms Jessica Bower (Executive Officer) and Ms Melissa Hault (Executive Officer).

MINUTES

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13. MATTERS OF AN URGENT NATURE - NIL

14. QUESTIONS ON NOTICE - NIL

1. CIVIC AFFIRMATION AND ACKNOWLEDGEMENT OF COUNTRY

Cr Murat read the Civic Affirmation.

Cr Robinson read the Acknowledgement of Country.

The Mayor held a one minute silence for Grace Kelly, Percy Strong and Dianne Roberts.

2. STATEMENT IN RELATION TO LIVE STREAMING OF COUNCIL MEETINGS

The GM delivered the statement.

3. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS - NIL

4. DISCLOSURES OF INTEREST - NIL

5. CONFIRMATION OF MINUTES

CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 23 JUNE 2021 AND THE EXTRAORDINARY COUNCIL MEETING HELD ON 29 JUNE 2021

276/21

RESOLVED

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

Moved Cr Murat

Seconded Cr Galletly

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

6. MAYORAL MINUTE

6.1 Mayoral Minute: Council submission to IPART regarding the review of the rate peg to include population growth

Ref: AINT/2021/24483 (ARC16/0025)

277/21

RESOLVED

That Council, prior to the due date of 6 August 2021, make a submission to IPART in support of proposed changes to the method of rate peg calculations to include a factor for population growth in accordance with the IPART draft recommendation.

Moved Cr Tiley

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

6.2 Mayoral Minute: Continuance of Performance Improvement Order Actions

Ref: AINT/2021/24998 (ARC16/0025)

278/21

RESOLVED

That Council request the incoming Council to continue with the Performance Improvement Order actions and strongly emphasises to the incoming Council that it continues on the path of governance and financial reform which has been commenced through responding to the requirements of the PIO.

Moved Cr Tiley

DIVISION The result being:-

FOR: Crs P Bailey, J Galletly, A Murat and I Tiley

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

The Motion on being put to the vote was CARRIED.

7. NOTICES OF MOTION

8. LEADERSHIP FOR THE REGION

8.1 Financial Improvement Plan

Ref: AINT/2021/22926 (ARC21/4461)

279/21

RESOLVED

That Council endorse the Financial Improvement Plan.

Moved Cr Galletly

Seconded Cr O'Brien

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

8.2 Local Government Elections 2021 - Caretaker Period *Ref: AINT/2021/22581 (ARC21/4520)*

280/21

RESOLVED

That Council receive and note Circular No 21-17 dated 8 July 2021 Reference A489192 issued by the NSW Office of Local Government regarding the Local Government Elections – Caretaker Provisions.

Note: The postponement of the election.

Moved Cr O'Connor

Seconded Cr Murat

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

8.3 Councillor and Staff Interaction Policy

Ref: AINT/2021/20898 (ARC17/2330-2)

281/21

RESOLVED

That Council:

- a. Note the Draft Councillor and Staff Interaction Policy was referred to the Office of Local Government and the Minister for Local Government for review on 31 March 2021, as required under the Performance Improvement Order. No objections were received.
- b. Adopt the Councillor and Staff Interaction Policy.

Moved Cr Galletly

Seconded Cr O'Brien

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

8.4 Rescinding of Council Policies

Ref: AINT/2021/21729 (ARC17/1770)

282/21

RESOLVED

That Council rescind the following polices:

- a. POL099 Armidale Regional Airport - Car Rental Concessions
- b. POL098 Armidale Regional Airport - Fees and Charges
- c. POL085 Site Specific Contribution Plan
- d. POL059 Armidale Contribution Plan
- e. POL224 Motor Vehicle Assets Management
- f. POL169 Motor Vehicle Transitional
- g. POL201 Access to Information Under GIPA
- h. POL158 Enterprise Risk Management
- i. POL126 Supply and Consumption of Alcohol
- j. POL115 Records Management
- k. POL198 Information Technology Procedure and Security
- l. POL068 Landscaping and Tree Planting
- m. POL133 Footpath Vegetation and Landscaping Obstructions
- n. POL093 Dust Laying Seals on Public Roads
- o. POL178 Pesticides Notification
- p. POL113 Child Protection
- q. Amalgamation of Lots Straddling the former ADC & GCD LGA Boundary
- r. POL189 Use of Sports Grounds by Schools
- s. POL138 Armidale Greening Plan
- t. POL188 Armidale Dumaresq Regional Film Policy
- u. POL232 National Disability Standards Policy

Moved Cr Galletly

Seconded Cr O'Brien

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

8.5 Business Continuity Policy - for Adoption

Ref: AINT/2021/24446 (ARC16/0392)

283/21

RESOLVED

That Council adopts the Business Continuity Policy.

Moved Cr Galletly

Seconded Cr O'Brien

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

8.6 Procurement Policy - For Adoption (Post Public Exhibition)

Ref: AINT/2021/21205 (ARC16/0522-3)

284/21

RESOLVED

That Council:

- a. Receive this report in relation to the updated Procurement Policy, noting no submissions were received from the public during the 28 day public exhibition period; and
- b. Adopt the Procurement Policy.

Moved Cr Galletly

Seconded Cr O'Brien

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

8.7 Feedback and Complaints Management Policy and Unreasonable Customer

Conduct Policy - for Adoption (Post Public Exhibition)*Ref: AINT/2021/22583 (ARC21/4636)*

285/21

RESOLVED

That Council:

- a. Note no submissions were received during the exhibition period for the draft Feedback and Complaints Management Policy or the draft Unreasonable Customer Conduct Policy.
- b. Adopt the Feedback and Complaints Management Policy and the Unreasonable Customer Conduct Policy.
- c. Rescind POL202 Difficult Complaints Management Policy.

Moved Cr Galletly

Seconded Cr O'Brien

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

9. GROWTH, PROSPERITY AND ECONOMIC DEVELOPMENT

9.1 2020/21 Fourth Quarter Budget Review

Ref: AINT/2021/22592 (ARC20/4361)

286/21

RESOLVED

That Council:

- a. Note the 2020/21 Fourth Quarter Budget Review.
- b. Resolve to amend the 2020/21 budget in accordance with the Quarterly Budget Review Statement for the period 1 April 2021 to 30 June 2021 tabled at the attachment.

Moved Cr Robinson

Seconded Cr Murat

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

9.2 Local Strategic Planning Statement - Status Report June 2021

Ref: AINT/2021/22584 (ARC19/3364)

287/21

RESOLVED

That Council receive and note this report in relation to Local Strategic Planning Statement - Status Report June 2021.

Moved Cr Robinson

Seconded Cr O'Connor

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

9.3 Public Exhibition of Draft Tourism Strategy 2021-2023

Ref: AINT/2021/23246 (ARC16/0575-2)

288/21

RESOLVED

That Council:

- a. Adopts the draft Tourism Strategy as presented
- b. Places the 2021-2023 Tourism Strategy on public exhibition for a period of 28 days for comment.

Moved Cr Bailey

Seconded Cr Galletly

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

9.4 Debt Recovery Policy and Hardship Policy - For Adoption (Post Public Exhibition)

Ref: AINT/2021/22924 (ARC17/1727-5)

289/21

OFFICERS RECOMMENDATION

That Council:

- a. Receive this report in relation to the Debt Recovery Policy and Hardship Policy, noting one submission was received during the 28 day public exhibition period;
- b. Adopt the Debt Recovery Policy and Hardship Policy; and
- c. Rescind POL160 Interim Hardship Policy, POL190 Hardship due to Valuation Changes and POL191 Writing off Accrued Interest as they have been superseded by the Debt Recovery Policy and Hardship Policy.

RESOLVED

That the matter be deferred to the next Ordinary Council meeting and referred to the Community Wellbeing Committee for further review.

Moved Cr O'Brien

Seconded Cr Robinson

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

9.5 Financial Reserves Policy - For Adoption (Post Public Exhibition)

Ref: AINT/2021/22927 (ARC17/2058)

290/21

RESOLVED

That Council:

- a. Receive this report in relation to the Financial Reserves Policy; and
- b. Adopt the Financial Reserves Policy.

Moved Cr Tiley

Seconded Cr Murat

DIVISION The result being:-

FOR: Crs P Bailey, J Galletly, A Murat, D O'Brien, M O'Connor and I Tiley

AGAINST: Cr D Robinson

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

FOR INFORMATION: 9.6 Cash and Investment Report 30 June 2021

Ref: AINT/2021/22493 (ARC16/0001-6)

291/21

RESOLVED

That Council note the Cash and Investment Report for June 2021.

Moved Cr Bailey

Seconded Cr Galletly

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

10. ENVIRONMENT AND INFRASTRUCTURE

10.1 Kempsey Road Recovery Update and Future Works *Ref: AINT/2021/21342 (ARC20/3770)*

292/21

RESOLVED

That Council:

- a. Note the status report for Kempsey Road Recovery works.
- b. Delegate authority to the General Manager to certify funding deed documents for the change in scope of RNSW2296 Kempsey Road Armidale – Big Hill section.
- c. Delegate authority to the General Manager to certify funding deed documents for the variation in scope for Fixing Local Roads Round 2 Blackbird Flat / Flying Fox Gully project.
- d. Delegate authority to the General Manager to certify funding deed documents for EPARW Application 2: AGRN898 Six Corners & Corn Patch Culvert.
- e. Delegate authority to the General Manager to certify funding application documents and deeds for Kempsey Road Natural Disaster Recovery Works – Application 3 - AGRN898 Essential Public Asset Restoration Works (EPARW).
- f. Undertake a workshop with the elected Councillors as soon as practical after the 4th September local government elections to consider the project scope and funding agreements for Kempsey Road projects.

Moved Cr O'Brien

Seconded Cr Galletly

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

10.2 Refund of bond monies in relation to road closure required under DA-69-2016/A

Ref: AINT/2021/23389 (DA-69-2016/A)

293/21

RESOLVED

That Council

- a. Endorse the Officer's recommendation that the bond of \$10,000.00 paid by Mr and Mrs Clark to effect the closure of a Council unformed road traversing 930 Puddledock Road held by Armidale Regional Council be refunded on the adoption of this report.
- b. Notes the owners of 930 Puddledock Road have agreed to continue to pursue the road closure to rectify the current encroachments over the road reserve. Any costs to close the road reserve will be borne by the owners of 930 Puddledock Road and there is no liability to Armidale Regional Council.

Moved Cr O'Brien

Seconded Cr Galletly

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

10.3 Leasing part of Guyra Prisk Hill water supply reservoir site to NSW Telcos and the FM Radios

Ref: AINT/2021/22350 (ARC19/3162)

294/21

RESOLVED

That Council:

- a. Note the proposal from NSW Telco Authority to lease portion of Guyra Prisk Hill reservoir site to erect a monopole for antennas and a shelter to house telecommunication equipment.
- b. Note the proposal from Armidale 2AD FM radio to install antennas and associated telecommunication equipment.
- c. Note the current presence of Vision Christian Media at the reservoir site for their FM transmission equipment.
- d. Delegate authority to the General Manger to negotiate with NSW Telco Authority, Armidale 2AD and Vision Christian Media and sign off on lease agreements.
- e. Delegate authority to the General Manger to negotiate with Vision Christian Media a suitable Lease for their ongoing occupancy.

Moved Cr O'Brien

Seconded Cr Galletly

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

10.4 Fixing Local Roads Round 3 Applications

Ref: AINT/2021/22485 (ARC20/4302)

295/21

RESOLVED

That Council recommended the applications to the NSW Government Fixing Local Roads Round 3 program.

The applications are:

- a. Kellys Plains Road, Armidale rehabilitation \$980,000
- b. Lagoon Road, Black Mountain rehabilitation and seal 1.4 kilometres gravel \$1,600,000
- c. Moredun Road, Ben Lomond rehabilitation \$2,210,000
- d. Tubbamurra Road, Guyra rehabilitation \$1,150,000
- e. Kempsey Road, Location 1- Blackbird Flat \$2,996,000

Moved Cr Tiley

Seconded Cr O'Brien

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

10.5 Climate Emergency Australia: Memorandum of Understanding

Ref: AINT/2021/23695 (ARC16/0864)

296/21

RESOLVED

That Council

- a. Review information on Climate Emergency Australia as provided; and
- b. Delegate authority to the General Manager to approve and sign the Memorandum of Understanding.

Moved Cr Robinson

Seconded Cr Murat

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

10.6 Public Exhibition of New Fees for Food Vans

Ref: AINT/2021/18868 (ARC19/3612)

297/21

RESOLVED

That Council

- a. That a new fee for the operation of food vans operating on Council land be placed on public exhibition for a minimum 28 days seeking submissions.
- b. Note that at the conclusion of the exhibition period, a further report will be presented to Council.

Moved Cr Robinson

Seconded Cr O'Connor

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

10.7 Public Exhibition of Draft Sewer Policy

Ref: AINT/2021/22653 (ARC18/2622)

298/21

RESOLVED

That Council:

- a. Endorse the draft Sewer Policy for public exhibition until Monday 30 August 2021.
- b. Receive a further report at the end of the exhibition period.

Moved Cr O'Brien

Seconded Cr Galletly

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

10.8 Public Exhibition of Aquatic Centres Patron Code of Conduct

Ref: AINT/2021/22820 (ARC17/1793)

299/21

RESOLVED

That Council adopt the revised Aquatic Centres Patron Code of Conduct Policy.

Moved Cr O'Brien

Seconded Cr Galletly

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

10.9 Public Exhibition of Urban Watercourse Revegetation Policy

Ref: AINT/2021/22959 (ARC17/1797)

300/21

RESOLVED

That Council adopt the revised Urban Watercourse Revegetation Policy.

Moved Cr O'Brien

Seconded Cr Galletly

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

10.10 Planning Proposals (LEP Amendments) Policy - for Adoption (Post Public Exhibition)

Ref: AINT/2021/21178 (ARC17/1882)

301/21

RESOLVED

That Council:

- a. Adopt the Planning Proposals (LEP Amendments) Policy.

Moved Cr O'Brien

Seconded Cr Galletly

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

10.11 Water Supply Policy - for Adoption (Post Public Exhibition)

Ref: AINT/2021/22630 (ARC18/2622)

302/21

RESOLVED

That Council adopt the Water Supply Policy following a period of public exhibition.

Moved Cr O'Brien

Seconded Cr Galletly

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

10.12 Reduction of Water Consumption Charges Due to Undetectable Leakage Policy - for Adoption (Post Public Exhibition)

Ref: AINT/2021/22631 (ARC16/0350-1)

303/21

RESOLVED

That Council:

- a. Note no submissions were received during the exhibition period for the draft Reduction of Water Consumption Charges Due to Undetectable Leakage Policy.
- b. Adopt the Reduction of Water Consumption Charges Due to Undetectable Leakage Policy.
- c. Rescind POL238 Water Account Adjustment Management as this has been superseded by the adoption of the Reduction of Water Consumption Charges Due to Undetectable Leakage Policy.

Moved Cr O'Brien

Seconded Cr Galletly

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

11. OUR PEOPLE AND COMMUNITY

11.1 Armidale Sports Council Committee - Expenditure of Sports Development Fund via Section 356 for Sports Council projects

Ref: AINT/2021/22958 (ARC16/0330)

304/21

RESOLVED

That Council:

- a. Give public notice for a period of 28 days in accordance with section 356 of the Local Government Act 1993 of Council's intention to pay \$33,000 to the Armidale District Cricket Association to contribute to the funding of three projects as proposed by the Sports Council; and
- b. A further report be presented back to Council following the conclusion of the public notice period to address any matters raised during the exhibition period.

Moved Cr Galletly

Seconded Cr Murat

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

12. COMMITTEE REPORTS

FOR INFORMATION: 12.1 Economic Development Committee - Minutes of meeting held 10 June 2021 *Ref: AINT/2021/24430 (ARC19/3530)*

305/21

RESOLVED

That the Minutes of the Economic Development Committee meeting held on 10 June 2021 be noted.

Moved Cr Murat

Seconded Cr Galletly

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

12.2 Access Advisory Committee - Minutes of meeting held 10 June 2021

Ref: AINT/2021/24041 (ARC16/0524-3)

306/21

RESOLVED

That the Minutes of the Access Advisory Committee meeting held on 10 June 2021 be noted and that the following recommendation be considered by Council:

- a. That council coordinate the production of a handout to let people know what disability services are in the Armidale region.

Moved Cr Murat

Seconded Cr Galletly

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

12.3 Community Wellbeing Advisory Committee - Minutes of meeting held 24 June 2021

Ref: AINT/2021/24042 (ARC16/1052)

307/21

RESOLVED

That the minutes of the Community Wellbeing Advisory Committee meeting held on 24 June 2021 be noted and that the following recommendations be considered by Council.

- a. That Council continue to seek funding sources for the security lighting along the cycleway to complete the works in the original grant application.
- b. That Council investigate opportunities for the security lighting to dovetail into the Armidale Creek Lands Masterplan upgrades project.

Moved Cr Murat

Seconded Cr Galletly

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

12.4 Economic Development Committee - Minutes of meeting held 5 July 2021

Ref: AINT/2021/24038 (ARC19/3530)

308/21

RESOLVED

That the Minutes of the Economic Development Committee meeting held on 5 July 2021 be noted and that the following recommendations of the Committee be considered by Council:

- a. That Council support SRI by including it in its strategic planning documentation with the objective to help identify potential users of the space and points of leverage.
- b. That Council work together with SRI to understand if locating Council Planning Staff at the facility would fit the proposition of the SRI and remain effective for Council.

Moved Cr Murat

Seconded Cr Galletly

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

12.5 Traffic Advisory Committee - Minutes of meeting held 6 July 2021

Ref: AINT/2021/22513 (ARC16/0168-6)

309/21

RESOLVED

That the Minutes of the Traffic Advisory Committee meeting held on 6 July 2021 be noted and that Council:

- a. Approve the requested road closures of Taylor Street from Dumaresq Street to Donnelly Street and Kirkwood Street between Taylor Street and Douglas Street from 7.30am until 6pm on Sunday 15 August 2021 for the Jack Vallance Memorial Junior Carnival.
- b. Approve the temporary 12 month "No parking" zone in Mann Street 10m either side of the driveway of 291-293 Mann Street.
- c. Approve the temporary 12 month "No parking" zone on the southern side of Mann Street 10m either side of the driveway of 291-293 Mann Street.
- d. Deny the request to change the Cinders Lane Loading Zone to unrestricted parking after hours, due to the amount of unrestricted after hours parking available in the Cinders Lane carpark.
- e. Endorse the recommendation to install a raised kerb blister on the eastern side of Jessie Street at the intersection with Rusden Street.
- f. Endorse the recommendation to install Crossing flag infrastructure on Rusden Street as an added visual aid for drivers.
- g. Endorse the recommendation to install Double Barrier lines in Jessie Street at the intersection with Rusden Street for a length of 30m.
- h. Note: the Traffic Committee support the closure of Mills Road.

Moved Cr Murat

Seconded Cr Galletly

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

12.6 Access Advisory Committee - Minutes of meeting held 8 July 2021

Ref: AINT/2021/24002 (ARC16/0524-3)

310/21

RESOLVED

That the Minutes of the Access Advisory Committee meeting held on 8 July 2021 be noted.

Moved Cr Murat

Seconded Cr Galletly

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

13. MATTERS OF AN URGENT NATURE - NIL

14. QUESTIONS ON NOTICE - NIL

There being no further business the Mayor declared the meeting closed at 4:40pm.