

Armidale

Regional Council

ORDINARY MEETING OF COUNCIL

Held on

Wednesday, 16 November 2016
9am

at

Armidale Council Chambers

PRESENT: Administrator, Dr Ian Tiley.

IN ATTENDANCE: Mr Greg Meyers (Interim General Manager), Mr Keith Lockyer (Chief Financial and Information Officer), Mr Andre Kompler (Director Regional Services), Mr Rob Shaw (Director Regional Infrastructure), Mrs Jessica Bower (Executive Officer), Mr Don Tydd (Executive Officer), Mr Peter Wilson (Senior Governance Officer).

MINUTES

1. CIVIC PRAYER AND RECOGNITION OF TRADITIONAL OWNERS
ADVICE REGARDING TAPING OF MEETINGS
2. CONFIRMATION OF PREVIOUS MINUTES

CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 26 OCTOBER 2016

194/16

RECOMMENDATION:

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

The recommendation was ADOPTED.

3. DECLARATIONS OF INTEREST
Nil.
4. HAVE YOUR SAY ON AN AGENDA ITEM
Nil.
5. DEPUTATIONS BY GROUPS/COMMUNITY ORGANISATIONS
Nil.
6. ADMINISTRATOR MINUTES
Nil.
7. REPORTS OF OFFICERS
 - 7.1 OUR ENVIRONMENT

7.1.1 Modification to DA-19-2009 - Deletion of Condition 36B

Ref: AINT/2016/07810

The item has been withdrawn at the request of the Applicant.

7.2 OUR GOVERNANCE

7.2.1 Crown Land Management Bill 2016

Ref: AINT/2016/07453

195/16

RECOMMENDATION:

That the report on the NSW Government's review of Crown land management and the introduction of the Crown Land Management Bill 2016 into Parliament be noted.

The recommendation was ADOPTED.

7.2.2 Supply and Delivery of Bitumen Emulsion

Ref: AINT/2016/08060

196/16

RECOMMENDATION:

- a) That Council accepts Fulton Hogan Industries for the Supply and Delivery of Bitumen Emulsion for the period 1 January 2017 to 31 December 2018.
- b) That a provision be allowed for a 12 month extension based on satisfactory supplier performance, taking this contract through to 31 December 2019.
- c) That the General Manager be delegated authority to sign any relevant documents on Council's behalf.

The recommendation was ADOPTED.

7.2.3 Armidale Showground Trust Request For Rate Relief

Ref: AINT/2016/08221

197/16

RECOMMENDATION:

- a) That the interest accrued on the Armidale Showground Trust Rate Assessment 168120, totalling \$8,543.33 for the period 2007 – 2016, be written off.
- b) That the Armidale Showground Trust be advised that the write off is a one off and no further requests for financial relief will be considered.

The recommendation was ADOPTED.

7.2.4 Purchase of Lot 1 DP 164017, 149 Rusden Street

Ref: AINT/2016/08316

198/16

RECOMMENDATION:

That the outstanding rates for Lot 1 DP164017, 149 Rusden Street for the sum of \$2,319.25 be waived and legal proceedings be discontinued.

The recommendation was ADOPTED.

7.2.5 First Quarter Review - Integrated Planning and Reporting

Ref: AINT/2016/08482

199/16

RECOMMENDATION:

That the report based on the goals from the Delivery Program and Operational Plan be noted.

The recommendation was ADOPTED.

The Administrator advised that a revised version of the 2016-17 Operational Plan First Quarter Review would be placed on Council's website in the week of 21 November 2016.

7.2.6 Minor Local Government Boundary Adjustment Request

Ref: AINT/2016/08508

200/16

RECOMMENDATION:

That Council approve the minor local government boundary adjustment for Lot 2 DP367106 & lot A DP445762, 794 Maybole Road, Ben Lomond, so that the whole of the property is located within the Glen Innes Severn Council Local Government Area.

The recommendation was ADOPTED.

The Administrator advised that item 7.2.7 Write off of outstanding debts to Council would be considered during Closed Session in order to allow a number of matters to be discussed as the report deals with the personal hardship of any resident or ratepayer (Section 10A(2)(b) of the Local Government Act 1993). Council will consider the item in closed session, in accordance with Council's Code of Meeting Practice, as consideration of this matter in open Council would be contrary to the public interest.

7.2.8 NSW Government Emergency Services Levy

Ref: AINT/2016/08706

201/16

RECOMMENDATION:

- a) **That the status report from NSW government on the implementation on the Emergency Services levy be noted.**
- b) **That the Memorandum of Understanding with NSW Treasury be approved for signing by the Interim General Manager.**

The recommendation was ADOPTED.

7.3 OUR INFRASTRUCTURE

7.3.1 Connection to the Gara raw water pipeline to meet the Armidale Regional Landfill's fire fighting and wheel wash requirements

Ref: AINT/2016/06836

202/16

RECOMMENDATION:

- a) That Council approves new connection to the Gara raw water pipeline for the provision of water to the Armidale Regional Landfill Facility to meet firefighting, biodiversity off-set, and wheel wash requirements over the next 50 years.

The recommendation was ADOPTED.

7.3.2 Adoption of 2016 Engineering Design Code

Ref: AINT/2016/07452

203/16

RECOMMENDATION:

- a) That the Armidale Regional Council Engineering Design Code 2016 (the Code) and accompanying standard drawings be commended to Council for adoption and that the full suite of documents is placed on Council's Planning and Development Section of the website commencing on 1 December 2016.
- b) That the quarterly updating of the Code be added to the job description of a nominated employee in the Design Section of the Engineering Department; and
- c) That neighbouring Councils be invited to use the Code with a view to adopting it as a Regional Code for Councils within the New England Region.
- d) That a notation be included in Council's Development Control Plans indicating that any reference to Armidale City, Armidale Dumaresq Council or Guyra Shire Council's Engineering Standards shall be taken to refer to the new adopted Armidale Regional Council Engineering Code 2016 (the code) from date of adoption.

The recommendation was ADOPTED.

7.3.3 Development of a Chronological Historical Display at the Armidale Regional Airport

Ref: AINT/2016/08249

204/16

RECOMMENDATION:

That a Chronological Historical Display be established at Armidale Regional Airport in conjunction with planned developments.

The recommendation was ADOPTED.

**7.3.4 Armidale Women's Shelter donation request for "Reclaim the Night" event 25
November 2016**

Ref: AINT/2016/08368

205/16

RECOMMENDATION:

That Council approve a Section 356 donation of \$216 to provide the Armidale Women's Shelter with eight x ten swim passes for children at the Monckton Aquatic Centre, as a donation towards the "Reclaim the Night" fund-raising event on 25 November 2016.

The recommendation was ADOPTED.

7.3.5 Use of the NSW Traffic Education Centre in East Armidale

Ref: AINT/2016/08726

206/16

RECOMMENDATION:

- a) That Dr Brian Connor be thanked for his recent submission in relation to the former NSW Traffic Education Centre.**
- b) That Council commissions a study into the possible future beneficial community use of the former NSW Traffic Education Centre.**

The recommendation was ADOPTED.

7.3.6 Unsealed Roads Maintenance - adoption of an agreed level of service

Ref: AINT/2016/08787

207/16

RECOMMENDATION:

- a) That the attached report "Levels of Service for the Maintenance of Unsealed Local Roads" be placed on public exhibition for a period of twenty eight (28) days from Wednesday 23 November 2016 to Wednesday 21 December 2016 with comments requested from the community, in accordance with the community engagement plan.**
- b) That Council adopt an agreed and financially sustainable level of service for the future maintenance of unsealed local roads following the period of community engagement.**

The recommendation was ADOPTED.

7.3.7 Access Road to new Rural Fire Services Facilities - Armidale Airport

Ref: AINT/2016/08836

208/16

RECOMMENDATION:

That the report be noted.

The recommendation was ADOPTED.

7.3.8 Former Armidale Court House

Ref: AINT/2016/08846

209/16

RECOMMENDATION:

- a) **That Council make representations to The Honourable Matt Kean, Parliamentary Secretary for Treasury for reconsideration of the current market valued purchase price of \$1.055m to a nominal amount for the purchase of the former Armidale Court House on the basis that Council maintain the building in perpetuity for future community use.**
- b) **That Council provide a copy of its letter to the Member for Northern Tablelands, Mr Adam Marshall MP, with the request he again (as he did in 2014) provide support and representations to the Parliamentary Secretary for reconsideration of this matter.**

The recommendation was ADOPTED.

7.4 OUR PEOPLE

7.4.1 International Volunteer Day Luncheon 2016 - application for fee waiver for Armidale Town Hall

Ref: AINT/2016/08479

210/16

RECOMMENDATION:

That Council waive the \$379.50 hire charge for the Armidale Town Hall for the International Volunteer Day Luncheon 2016.

The recommendation was ADOPTED.

8. COMMITTEE REPORTS

8.1 Environmental Sustainability Advisory Committee - Minutes of meeting held

13 October 2016

Ref: AINT/2016/08768

211/16

RECOMMENDATION:

That the Minutes of the Environmental Sustainability Advisory Committee meeting held on 13 October 2016 be noted and the following recommendations endorsed:

a) That Council:

- i. note the resolutions in regard to the recommended changes to the Terms of Reference from the ordinary meeting of 5 October 2016; and
- ii. endorse the establishment of an internal sustainable working group within Armidale Regional Council to work with the committee to establish a consultant's brief for a Sustainability Strategy.

b) That Council:

- i. Retain Committee members seeking re-nomination;
- ii. Set aside Guyra and Tingha vacancies until filled; and
- iii. Appoint Enis Ruzdic and Maria Hitchcock to the Committee.

The recommendation was ADOPTED.

8.2 Access Advisory Committee - Minutes of the meeting held on 20 October 2016*Ref: AINT/2*

212/16

RECOMMENDATION:

That the Minutes of the minutes of the Access Advisory Committee meeting held on 20 October 2016 be noted.

The recommendation was ADOPTED.

8.3 Civic Advisory Committee - Minutes of the meeting held on 22 October 2016*Ref: AINT/201*

213/16

RECOMMENDATION:

That the Minutes of the Civic Advisory Committee meeting held on 22 October 2016 be noted and the following amended recommendations endorsed:

- a) That the Committee accept the membership of Mr Bob Bell as a community member.**
- b) That Council be asked to consider the future of the former Civic Precinct Committee's Working Account, which had been established and sustained by community donations.**

The recommendation was ADOPTED.

8.4 Traffic Advisory Committee - Minutes of the meeting held 8 November 2016

Ref: AINT/2016/08828

214/16

RECOMMENDATION:

- (a) That the Minutes of the Traffic Advisory Committee meeting held on 8 November 2016 be noted.**

Special Event Transport Management Plan - Armidale Cycling Club Weekly road race events 2017

- (b) That approval be granted for the Special Events Transport Management Plan for the Armidale Cycling Club Weekly Road Race Events for 2017 commencing 1 January 2017 to December 2017, in accordance with the provided Transport Management Plan and any additional requirements requested by NSW Police.**

Special Event Transport Management Plan - Autumn Festival 2017

- (c) That approval be granted for the temporary road closures as requested in the Special Events Management Plan for the 2017 Armidale Autumn Festival in accordance with the provided Traffic Management Plan and any additional requirements requested by NSW Police.**

Special Event Transport Management Plan for Christmas in the Mall 2016

- (d) That approval be granted for road closures and traffic changes to facilitate the Special Event 'Christmas in the Mall', Thursday, 1 December 2016 from 2pm until 10pm, with road closures to Beardy Street, from Marsh to Jessie Street and Dangar and Faulkner Street, between the intersections of Cinders Lane and Moore Street in accordance with the provided Traffic Management Plan, and any additional requirements requested by NSW Police.**
- (e) That temporary modifications to the taxi rank in Barney Street be permitted if necessary.**

Special Event Transport Management Plan -Australia Day 2017

- (f) That approval be granted for the requested road closures as per the Special Event Transport Management Plan for Australia Day 2017 and any additional requirements requested by NSW Police.

Tingha Tin Festival - 19 Nov 2016

- (g) That the Tingha Tin Festival Parade scheduled for Saturday 19 November 2016 be approved in accordance with the provided Traffic Management Plan and any additional requirements requested by NSW Police.

Special Event Transport Management Plan- New Years Eve Party 2016

- (h) That the requested road closure of Marsh Street be denied as Marsh Street is an essential route for emergency services. Police will be in force on location on the evening and will monitor pedestrians and vehicle traffic.

Waterfall Way speed zone at western end of Ebor village

- (i) That the RMS be asked to investigate a request for an extension to the 50km/hr speed limit on Waterfall Way at the village of Ebor, on the western side of the village further west halfway up the hill, for the purpose of improving safety and also improving safe access to the Showground.

Request for Work Zone on O'Dell Street, between Barney and Rusden Streets, for hospital construction works

- (j) That approval be granted for a Works Zone to be temporarily installed for the eastern side of O'Dell Street, commencing from the indented kerbing on the south, for a length of 40m. The remainder of the indented kerb length of 8m will be retained for a newly created (temporary) No Parking zone. The Work zone is subject to the following conditions:
1. Any directive provided by N.S.W. Police is to be complied with.
 2. The Works Zone is to operate between the hours of 6.30 am and 4.00 pm Monday to Friday, and 6.30 am to 1.00 pm Saturdays, for a period of twelve months from Council approval (late November 2016), and to be calculated from signage installation date.
 3. Suitable traffic control measures are to be put in place to manage truck movements to and from the construction site, and if necessary to and from the adjacent street system, in accordance with the RTA's Traffic Control at Work Sites manual.
 4. A Permit to Stand Plant will be required for all concrete pours, deliveries and/or truck occupations in relation to the hospital construction works.
 5. In circumstances where deliveries (e.g. delivery or erection of a crane) need to close a lane on the road, special arrangements and approvals in advance of the works, are required from Council.
 6. Unrestricted 45 degree angle parking (rear to kerb) vehicles under 6 metres only shall be maintained outside of the Work Zones hours of operation.
 7. The applicant must ensure that the traffic lanes, footpaths and driveways, adjacent to the Works Zone, remain free of obstruction at all times during the construction.
 8. A complying pedestrian route with special pedestrian facilities will be necessary. Work

Zone as such with associated barriers and signs will need to be designed and installed in accordance with Australian Standard 1742.

9. Construction materials are NOT to be stored in the Work Zone, and should be deposited inside the work site.
10. The applicant (Richard Crookes Constructions) must inform Council's Infrastructure Manager when the project is completed and the Works Zone can be removed and current parking restrictions re-instated.
11. All debris from the work is to be promptly removed from the site which is to be left in a clean and tidy condition. Any debris remaining will be removed by Council at the applicant's expense.
12. Any damage to Council's pavements, kerb and gutter, street furniture etc. (including oil stains), as a result of the work or heavy vehicle operations, is to be restored to the satisfaction of Council at no cost to Council. Excavations within the roadway shall be restored with asphaltic concrete (AC) or other approved material to the satisfaction of Council prior to the road being reopened.
13. Failure to comply with any of these conditions may result in the cancellation of the Works Zone at Council's discretion.
14. Should the Works Zone be required for a longer period than the approved period, or any alteration to the hours of operation, will require written permission from the Director of Regional Infrastructure or equivalent.
15. Applicant to demonstrate that effective communication has been held between the Armidale Regional and Private hospitals, and local residents, advising of the Work Zone proposal.

New Library Location – 182 Rusden Street

- (k) That the request to investigate the availability of accessible public transport to 182 Rusden Street be deferred until after the relocation of the library has taken place, and a full review of traffic, pedestrian and public transport impacts has been undertaken.

Traffic Advisory Committee Meeting Dates for 2017

- (l) That the proposed 2017 Traffic Advisory Committee meeting dates of 7 February, 7 March, 4 April, 2 May, 6 June, 4 July, 1 August, 5 September, 3 October, 14 November and 5 December be endorsed.

Request to review speed zone on the New England Highway Guyra

- (m) That Council advise the RMS of its support for the proposed reduction of the speed limit from 70kph to 50kph for a 1100 m section of Malpas Street (New England Highway) from 100 m south of Lackey Street to 50 m south of O'Donnell Ave.

The recommendation was ADOPTED.

9. PUBLIC FORUM
Nil.

DECISIONS FROM CLOSED SESSION

215/16 **RECOMMENDATION:**

Members of the press and public be excluded from the meeting of the Closed Session and access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld. This action is taken in accordance with Section 10A(s) of the Local Government Act, 1993 as the items lists come within the following provisions:-

10.1 Provision of Temporary Labour Hire. (AINT/2016/08047) - *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.*

7.2.7 Write off of outstanding debts to Council. (AINT/2016/08559) - *As this report deals with the personal hardship of any resident or ratepayer (Section 10A(2)(b) 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.*

10.2 Quarterly Debt Recovery Report. (AINT/2016/07430) - *As this report deals with the personal hardship of any resident or ratepayer (Section 10A(2)(b) 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.*

The recommendation was ADOPTED.

RESUMPTION OF MEETING

216/16 **RECOMMENDATION:**

That the decisions of Closed Session be noted as follows:-

10. CLOSED SESSION

10.1 Provision of Temporary Labour Hire

Ref: AINT/2016/08047

217/16 **RECOMMENDATION:**

That Council declines all five tenders received for a supplier panel contract for the Provision of Temporary Labour Hire due to non-conformity of those tenders received, and readvertise the tender.

The recommendation was ADOPTED.

7.2.7 Write off of outstanding debts to Council

Ref: AINT/2016/08559

218/16

RECOMMENDATION:

That the bad debts as listed within the attachments be written off.

The recommendation was ADOPTED.

10.2 Quarterly Debt Recovery Report

Ref: AINT/2016/07430

219/16

RECOMMENDATION:

That the outstanding debtors and actions being taken to recoup monies owed to Council as at October 2016 be noted and that the total balance due of the accounts contained within this report be noted as totalling \$443,368.67.

The recommendation was ADOPTED.

The recommendation was ADOPTED.

There being no further business the Administrator declared the meeting closed at 9:32am.