



EXTRAORDINARY MEETING OF COUNCIL

Held on

Tuesday, 22 December 2020
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 John Rayner (Acting General Manager), Mr Scot MacDonald (Director Businesses & Services), Ms Marissa Racemelara (Acting Director Organisational & Corporate Services), Ms Kelly Stidworthy (Manager Financial Services), Ms Stacey Drew (Executive Policy Advisor) and Ms Hayley Ward (Executive Officer).

MINUTES

Index

1.	CIVIC AFFIRMATION AND ACKNOWLEDGEMENT OF COUNTRY	
2.	STATEMENT IN RELATION TO LIVE STREAMING OF COUNCIL MEETINGS	
3.	APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS	
4.	DISCLOSURES OF INTEREST	
5.	MAYORAL MINUTE	
5.1	Mayoral Minute: Council facilities for Mayor	3
5.2	Mayoral Minute: Planning Inspections	3
5.3	Mayoral Minute: Reduction of Councillor numbers	4
5.4	Mayoral Minute: Code of Meeting Practice Introduction of Presentations	4
5.5	Mayoral Minute: Councillor tours and community engagement arrangements	5
6.	LEADERSHIP FOR THE REGION	
6.1	General Manager Performance Review Committee	5
6.2	Performance Improvement Order	6
6.3	Appointment of Financial Controller/Temporary Advisor	6
6.4	Decisions taken during Administration Period	7
6.5	Organisation Status Report	7
7.	GROWTH, PROSPERITY AND ECONOMIC DEVELOPMENT	
7.1	Updated Financial Statements for Year Ended 30 June 2020	8
8.	OUR PEOPLE AND COMMUNITY	
8.1	Guyra Preschool and Long Daycare Centre	9

1. **CIVIC AFFIRMATION AND ACKNOWLEDGEMENT OF COUNTRY**
2. **STATEMENT IN RELATION TO LIVE STREAMING OF COUNCIL MEETINGS**
3. **APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS**
Nil.
4. **DISCLOSURES OF INTEREST**
Nil.
5. **MAYORAL MINUTE**

5.1 Mayoral Minute: Council facilities for Mayor

Ref: AINT/2020/45098 (ARC20/4437)

RECOMMENDATION:

That Council note the information provided in this report.

408/20

MOVED:

That Council note the information provided in this report.

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

5.2 Mayoral Minute: Planning Inspections

Ref: AINT/2020/45099 (ARC20/4437)

RECOMMENDATION:

That Council:

- a. Introduce on-site inspections for substantial and potentially controversial Development Applications and also for other major or contentious matters or work site inspections.
- b. Request the General Manager to prepare procedures to give effect to this proposal.

409/20

MOVED:

That Council:

- a. Introduce on-site inspections for substantial and potentially controversial Development Applications and also for other major or contentious matters or work site inspections.
- b. Request the General Manager to prepare procedures to give effect to this proposal.

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

5.3 Mayoral Minute: Reduction of Councillor numbers *Ref: AINT/2020/45100 (ARC20/4437)*

RECOMMENDATION:

That Council notify the NSW Electoral Commission that it wants to undertake a Constitutional Referendum in conjunction with the 4 September 2021 Council election to reduce the number of Council elected representatives from eleven to nine councillors.

410/20

MOVED:

That Council notify the NSW Electoral Commission that it wants to undertake a Constitutional Referendum in conjunction with the 4 September 2021 Council election to reduce the number of Council elected representatives from eleven to nine councillors.

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

5.4 Mayoral Minute: Code of Meeting Practice Introduction of Presentations

Ref: AINT/2020/45143 (ARC16/0620)

RECOMMENDATION:

That Council, in conjunction with the current mandatory review of the Code of meeting Practice, provide in the order of business, a new agenda item of Presentations.

411/20

MOVED:

That Council, in conjunction with the current mandatory review of the Code of meeting Practice, provide in the order of business, a new agenda item of Presentations.

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

5.5 Mayoral Minute: Councillor tours and community engagement arrangements

Ref: AINT/2020/45181 (ARC16/0025)

RECOMMENDATION:

That Council endorse the engagement proposals contained in this minute and request the General Manager to make the necessary arrangements.

412/20

MOVED:

That Council endorse the engagement proposals contained in this minute and request the General Manager to make the necessary arrangements.

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

6. LEADERSHIP FOR THE REGION

6.1 General Manager Performance Review Committee *Ref: AINT/2020/45040 (ARC20/4448)*

RECOMMENDATION:

That Council:

- a. Appoint a Councillor to the General Manager's Performance Review Committee.
- b. Subject to the agreement of the General Manager engage Local Government NSW to assist with the performance review process.

413/20

Moved Cr O'Connor

Seconded Cr Robinson

That Council:

- a. **Appoint a Councillor to the General Manager's Performance Review Committee.**
- b. **Subject to the agreement of the General Manager, engage Local Government NSW to assist with the performance review process.**

The Motion on being put to the vote was CARRIED.

Nominations were called to appoint a Councillor to the Performance Review Committee. Councillors O'Connor and O'Brien nominated Cr Robinson. Councillors Bailey and Galletly nominated Cr Murat.

MOTION

414/20

Moved Cr Murat

Seconded Cr Galletly

That voting on the appointment of a Councillor to the Performance Review Committee be by a show of hands

The Motion on being put to the vote was CARRIED.

Cr Robinson received three votes.

Cr Murat received four votes.

Cr Murat was declared the successful appointee to the Performance Review Committee.

6.2 Performance Improvement Order

Ref: AINT/2020/45051 (ARC16/0522-3)

RECOMMENDATION:

That Council receive and note the report.

415/20

Moved Cr Murat

Seconded Cr O'Brien

That Council receive and note the report.

The Motion on being put to the vote was CARRIED.

6.3 Appointment of Financial Controller/Temporary Advisor

Ref: AINT/2020/45078 (ARC20/4108)

RECOMMENDATION:

That Council receive and note the report.

416/20

Moved Cr Bailey

Seconded Cr O'Connor

That Council receive and note the report.

The Motion on being put to the vote was CARRIED.

6.4 Decisions taken during Administration Period

Ref: AINT/2020/45082 (ARC16/0001-5)

RECOMMENDATION:

That Council receive and note the report.

417/20

Moved Cr Galletly

Seconded Cr O'Connor

That Council receive and note the report.

The Motion on being put to the vote was CARRIED.

6.5 Organisation Status Report

Ref: AINT/2020/45146 (ARC20/4108)

RECOMMENDATION:

- a. That Council receive and note the report.
- b. That the Acting Director Organisational and Corporate Services propose a timetable to review the Budget through a series of briefings from the Managers.

418/20

Moved Cr O'Connor

Seconded Cr Murat

- a. **That Council receive and note the report.**
- b. **That the Acting Director Organisational and Corporate Services propose a timetable to review the Budget through a series of briefings from the Managers.**

The Motion on being put to the vote was CARRIED.

7. GROWTH, PROSPERITY AND ECONOMIC DEVELOPMENT

7.1 Updated Financial Statements for Year Ended 30 June 2020

Ref: AINT/2020/45190 (ARC17/1711)

RECOMMENDATION:

That Council:

- a. Adopt the Final Updated Draft Financial Statements for the Year Ended 30 June 2020, as presented.
- b. Authorise the Mayor, Acting General Manager and Responsible Accounting Officer 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 2020 as prescribed by Section 413(2)(c) of the *Local Government Act 1993*.
- c. Authorise the Acting General Manager to issue the audited Financial Statements for the Year Ended 30 June 2020 immediately upon receipt of the Auditor's Reports subject to there being no material audit changes or audit issues.

419/20

Moved Cr Murat

Seconded Cr Galletly

That Council:

- a. **Adopt the Final Updated Draft Financial Statements for the Year Ended 30 June 2020, as presented.**
- b. **Authorise the Mayor, Acting General Manager and Responsible Accounting Officer 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 2020 as prescribed by Section 413(2)(c) of the *Local Government Act 1993*.**
- c. **Authorise the Acting General Manager to issue the audited Financial Statements for the Year Ended 30 June 2020 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.

8. OUR PEOPLE AND COMMUNITY

8.1 Guyra Preschool and Long Day Care Centre

Ref: AINT/2020/45142 (ARC16/0001-5)

PRESENTATION:

The Interim General Manager provided an oral update on the physical condition of Guyra Preschool and Long Day Care Centre (GP&LDCC).

Following an inspection on 8 December 2020 an authorised officer of the Early Childhood Education Directorate, Department of Education, sent a list of areas of non compliance with the Children (Education and Care Services) National Law (NSW) and/or the Education and Care Services Regulations has been served on Council.

The non compliance list is attached.

Council was originally given to 23 December 2020 to comply however, accepting the level of investigation required, the Department has granted an extension of time to 22 January 2021 to respond.

Since the service of the Notice the following actions have been taken;

- Council's safety team undertook a Risk Assessment and forwarded that to Council's insurers with a Mitigation Plan
- Council's Building Survey Officer undertook a preliminary structural assessment and recommended an external Building Survey be undertaken.
- A builder has been engaged to modify the fence to a compliant standard. This will be completed by 6th January 2021
- A builder is being engaged to design and estimate the costs of building modifications to make the storage, laundry and kitchen compliant. Work is expected to be completed by third week in January

Replacement Centre

Council has previously progressed plans to replace the Centre with a 58 place Early Learning Centre plus a 30 place out of hours school care facility.

While some grant funding is available there is a current funding shortfall of approximately \$3m plus for the facility.

The business case upon which the Centre is proposed is to be peer reviewed by an expert in the current and projected childcare environment.

A report will be presented to the Council meeting to be held on 27 January 2021.

420/20

Moved Cr O'Connor

Seconded Cr Robinson

That the report be received and noted and a further report be provided to Council on 27 January 2021.

The Motion on being put to the vote was CARRIED.

The Mayor formally thanked Mr John Rayner for his time as the Acting General Manager. He also wished councillors and staff a Merry Christmas.

There being no further business the Mayor declared the meeting closed at 4.42pm.