

# Armidale

Regional Council

BUSINESS PAPER

ORDINARY MEETING OF COUNCIL

To be held on

Wednesday, 1 March 2017  
9am

at

Armidale Council Chambers

**Members**

Administrator, Dr Ian Tiley

AGENDA

INDEX

1	Civic Prayer and Recognition of Traditional Owners Advice regarding Taping of Meetings	
2	Confirmation of Previous Minutes <i>Ordinary Council - 8 February 2017</i>	
3	Declarations of Interest	
4	Have Your Say On An Agenda Item Mr Arthur Bain (Save th Macleay River Group) speaking against Item 7.1.1 Elizabeth O’Hara (New England Greens Armidale/Tamworth) speaking against Item 7.1.1	
5	Deputations by Community Groups/Organisations	
6	Administrator Minutes 6.1 Memorandums of Understanding (MOU) for Consideration .....	3
7	Reports of Officers	
7.1	Our Environment	
7.1.1	DA-174-2015 Establishment of an Underground Mine at 140 Stockton Road, Hillgrove .....	6
7.1.2	Draft New England North West Regional Plan.....	10
7.2	Our Governance	
7.2.1	Cash & Investments Report January 2017 .....	17
7.2.2	Second Quarter Review - Integrated Planning and Reporting.....	23
7.2.3	Purchase of Lot 17 in DP 856074 and Lot 36 in DP884232, Rockvale Gardens, Armidale .....	24
7.3	Our Infrastructure	
7.3.1	Guyra SES HQ .....	26
7.4	Our People Nil	
8	Committee Reports	
8.1	Gayinyaga - Minutes of the meeting held 7 February 2017 .....	29
8.2	Arts & Cultural Advisory Committee - Minutes of the meeting held on 1 February 2017 .....	30
8.3	Community Safety Advisory Committee - Minutes of the meeting held on 14 February 2017 .....	31
9	Public Forum	
10	Closed Session	

**Item:** 6.1 **Ref:** AINT/2017/02527  
**Title:** Memorandums of Understanding (MOU) for Consideration  
**Container:** ARC16/1265  
**Author:** Ian Tiley, Administrator  
**Attachments:** Nil

**RECOMMENDATION:**

**That Council enter into Memorandums of Understanding with the following organisation in accordance with the terms detailed within the report:**

- **BackTrack Youth Works**
- **New England Conservatorium of Music**
- **Southern New England Landcare Ltd**

**Introduction:**

The Armidale Region is privileged to be the home of many outstanding community based organisations. These organisations are varied in the services they provide with each making an invaluable contribution to our community and being vital to the social and cultural fabric of this region. Further, these organisations both supplement and complement the role and work of Council in enhancing the liveability of our region and its reputation as a highly desirable place to live.

It is for these reasons that I have pursued opportunities to engage with a number of these organisations with a view to developing agreements that demonstrate Council's commitment to and support of, their future, while ensuring the long term delivery of vital and tangible social and cultural benefits to our region.

In response I am proposing to present a series of the subject of this minute and Memorandums of Understanding (MOUs) for consideration, with the initial three being between Council and the following organisations:

- BackTrack Youth Works
- New England Conservatorium of Music
- Southern New England Landcare Ltd

**BackTrack Youth Works**

BackTrack Youth Works programs have been operating with outstanding success in Armidale since 2006. BackTrack Youth Works was established by Mr Bernie Shakeshaft, a youth worker with 20 years experience in youth and with the assistance of Mr Rod Day, several very successful programs have been developed. These programs include:

1. **Iron Man Welders:** Participants undertake TAFE courses in Community Services, Access to Work and Training and Vocational and Community Engagement at Certificates II level and obtain their WHS, fork lift and other qualifications and/or are supported in continuation of high school or to gain employment. This training is conducted from a fully operational welding workshop based at the former Dumaresq Shire Council workshop on Waterfall Way and provided by Council at a peppercorn rent.

2. **Paws Up:** This program commenced from a research project funded by an ARC grant conducted through the Social Justice and Social Change Research Centre at the University of Western Sydney (UWS) to research resilience in young people. Through the medium of pups to young people, participants, particularly young men, learn self confidence from successful public performances, communication skills because of the public interest in their expertise and an ability to manage the dogs in varying situations.
3. **AgLads:** This program progresses from Iron Man Welders and Paws Up and is built on the interest of farmers at local shows looking for contract labour for intensive jobs such as fencing, harvesting, haymaking, mustering, drenching etc. Work experience and 'on the job' training is provided on local farms in addition to undertaking a Rural Skills Certificate course at Armidale TAFE.
4. **Girls Program:** Following the success of the Iron Man Welders and Paws Up programs, this program has been developed to address the needs of a growing group of disadvantaged young women. Particular areas of interest in the program include hospitality, cooking, beauty, childcare and interacting with the Paws Up dogs.

The proposed MOU, with a term of three years, demonstrates the intention of Council and BackTrack to negotiate a cooperative arrangement to promote a climate of open exchange of matters of mutual interest.

Specific projects will include future maintenance at Dumaresq Dam recreation area being undertaken by BackTrack young people on a paid basis in lieu of Council staff, and on the job training programs.

#### **New England Conservatorium of Music (NECOM)**

The New England Conservatorium of Music (NECOM) is a community conservatorium providing a wide and diverse range of music programs to schools, children and adults, in addition to concerts and events for the community.

The proposed MOU focuses on Council supporting the following programs:

1. **Music Therapy Program:** This program provides early intervention music therapy for children with disabilities from 0-5 years of age, and their parents. In particular it delivers:
  - Individual assessments of a child's current needs and abilities and individualised goals being worked on.
  - Group music therapy programs of up to 6 children and their parents/caregivers. Music therapy methods have included instrument playing, vocalising, music and movement activities and relaxation techniques.
  - Learning opportunities for parents by providing them skills to play with their child that can be used in other settings.
  - Programs, such as CDs and ideas with music strategies that can be used at home.
2. **Bursary Program:** This program provides up to ten students annually with financial support for lessons, travel and fees for workshops, courses and music camps related to extension activity designed to achieve personal bests for the participants.

The proposed MOU, with a duration of two years, commits Council to annual sponsorship of \$7500 per annum (\$5000 for the Music Therapy Program and \$2500 for the Bursary Program) and in kind sponsorship of up to \$2000 for hall hire to a maximum of four concerts annually. NECOM will deliver 3-4 concerts with high calibre musicians (including internationally renowned musicians) annually to the community, including discounts, group ticket prices for schools and students, and one annual public concert presented by NECOM students at a venue such as the Rotunda in Central Park.

#### **Southern New England Landcare Ltd (SNEL)**

Southern New England Landcare Ltd (SNEL) is an Armidale based not-for profit-community network that supports, coordinates and promotes land care interests by harnessing individuals and groups to protect, restore and sustainably manage the natural environment and its productivity. Council has supported SNEL in the provision of the following projects over many years:

- **Armidale Urban Planting Maintenance:** This program is primarily aimed at maintaining the healthy condition of various biodiversity sites in addition to providing the additional benefit of ongoing with a broad cross-section of the Armidale Community in both volunteering time and raising awareness of how biodiversity is pivotal in maintaining ecosystem function and health.
- **Malpas Catchment Project –** since 1998 this project has delivered activities and onground works to improve quality in the Malpas and Guyra Dams, and the MacLeay Catchment. The project has also included the provision of Council funding to SNEL for the employment of a part time Malpas Catchment Officer. The project has improved water quality, educated school aged children about water quality monitoring and offered community activities to promote the importance of wetland and riparian management and rehabilitation, and to support healthy fish habitat. All of these activities ultimately contribute to reducing sediment input into the waterways of the Malpas Catchment and Armidale Regional Council (ARC) water storages.

The proposed Memorandum of Understanding commits to a continuation of the funding of these programs for a period up until at least the 2018/2019 financial year. It also includes financial support of the SNEL Community Resource Centre.

#### **Conclusion**

Each of the organisations referred to in this Administrator Minute make outstanding contributions to the Armidale Region and its residents in many and varied ways. It is my belief that Council should seek to secure the continuation of the extremely valuable benefits they provide through formal commitments in the term of Memorandums of Understanding.

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**Item:** 7.1.1 **Ref:** AINT/2017/01953  
**Title:** DA-174-2015 Establishment of an Underground Mine at 140 Stockton Road, Hillgrove  
**Container:** DA-174-2015  
**Author:** John Goodall, Planner  
**Attachments:** 1. DA-174-2015 - 140 Stockton Road HILLGROVE NSW 2350 - S79C Report to Council - Mr J Goodall

**RECOMMENDATION:**

- (a) That having regard to the assessment of the Application, DA-174-2015 be granted a conditional deferred commencement consent in the terms set out in Appendix 1 to this report:
- (b) That those persons that made submissions in relation to the Application be notified of the determination in writing.
- (c) That the integrated agencies that provided their response and general terms of approval to Council be notified of the determination in writing.

**Introduction:**

Development Application 174-2015 was lodged with Council on 1 September 2015 and seeks consent for the establishment of an underground mine and ancillary works including the construction of a haulage road for the transportation of extracted material back to the existing Hillgrove Mine Mill for processing.

The proposed development is identified as being both Designated Development under Schedule 3 of the EP&A Regulations 2000, and also integrated development under s91 of the EP&A Act 1979, requiring additional concurrence/approvals under five separate State Agencies.

The application was subject to public notification in accordance with the *Environmental Planning and Assessment Act 1979*, *Environmental Planning and Assessment Regulation 2000* and Council's DCP. This included the display of a sign on-site, notification in the newspaper and direct notification to adjoining neighbours initially from 17/9/2015 until 15/10/2015 and then for a further 30 days from 15/10/2015 until 13/11/2015.

At the close of the notification period, 24 group, agency and individual submissions had been received by Council in response.

The matters raised during the notification period have been considered as part of the Section 79C assessment, which is attached to this report.

As a result of the assessment, it is recommended that conditional deferred commencement consent be granted for the proposed development.

**Report:**

Development Application 174-2015 was lodged with Council on 1 September 2015 and seeks consent for the establishment of an underground mine and ancillary works which includes the construction of a haulage road for the transportation of minerals or mineral bearing ores to be processed at the existing Hillgrove Mine mill. The proposal involves underground mining to a depth of 300m below the existing ground level. The mine shall be accessed via a portal to be established at the site of the former NEAM open cut pit.

The current proposal for the underground mine submitted for Council's consideration is to extract up to 240,000 tonnes of ore per annum, over a total mine life which is estimated to be 7-8 years with an active operational mining phase of 3-4 years. Total ore extraction for the life of the project is estimated to be 640,000 tonnes. The Clarkes Gully mine will sustain Hillgrove Mines' existing operations, to produce 5,000 tonnes of contained antimony and 700kg of gold annually.

The proposed development is identified as being Designated Development under Schedule 3 of the EP&A Regulations 2000, being a mine that among other matters will disturb a total surface area of more than 4 hectares of land, and as such required the preparation and public exhibition of an Environmental Impact Statement (EIS) prepared in accordance with the requirements of the Secretary's Environmental Assessment Requirements (SEARs), issued on 17 September 2014.

The proposal is also integrated development under s91 of the EP&A Act 1979, requiring additional approvals under the following legislation from relevant State Agencies:

*Fisheries Management Act 1994*

*Mining Act 1992*

*National Parks and Wildlife Act 1974*

*Protection of the Environment Operations Act 1997,*

*Water Management Act 2000*

Antimony is a reportable a strategically important metal used in a range of consumer and industrial markets, for a range of purposes including flame retardant properties in textiles, plastics and rubber and in alloys to increase hardness, strength and anti-corrosion properties. A lead-antimony alloy is used in batteries.

The subject property has been previously used for both extensive agricultural pursuits and mining activity with the upper limits of the Clarks gully mine deposit being previously mined during the 1990's using open cut mining methods. The Clarkes Gully deposit is considered to be a nationally significant antimony-gold ore deposit.

The assessment of the application has identified that if not appropriately addressed by the requirement of satisfactory management and operational plans that the proposed development may adversely impact on the surrounding locality and environment: Such impacts have been identified as being:

- The Aboriginal Cultural Heritage Assessment has identified items of heritage significance on the site and in the locality of the proposed haul road route. Any impacts on these areas will be minimised and haul road modified if necessary through ongoing discussion with Registered Aboriginal Parties (RAPs).
- Impacts from noise and vibration as a result of the proposed development, has been assessed at the closest noise sensitive receivers. Based on the modelling it was identified that one rural residential dwelling would be impacted by the proposed mine

and Hillgrove Mines have entered into an agreement to acquire this property should consent be granted.

- Potential impacts on biodiversity, flora and fauna from the proposed development will impact on approximately 13.05ha of surface area. The flora and fauna assessment identified four threatened ecological communities, which have been listed as either endangered or critically endangered under the TSC Act and/or EPBC Act as being present on the site and within the impacted area.

One threatened flora species, Eucalyptus Magnificata (Northern Blue Box) will be impacted by the route of the proposed haul road with 12 individuals out of a patch containing approximately 137 trees impacted and likely require removal.

One threatened bird species and four threatened mammals were observed within the immediate site area.

A seven part test under section 5A of the EP&A Act 1979 and assessment of significance under the EPBC Act concluded that the proposed mine would be unlikely to significantly impact on individual communities and threatened species.

In consideration of these matters OEH have recommended that all direct and indirect impacts of the proposal be offset by way of biodiversity offsets, which would possibly be available on-site.

- Potential impacts on air quality in the locality, particularly from dust particles.
- Potential for impacts on water resources and quality from contamination/pollution of Bakers Creek and downstream rivers and waterways.
- Satisfactory procedures in place for the rehabilitation and remediation of the site following the closure of the mine and returning the land to that consistent with adjoining land.
- Waste and recycling/reuse.
- Potential visual impacts on the rural character of the area.

All the above matters have been considered during the s79c assessment and it is proposed that appropriate conditions be included in any consent to ensure that satisfactorily measures are implemented as part of the development to minimise any adverse impacts on the environment.

Furthermore, the proposed development relies on the applicant being able to resolve a number of matters prior to Council being able to issue an operational consent and these have been included as proposed deferred commencement conditions.

### **Community Engagement and Internal Consultation**

The application was subject to public notification in accordance with the *Environmental Planning and Assessment Act 1979*, *Environmental Planning and Assessment Regulation 2000* and Council's DCP. This included the display of a sign on-site, notification in the newspaper and direct notification to adjoining neighbours initially from 17/9/2015 until 15/10/2015 and then for a further 30 days from 15/10/2015 until 13/11/2015.

At the close of the notification period, 24 group, agency and individual submissions had been received by Council.

Matters raised in the submissions have been taken into consideration and discussed in more detail during the s79C assessment of this application.

### **Financial Implications**

Given that the application is designated development under the EP&A Act 1979 both the Applicant and submitter's have appeal rights to the Land and Environmental Court.

### **Good Governance**

The development application has been assessed in accordance with all relevant legislative requirements.

### **Integrated Planning and Reporting Framework**

All relevant procedures have been followed.

### **Sustainability Assessment**

The development application has been assessed taking into consideration sustainability objectives.

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**Item:** 7.1.2 **Ref:** AINT/2017/02126  
**Title:** Draft New England North West Regional Plan **Container:** ARC16/0148  
**Author:** Jocelyn Ullman, Strategic Planner  
**Attachments:** 1. Draft New England North West Regional Plan 2036 - Final Submission

**RECOMMENDATION:**

- (a) That the report on the proposed Draft New England North West Regional Plan 2036, which is open for public comment until 20 March 2017, be noted.
- (b) That Council make a submission on the Draft New England North West Regional Plan 2036 as proposed in Attachment 1.

**Introduction:**

The Draft New England North West Regional Plan applies to 12 local government areas – Tenterfield, Glen Innes Severn, Inverell, Armidale Regional Uralla, Walcha, Gwydir, Tamworth Regional, Liverpool Plains, Gunnedah, Narrabri and Moree Plains.

The Draft Plan is open for public comment from 19 December 2016 to 20 March 2017.

The Draft Plan projects a population growth of 13,800 to over 202,000 by 2036, with Tamworth and Armidale identified as the two regional cities that will support over half of this population.

The Draft Plan consolidates strategic planning considerations for land use and infrastructure for the local government areas of the New England North West and will replace the New England North West Strategic Regional Land Use Plan, released by the NSW Government in 2012.

**Report:**

On 19 December 2016 the Department of Planning and Environment (DP&E) released the Draft New England North West Regional Plan (Draft Plan) for public comment until 20 March 2017. The Draft Plan is available on the Department's website at <http://www.planning.nsw.gov.au/Plans-for-your-area/Regional-Plans/New-England-North-West> along with information on making a submission.

The Draft Plan contains the following vision statement:

*"A sustainable future that maximises the advantages of the region's diverse climates, landscapes and resources."*

To achieve this vision the Draft Plan has five goals for the region:

1. Goal 1 - A growing and diversified agricultural sector;
2. Goal 2 - A diversified economy through the management of mineral and energy resources, including renewable energy generation;
3. Goal 3 - Communities resilient to change, with housing choice and services that meet shifting needs and lifestyles;
4. Goal 4 - Prosperous urban centres with job opportunities; and
5. Goal 5 - Protected water, environment and heritage.

Each goal is broken down into a number of directions which are further supported by actions.

The Draft Plan identifies two discrete districts that focus on specific centres and reflects shared characteristics, landforms, land use, geographical proximity, social links and existing services. These districts are:

- New England – comprising Tenterfield, Inverell, Glen Innes Severn, Armidale Regional, Walcha and Uralla Local Government Areas; and
- North West – comprising Moree Plains, Gwydir, Narrabri, Gunnedah, Liverpool Plains and Tamworth Regional Local Government Areas.

This report focuses on some of the major aspects of the Draft Plan that will potentially impact on Armidale Regional Council and the future strategic direction of the local government area. These matters are covered in more detail in the proposed submission along with other issues relevant to Council. The proposed submission on the Draft Plan is in Attachment 1.

### **Delivering the Plan**

A Coordinating and Monitoring Committee will be established to oversee the implementation of the final Plan. It will comprise representatives from the Department of Planning and Environment (Chair), two Local Government representatives determined by the Regional Organisations of Council (or Joint Organisations once established), Department of Premier and Cabinet, Office of Environment and Heritage, Transport for NSW and Department of Industry (including Department of Primary Industries).

The Committee will:

- Coordinate and drive delivery of actions, supported by an Implementation Plan;
- Establish a framework to monitor issues such as:
  - Population;
  - Housing;
  - Economy and employment; and
  - Natural environment and resources
- Prepare an annual report detailing progress against the actions identified in the Plan; and
- Review, update and revise the Plan every five years or as necessary.

The actions of the final Plan will be implemented through:

- Local planning directions under section 117 of the Environmental Planning and Assessment Act 1979, issued by the Minister for Planning;
- Whole of government policy alignment; and
- Regional collaboration across government, business, key stakeholders and the wider community for specific projects and processes.

**Comment** – The Draft Plan does not identify the commitment of resources, timeframes and key organisations that will be accountable for implementing each action contained in the Draft Plan. It appears that these matters will be identified in the Implementation Plan. It is unclear which body will be responsible for preparing the Implementation Plan. As many actions will require or benefit from local councils' participation and contributions it is considered desirable that councils are actively involved during preparation of the Implementation Plan. The Implementation Plan should also ensure that there is alignment with State government and local council priorities resulting from consultations with their communities, for example through preparing Community Strategic Plans and other local strategies.

In relation to the representatives comprising the Coordination and Monitoring Committee, the region has a population of 182,600 and comprises 12 local government areas. It is recommended that local council representation should be increased (at least doubled) to be proportionate to the role that councils are expected to have in implementing the Plan. Increased local government representation on the Committee will facilitate a more seamless approach for implementing actions and achieving shared outcomes and allow for collaboration across governments early in the process, rather than when specific projects and processes are being implemented. Representation on the Committee could also be broadened to include some community representation to facilitate implementation of actions and to provide a conduit between the Committee and the region's communities.

### **Goal 1 – A Growing and Diversified Agricultural Sector**

The Draft Plan recognises that the New England North West is one of the strongest economies in regional NSW with productive agricultural land covering around 67% of the region making it one of the top agricultural producing regions in NSW, generating around \$2.5 billion in 2011.

The Draft Plan proposes to protect existing agricultural land from uses that compromise long term agricultural productivity and maximises opportunities for co-existence with non-agricultural uses.

**Comments** – Generally the Directions and Actions proposed in Goal 1 support Councils and the community's key strategic directions and outcomes outlined in the *Draft Community Strategic Plan 2017-2027* and in particular *Community Outcome 2 – The farming, agricultural and horticultural industries across the region are supported to sustain food security*.

Council supports *Action 1.2.1 Prepare and implement a Regional Intensive Agribusiness Strategy to support new opportunities for intensive agricultural and food processing agribusiness*. While the Draft Plan identifies vegetables and fruit growing in the region as increasing significantly (to be competitive with the poultry and pig industries), it is considered that the final Plan should reflect how important the intensive fruit and vegetable growing industry is now and potentially into the future. There is the potential for agricultural enterprises where produce is grown in glass houses to increase on the New England tablelands as well as opportunities for co-location with other industries, such as food processing. For example, Guyra is home to Blush Tomatoes, Australia's leading producer of premium glasshouse tomatoes and with 30 hectares under glass they are currently the largest in the southern hemisphere. The Tomato Farm is considered a significant opportunity for investigating co-location with other industries. It is noted however that a secure water supply will be required for intensive agricultural industries to grow and this potential constraint should also be identified and addressed in the Draft Plan.

### **Goal 2 – A diversified economy through the management of mineral and energy resources, including renewable energy generation**

The Draft Plan recognises that there are competing uses for land in the region and there is a need to balance these interests to deliver the vision for the region. The Draft Plan also seeks to increase opportunities for renewable energy generation.

**Comments** – Armidale Regional Council supports the State's recognition of renewable energy generation opportunities. The identification and construction of a renewable energy hub in the New England is crucial to the growth and competitiveness of the renewable energy sector.

Council seeks greater endorsement and commitment from the State government for this hub to occur. Alternative opportunities for funding the hub need to be investigated.

**Goal 3- Communities resilient to change, with housing choice and services that meet shifting needs and lifestyles**

Between 2006 and 2011, the population of the New England North West grew to 182,600. By 2036 an additional 19,500 people are expected to be living in the region with the Tamworth and Armidale Regional Local Government Areas supporting more than half of the region's population and dwellings.

The Draft Plan also recognises that like many regional areas, the New England North West is experiencing outward migration of young adults (aged 20-30 years) and as a result the region is expected to have relatively fewer younger people and more older people. There is likely to be a higher demand for age-related services, and supporting health infrastructure and public transport.

**Comments** - The Draft Plan expects that the outward migration of young adults and an increasing ageing population will continue based on past and current trends. However, while it is acknowledged that an ageing population presents economic opportunities, it is hoped that implementing many of the actions in the Draft Plan, particularly with its focus on diversifying the regional economy and having prosperous urban centres with job opportunities, would result in some reversal of these trends by attracting and retaining young adults to the region. Consultation feedback during preparation of Council's Community Strategic Plan 2017-2027 identified key findings, including *"there is a strong community sentiment that more needs to be done to attract new businesses and industries, in order to create a sustainable economy and employment opportunities"*. The Draft Plan includes an action to attract and retain younger people, which is strongly supported. However, the Draft Plan would benefit by providing more emphasis on the need to retain young adults and information on how it may occur, including specific actions to support this desired outcome.

The Draft Plan acknowledges the importance of recreational facilities, particularly walking and cycle ways, in contributing towards healthy living. However, the Plan should also recognize and plan for the significant role that cultural facilities and activities have in contributing towards community well-being.

**Goal 4 – Prosperous urban centres with job opportunities**

The Draft Plan identifies that the region's population has become increasingly concentrated in the larger urban centres, primarily as a result of agricultural restructuring, mechanisation and changes to the labour markets. This trend is likely to continue.

**Comments** – Direction 4.1 which states *"Grow the regional cities of Tamworth and Armidale"* is strongly supported and emphasises the important opportunity for Council to lead not only its community but the region into a sustainable prosperous future.

For Armidale and Tamworth to grow, prosper and serve the needs of the region, some differentiation could be made between the two centres based on the services they provide and their respective community aspirations and culture, in order to facilitate a complementary rather than competitive approach to regional growth.

The Draft Plan acknowledges Armidale as having a high concentration of people employed in education and training in the region. It should also be acknowledged with Armidale having NBN infrastructure in place that it is the leading regional education and training hub for the New England North West Region.

The Armidale Regional Airport has in excess of 15,000 aircraft movements per year that includes passenger, charter, scenic/adventure and emergency services flights, both fixed wing and helicopter flights. Passenger numbers currently exceed 145,000 per annum and are estimated to continue to increase with improved airport infrastructure and passenger facilities. The Armidale Regional Airport Master Plan has been completed and is currently being implemented. The Master Plan identifies a new 2,500m runway that will allow for larger aircraft (including jets and cargo planes) to use the airport. Council has identified the desire for the second runway and the opportunities that could arise from this to fly produce/product directly into SE Asia. Given the 20 year timeframe of the Draft Plan, Council's future intentions for its Airport should be recognised in the Draft Plan.

Council supports the Draft Plan's identification of Waterfall Way and the New England Highway as "primary freight routes" with resources and funding being allocated appropriately. Upgrades to Waterfall Way have the opportunity to increase economic development and tourism for the Armidale Region.

Figure 14 of the draft Plan identifies Armidale's growth precincts including "future residential investigation areas" and "future large lot residential investigation areas".

The future large lot residential investigation area includes land identified in previous studies for future rural residential purposes. The Armidale Dumaresq Rural Residential Study (EDGE land Planning, 2005) and the New England Development Strategy (WorleyParsons, 2010) identified land north of Bundarra Road to Old Inverell Road as a long-term rural residential area. The studies and monitoring of the uptake of rural residential land in the corridors to the north and south of Armidale indicate that the release of land in the investigation area for rural residential development would not be required until at least 2021.

The draft Plan also identifies an additional area south of Bundarra Road as being part of the future large lot residential investigation area. It is recommended that this additional area south of Bundarra Road, generally from the New England Highway west to Micklegate Road, not be included in the future investigation area.

Council does support the inclusion of a small pocket of land south of Bundarra Road, west of Micklegate Road to Saumarez Ponds as "future large lot residential investigation area".

### **Goal 5 – Protected water, environment and heritage**

The New England North West has a wealth of environmental and heritage assets that underpin the economy and create a unique lifestyle for residents and visitors.

The Draft Plan:

- Protects water catchments, waterways and riparian lands to secure long term water quality, biodiversity, recreation and economic options;
- Identifies and protects areas of high environmental and heritage value; and
- Promotes adaptation to climate change and natural hazards.

**Comments** - The Draft Plan contains actions for protecting areas of high environmental value. Biodiversity certification is considered the preferred solution not only for council, but for the community and development industry and should be undertaken as a priority. Biodiversity certification offers planning authorities a streamlined biodiversity assessment process for areas marked for development at the strategic planning stage. The process identifies areas of high conservation value at a landscape scale. These areas can be avoided and protected while identifying areas suitable for development. Furthermore, biodiversity certification offers a range of secure options for offsetting impacts on biodiversity. The biodiversity certification process could be led by the local governments within the region but requires substantial financial commitment from other agencies.

### **Conclusion**

The Draft Plan provides an overarching framework to guide development and investment in the New England North West and covers a wide range of economic, social and environmental strategic factors that will influence growth and infrastructure provision over the next 20 years. The proposed submission seeks to provide input into the final Plan by representing Council and its community's priorities.

### **Community Engagement and Internal Consultation**

The Draft New England North West Regional Plan is available for public comment on the DP & E's website from 19 December 2016 to 20 March 2017.

Internal consultation has been carried out to assist with preparing the proposed submission with feedback being provided from Planning and Environmental Services, Engineering services, Community Services and Economic Development.

### **Financial Implications**

Many actions in the Draft Plan will require council involvement and there may be a need for Council to provide resources. It is therefore considered imperative that councils be involved in preparation of the Implementation Plan.

### **Good Governance**

The Draft Plan proposes that a Coordination and Monitoring Committee be established to oversee implementation of the final Plan. The Committee will be responsible for the Implementation Plan and also annual reporting that details progress against the actions identified in the Plan. It is recommended that local government representation on the Committee be increased to ensure effective collaboration between State government agencies and local councils.

### **Integrated Planning and Reporting Framework**

The Draft Plan is generally consistent with the Council's Draft Community Strategic Plan 2017-2027, publicly exhibited up to 24 February 2017, including the following Strategic Directions (and outcomes):

- Growth prosperity and economic development (the community experiences the benefits of economic growth; farming, agricultural and horticultural industries across the region are supported to sustain food security; the community has sufficient access to transport to enable connectivity both locally and outside of the region)
- Environment and infrastructure (the unique climate, landscape and environment of the region is protected and preserved; the community can participate in initiatives which contribute to a sustainable lifestyle; the community is provided with the

essential infrastructure it requires for daily life, and has access to a prioritised schedule of infrastructure works).

**Sustainability Assessment**

As reflected in the vision, “*A sustainable future that maximises the advantages of the region’s diverse climates, landscapes and resources*”, the Draft Plan promotes a holistic approach to land, environmental, water and natural resource management. It aims to maintain the productive capacity of natural resources, improve the agricultural sector’s capacity to cope with changes in markets and weather patterns, and maintain and preserve areas of high environmental value, water catchments and heritage places.

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**Item:** 7.2.1 **Ref:** AINT/2017/01621  
**Title:** Cash & Investments Report January 2017 **Container:** ARC16/0291  
**Author:** Chief Finance and Information Officer  
**Attachments:** Nil

**RECOMMENDATION:**

**That the Cash & Investments report for Armidale Regional Council as at 31 January 2017 be received and noted.**

**Introduction:**

Cash and Investments for the month of January 2017.

**Report:**

The following is the cash and investments particulars for the period 1 January 2017 to 31 January 2017.

All of Council's investments for the period ending are in accordance with:

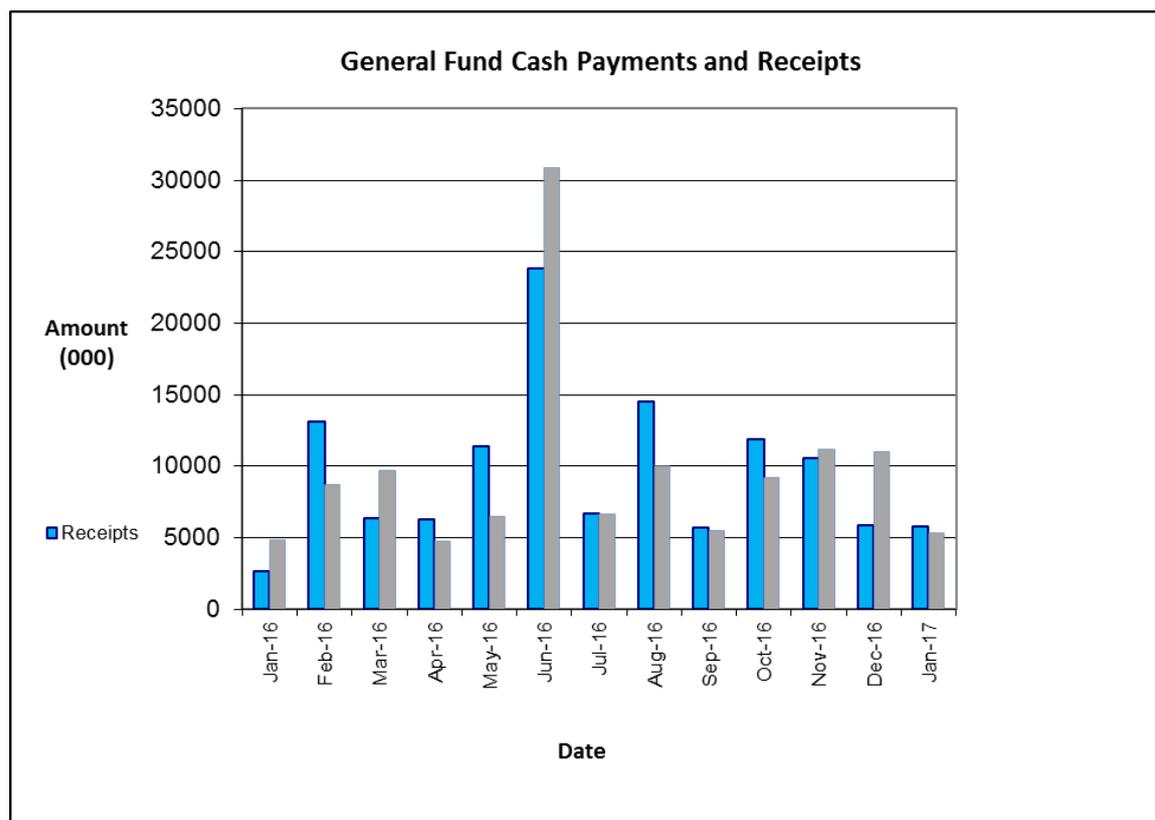
- Council Investment Policy POL152
- Local Government Act 1993 – Section 625
- Local Government Act 1993 – Order of the Minister dated 12 January 2011
- The Local Government General Regulation 2005 Reg 212.

At the end of the January period, Council held \$71,704,215.74 in investments and a consolidated bank account balance of \$5,311,920.85 excluding the Trust Fund.

During the month of January, total payments and receipts were \$5.3 million and \$5.8 million respectively.

Council's bank account balance as per bank statements at the end of the period 31 January 2017 are as follows:

General Fund	5,311,920.85
Trust Fund	1,213,208.03
<b>Total Bank Balances</b>	<b>6,525,128.88</b>



**Investments**

	%
30 day BBSW Index	1.62
Average Interest Rate on Term Deposit Investments	2.82

At the end of the January period Council held \$71,704,215.74 in investments, a decrease of \$1,983,558.69 from the end of the December 2016 period.

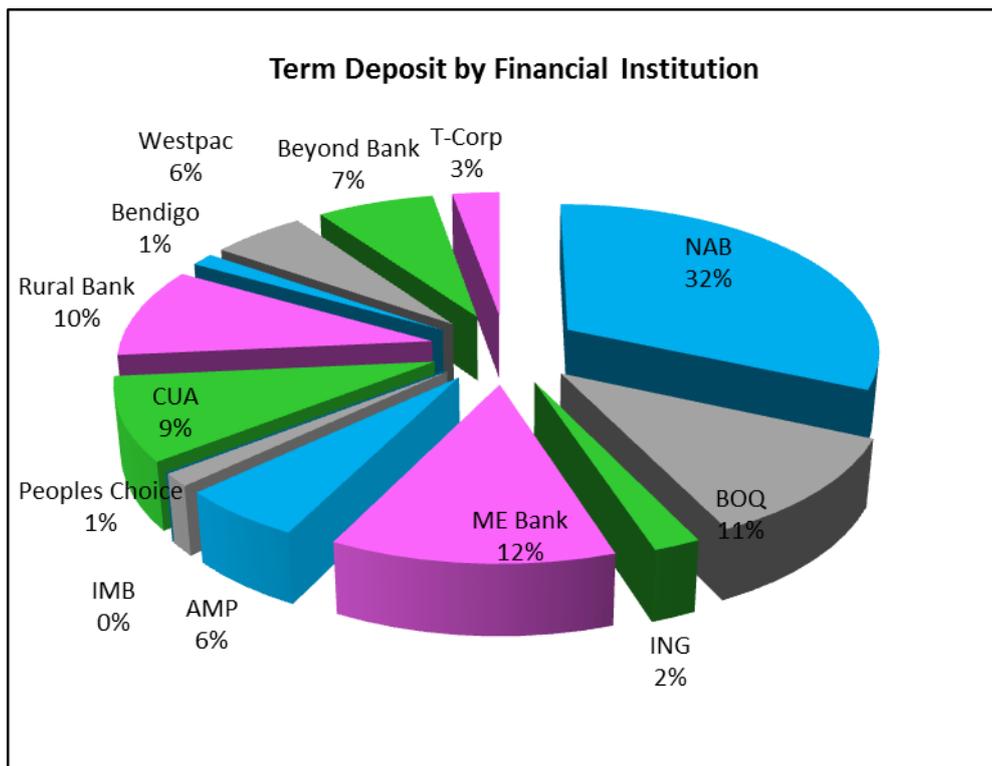
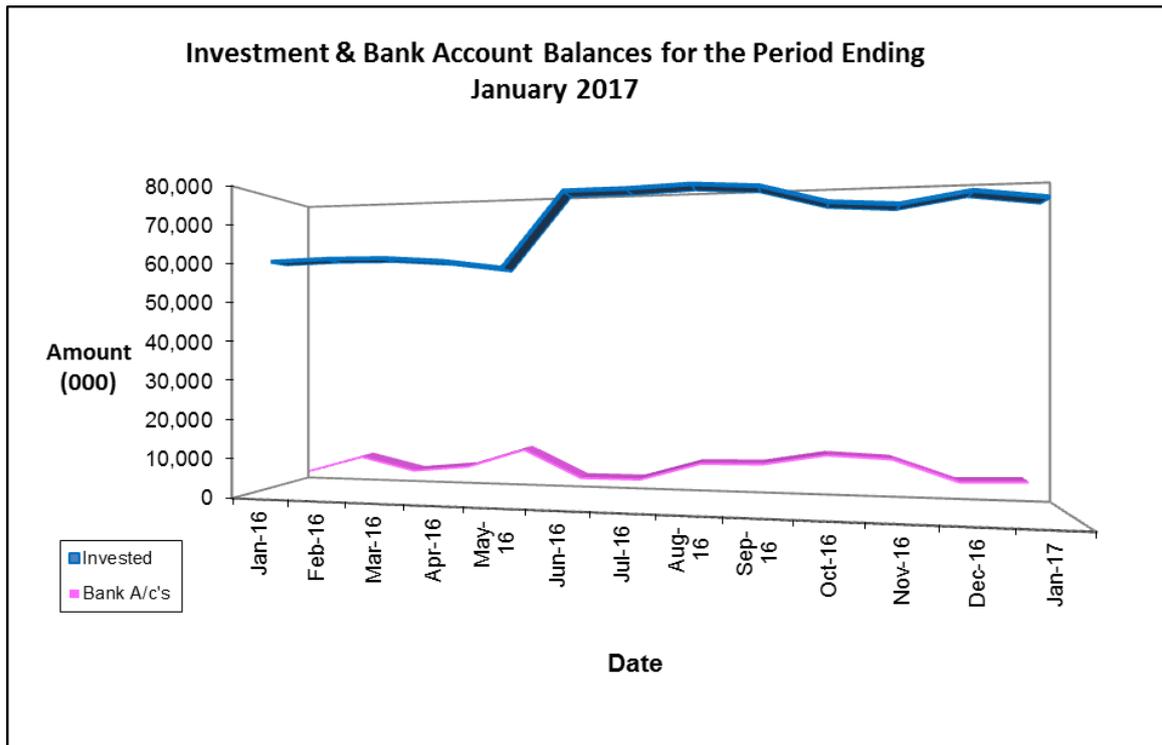
<b>Opening Balance at the beginning of the Period</b>	<b>73,687,774.43</b>
Redemptions to the NAB General and Business A/c's	-
Funds Transferred from the NAB General and Business A/c's	2,000,000.00
Increased principal due to roll over of funds	16,441.31
<b>Closing Balance at the end of the Period</b>	<b><u>71,704,215.74</u></b>

*The following are the details of Council's investments as at the end of the period*

Institution	Investment at Market Value	Interest Rate %	% of Portfolio
Term Deposits			

ME Bank	1,000,000.00	3.00%	1.39%
ME Bank	1,000,000.00	3.05%	1.39%
ME Bank	2,000,000.00	3.05%	2.79%
ME Bank	1,000,000.00	3.05%	1.39%
ING Bank	500,000.00	3.10%	0.70%
Bank of Queensland	1,000,000.00	2.70%	1.39%
Westpac	2,000,000.00	2.63%	2.79%
Rural Bank	2,000,000.00	3.00%	2.79%
Rural Bank	1,000,000.00	3.00%	1.39%
Credit Union Australia	1,000,000.00	3.10%	1.39%
Credit Union Australia	1,500,000.00	3.10%	2.09%
Westpac	2,000,000.00	2.63%	2.79%
ME Bank	1,000,000.00	3.07%	1.39%
Bank of Queensland	1,000,000.00	2.65%	1.39%
Beyond Bank	2,000,000.00	2.75%	2.79%
Bank of Queensland	2,000,000.00	2.70%	2.79%
Bank of Queensland	2,000,000.00	2.75%	2.79%
Rural Bank	1,000,000.00	2.55%	1.39%
Rural Bank	1,000,000.00	2.55%	1.39%
NAB	7,565,824.00	2.64%	10.55%
AMP	2,000,000.00	3.00%	2.79%
ME Bank	1,000,000.00	2.75%	1.39%
Beyond Bank	2,000,000.00	2.80%	2.79%
NAB	504,709.59	2.80%	0.70%
NAB	513,719.15	2.80%	0.72%
ME Bank	2,000,000.00	2.65%	2.79%
NAB	5,000,000.00	2.67%	6.97%

Peoples Choice Credit Union	1,000,000.00	2.75%	1.39%
ING	1,000,000.00	2.74%	1.39%
Bank of Queensland	2,000,000.00	2.70%	2.79%
Beyond Bank	1,000,000.00	2.75%	1.39%
Credit Union Australia	2,000,000.00	2.75%	2.79%
Bendigo Bank	1,000,000.00	2.65%	1.39%
AMP	1,000,000.00	2.75%	1.39%
AMP	1,000,000.00	2.75%	1.39%
Credit Union Australia	2,000,000.00	2.75%	2.79%
NAB	1,034,887.53	2.68%	1.44%
Rural Bank	2,000,000.00	2.55%	2.79%
<b>Sub Total</b>	<b>61,619,140.27</b>		
T-Corp Hour Glass Account	2,010,468.00		2.80%
High Interest At Call Savings Account	8,074,607.47		11.26%
<b>Total</b>	<b>71,704,215.74</b>		



**Community Engagement and Internal Consultation**

This monthly report provides the community with a snapshot of Council’s cash and investment particulars for the period 1 December 2016 to 31 December 2016.

**Financial Implications:**

That sufficient working capital is retained and restrictions are supported by cash. Cash management complies with the NSW Local Government regulations 2005.

**Good Governance**

All of Armidale Regional Council's investments for the period ending are in accordance with:

- Council Investment Policy POL152.

All of Armidale Regional Council's investments for the period ending are in accordance with:

- Local Government Act 1993 – Section 625.
- Local Government Act 1993 – Order of the minister dated 12 January 2011.
- The Local Government General Regulation 2005 Reg 212.

The investment policy covers aspects of risk associated with interest rates and bank security.

**Integrated Planning and Reporting Issues:**

Statutory compliance. An Investment Report is required to be tabled at an Ordinary Meeting of Armidale Regional Council by the end of each month.

**Sustainability Assessment**

Council's financial position is a key component in its economic sustainability in the future.

**Item:** 7.2.2 **Ref:** AINT/2017/02613  
**Title:** Second Quarter Review - Integrated Planning and Reporting  
**Container:** ARC16/0006  
**Author:** IPR and Legal Officer  
**Attachments:** 1. 2016-2017 Second Quarter Operational Plan Review

**RECOMMENDATION:**

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

**Introduction:**

The document within the attachment is a report based on the goals from the Delivery Program and Operational Plan.

**Report:**

The *Local Government Act 1993* S 404 (5) states: The General Manager must ensure that regular progress reports are provided to the Council reporting as to its progress with respect to the principal activities detailed in its Delivery Program. Progress reports must be provided at least every six months.

Within the attachment is a copy of a report based on goals from the Delivery Program and Operational Plan.

**Community Engagement and Internal Consultation**

Responsible Officers were contacted by email to remind them of deadline for the report.

**Financial Implications**

Financial implications are within the report (attachment).

**Good Governance**

Complying with the *Local Government Act 1993*, section 404; Reporting on the progress of the implementation of the Delivery Program.

**Integrated Planning and Reporting Framework**

Complying with Integrated Planning and Reporting legislation.

**Sustainability Assessment**

Environmental implications as set out in the Integrated Planning and Reporting documents are found within the attachment.

**Item:** 7.2.3 **Ref:** AINT/2017/02645  
**Title:** Purchase of Lot 17 in DP 856074 and Lot 36 in DP884232, Rockvale Gardens, Armidale

**Container:** ARC16/0606

**Author:** Nathalie Heaton, IPR and Legal Officer

**Attachments:** 1. Urgent - Request to have titles of 156-176 and 142-154 Rockvale Road, Armidale Lot 17 DP 856074 and Lot 36 DP 884232 transferred to Armidale Regional Council- *As this attachment 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.*

**RECOMMENDATION:**

- (a) That the offer to purchase Lot 17 in DP856074 and Lot 36 DP884232, Rockvale Gardens, Armidale for the cost of \$1 each be accepted.
- (b) That the Administrator and Chief Executive Officer be authorised to sign and seal any relevant documents in relation to the purchase and transfer of the abovementioned land.
- (c) That the Lot 17 in DP856074 and Lot 36 DP884232, Rockvale Gardens, Armidale be dedicated as road reserve.

**Introduction:**

Solicitors, acting on instructions from their client (the liquidator of the current owners of the land) have been in contact with Council. Lot 17 in DP856074 has an area of 180.4m<sup>2</sup> and Lot 36 in DP884232 has an area of 294.3m<sup>2</sup>. They are narrow strips of land, abutting Rockvale Road , and were clearly intended to be access denial strips (operational land).

**Report:**

The Development process for Rockvale Gardens commenced in 1993. Within the files, the Development Consent makes reference to access denial strips along Rockvale Road.

*Development Application 93/93*

*(f) Effective legal provision for access denial to the site frontage to Rockvale Road other than at the specific points of access shown on the submitted plan AR874/Rev D. Details, together with details of proposed access denying fencing and landscaping to be carried out by the developer in lieu of contribution to Council, to be approved by the City Engineer's nominee WITH THE ENGINEERING DESIGN PLAND FOR THE RELEVANT STAGES.*

Reference is also made to the access denial strips at Council's meeting held on 22 November 1993.

*Minute Number: TP102/93*

*... So far as traffic is concerned, the application was referred to the Local Traffic Committee on 9<sup>th</sup> November 1993 pursuant to SEPP No 11. The Committee agreed that the proposal should be approved subject to certain conditions to address issues such as stopping sight distance at the*

*site entrance, access for buses and large vehicles, provision of bus shelter by developer and access denial to Rockvale Road (as required by DCP 18).*

The resolution at the time however, made no mention of transfer of land nor did it authorise staff to use the seal for the transfer of land.

It would appear that the strips of land were intended to be access denial strips, although not necessarily for road widening purposes. The company that currently owns the land is in the final stages of liquidation. If Council does not act now, the transfer of those titles will be lost. The solicitor has proposed to transfer the land in question as operational lands for a consideration of \$1.00.

#### **Community Engagement and Internal Consultation**

Communication via telephone and email has been made with the solicitor who proposed the transfer of titles.

Face to face communication took place with Council's Engineer. Email communication has taken place with Management (Service Delivery).

#### **Financial Implications**

The cost of purchasing the land is \$1.10 inclusive of GST. There may be transfer costs which have not been identified at the time of writing the report.

#### **Good Governance**

It would appear that the intention was to have the strips of land dedicated as operational land, access denial strips. This process shores this intention up. The strips of land are not capable of performing any other function.

#### **Integrated Planning and Reporting Framework**

Not applicable in this instance.

#### **Sustainability Assessment**

Not applicable in this instance.

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**Item:** 7.3.1 **Ref:** AINT/2017/01110  
**Title:** Guyra SES HQ **Container:** G07/6980  
**Author:** Ralf Stoeckeler, Director Of Engineering  
**Attachments:** Nil

**RECOMMENDATION:**

- a) That Council note the report and that it supports in principle the construction of a new SES Headquarters at the junction of Ollera and Malpas Streets, Guyra.
- b) That Council proceed to lodge a Development Application to enable detailed design and costings being prepared and funding sourced before proceeding with the construction phase.

**Introduction:**

The Guyra SES Headquarters (HQ) is currently located on the New England Highway in South Guyra. The weatherboard building is in very poor condition and Council has been exploring alternative locations to build a new HQ for the SES.

An ideal site has been located and this report seeks Council's support in principle and to proceed to lodge a Development Application for the construction of a new HQ at the junction of Ollera and Malpas Streets (northeast corner of New England Highway and Guyra Rd junction). Subject to the final costings coming in within the available funds for this project.

**Report:**

The former Guyra Shire Council has been looking at relocating the current SES HQ for several years now.

At the Guyra Council meeting held on 15 December 2014, Council resolved:

*That Council agrees in principle to the construction of a new SES Headquarters beside the Rural Fire Services building on Council owned property in Moredun Street, subject to: -*

- a) The SES contributing grant funding of at least \$100,000 to the project.*
- b) The sale of the property currently occupied by the SES on the New England Highway.*

At the time of this resolution it was not known that the current SES HQ was located on Crown Land and therefore Council could not sell the land.

Since that time, the SES has committed to contribute \$100,000 and Council had budgeted an additional \$120,000 for a total budget of \$220,000. However, when preparing the plan for the new building on the Council-owned land in Moredun Street, it became apparent that the site was unsuitable for the following reasons:

- a sewer main runs directly under the proposed building
- a lockup garage would need to be demolished
- a power pole with a meter box and three underground services would need relocating
- at least two very large trees would need to be removed
- the site has a considerable fall from north to south, thereby requiring considerable levelling, all of which further added to the cost of the development.

The cost of the project together with the environmental outcomes would be detrimental should this option be pursued.

Council's contribution also included additional funds which will now not be realised resulting in a total allocation of \$152,000 made up of Council contribution and an SES contribution.

An alternative site has been located at 67 Malpas St (Lot 100 DP 600734), which is at the junction of Ollera and Malpas Streets, opposite the church. It is Council-owned, flat and is in an ideal location at the intersection of two main roads.

The land is currently zoned as R1 (residential 1) and development of the SES HQ is permissible with consent. It is therefore proposed to lodge a Development Application for the site, subject to Council's approval in principal.

The lot has a frontage of 47.29 m along Ollera St and is 33.5m deep. The footprint of the building will have a frontage of 15m along Ollera St and a depth of 24m, thereby providing significant space for car parking in the event of an emergency. A water main runs along the frontage and a sewer main will need a 50m extension to service the lot.



**Community Engagement and Internal Consultation**

Nil to date. A Development Application will need to be lodged. Discussions have been held with SES personnel.

**Financial Implications**

\$152,000 is currently allocated and available in the 2016/17 budget. The building (colourbond shed) will be approximately 360 sqm in size. The current allocated funds limit the satisfactory completion of the project, and other sources of funding will need to be obtained before any works proceed.

**Good Governance**

A Development Application will be lodged which will identify any other matters that need to be considered in the final design to comply with Council's Development Control Plan and then costed to clearly identify the funds necessary to complete the project.

**Integrated Planning and Reporting Framework**

Our People – Support and assist emergency services to promote safety and build confidence in the community. Action – continue support of the RFS and SES

**Sustainability Assessment**

The old SES HQ is in very poor condition and beyond repair. Council does not own the land (Crown Land) and therefore a new site is required.

**Item:** 8.1 **Ref:** AINT/2017/02208  
**Title:** Gayinyaga - Minutes of the meeting held 7 February 2017  
**Container:** ARC16/0605  
**Author:** Hayley Ward, Administration Officer  
**Attachments:** 1. Minutes - Gayinyaga Committee - 08 February 2017

**RECOMMENDATION:**

**That the Minutes of the Gayinyaga Committee meeting held on 7 February 2017 be noted and the following recommendations endorsed:**

- (a) That the Traffic Committee consider a local area traffic management plan on Cookes Road to reduce speeding traffic.**
- (b) That Gayinyaga provide \$100 toward the Christian Outreach Church Rally to be held near Narwan Village.**
- (c) That Gayinyaga support the proposed design and budget presented at the meeting held on 7 February 2017 for the Aboriginal Cemetery Memorial.**

**Item:** 8.2 **Ref:** AINT/2017/02209  
**Title:** Arts & Cultural Advisory Committee - Minutes of the meeting held on 1  
February 2017

**Container:** ARC16/0217

**Author:** Hayley Ward, Administration Officer

**Attachments:** 1. Minutes - Arts & Cultural Advisory Committee - 01 February 2017

**RECOMMENDATION:**

**That the Minutes of the Arts & Cultural Advisory Committee meeting held on 1 March 2017 be noted.**

**Item:** 8.3 **Ref:** AINT/2017/02616  
**Title:** Community Safety Advisory Committee - Minutes of the meeting held on 14 February 2017  
**Container:** ARC16/0560  
**Author:** Hayley Ward, Administration Officer  
**Attachments:** 1. Minutes - Community Safety Advisory Committee - 14 February 2017

**RECOMMENDATION:**

**That the Minutes of the Community Safety Advisory Committee meeting held on 14 February 2017 be noted and the following recommendations endorsed:**

- (a) That the Community Safety Committee does not support the application by ALDI Foods PTY for the grant of a new packaged liquor licence.**
- (b) The Community Safety Committee does not support an application by the Armidale Markets in the Mall to suspend the operation of the Alcohol Free Zone on nominated dates.**