

Armidale

Regional Council

ORDINARY MEETING OF COUNCIL

Held on

Wednesday, 7 December 2016
9am

at

Guyra Council Chambers

PRESENT: Administrator, Dr Ian Tiley.

IN ATTENDANCE: Mr Greg Meyers (Interim General Manager), Mr Ambrose Hallman (Acting Director Planning and Environmental Services; and Community Development), Mr John Duggan (Senior Financial Controller), 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 16
NOVEMBER 2016**

223/16

RECOMMENDATION:

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

The recommendation was ADOPTED.

**CONFIRMATION OF THE MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 30
NOVEMBER 2016**

224/16

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
Mr Matt Somers spoke on Modification to DA-19-2009 - Deletion of Condition 36B
Ms Esther Wischer spoke on DA-52-2016 37 Residential Lot Subdivision (5 Stages) - Land bounded by Stevenson, Prisk and Ollera Streets, Guyra
Mr Michael Croft spoke on DA-52-2016 37 Residential Lot Subdivision (5 Stages) - Land bounded by Stevenson, Prisk and Ollera Streets, Guyra
Mr Karl Bock spoke on DA-52-2016 37 Residential Lot Subdivision (5 Stages) - Land bounded by Stevenson, Prisk and Ollera Streets, Guyra; and DA-170-2016 - 305 Glenshiel Road, Llangothlin - Proposed Extractive Industry (Gravel Pit)
Mr Edson Galido spoke on DA-52-2016 37 Residential Lot Subdivision (5 Stages) - Land bounded by Stevenson, Prisk and Ollera Streets, Guyra

5. DEPUTATIONS BY GROUPS/COMMUNITY ORGANISATIONS
Nil.

6. ADMINISTRATOR MINUTES
Nil.

7. REPORTS OF OFFICERS

7.1 OUR ENVIRONMENT

7.1.1 Planning Proposal No 12 to amend Armidale Dumaresq LEP 2012 Ref: AINT/2016/08883

225/16

RECOMMENDATION:

a) That Planning Proposal No.12 to amend Armidale Dumaresq Local Environmental Plan 2012, which proposes to:

- remove Lot 54 DP 596242 from Item Number I067 in Schedule 5 – Environmental Heritage, and
- amend the Heritage Map to remove Lot 54 DP 596242,

be forwarded to the Department of Planning and Environment with a request for a Gateway Determination, in accordance with section 56 of the *Environmental Planning and Assessment Act 1979*.

b) That a further report be provided to Council following public exhibition of Planning Proposal No. 12 to amend Armidale Dumaresq Local Environmental Plan 2012.

c) That the owner of Lot 54 DP596242, 1A Dorothy Avenue, Armidale, be advised of Council's resolution.

The recommendation was ADOPTED.

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

Ref: AINT/2016/09360

226/16

RECOMMENDATION:

That Council retain Condition 36B from DA-19-2009 and allow for the consideration of the remainder of the proposed modification under delegation.

The recommendation was ADOPTED.

7.1.3 DA-52-2016 - 37 Residential Lot Subdivision (5 Stages) - Land bounded by Stevenson, Prisk and Ollera Streets, Guyra

Ref: AINT/2016/09365

227/16

RECOMMENDATION:

That Council grant consent in relation to DA-52-2016, subject to the conditions set out in the attachments to this report and that all persons who made submissions to the application be notified of the determination in writing.

The recommendation was ADOPTED.

**7.1.4 DA-170-2016 - 305 Glenshiel Road, Llangothlin - Proposed Extractive Industry
(Gravel Pit)**

Ref: AINT/2016/09366

228/16

RECOMMENDATION:

That Council grant consent in relation to DA-170-2016 in accordance with the conditions set out in the attachment to this report and that all persons who made a submission in relation to the application be advised of the determination in writing.

The recommendation was ADOPTED.

7.2 OUR GOVERNANCE

7.2.1 Cash & Investments Report October 2016

Ref: AINT/2016/08547

229/16

RECOMMENDATION:

That the Cash & Investments report for Armidale Regional Council as at 31 October 2016 be received and noted.

The recommendation was ADOPTED.

**7.2.2 Adopt Draft Financial Statements for Former Armidale Dumaresq and Guyra
Shire Council**

Ref: AINT/2016/09932

230/16

RECOMMENDATION:

- a) The Draft Financial Statements for the former Armidale Dumaresq Council be adopted under section 413 (2) c of the *Local Government Act 1993*.**
- b) The Draft Financial Statements for the former Guyra Shire Council be adopted under section 413 (2) c of the *Local Government Act 1993*.**
- c) Both sets of accounts are referred to the External Auditor for Audit.**

The recommendation was ADOPTED.

7.2.3 Proposed Meeting Dates for February - June 2017

Ref: AINT/2016/09455

231/16

RECOMMENDATION:

That Council adopt the following schedule for Ordinary Meetings to be held on the following dates commencing at 9am (excluding Tingha), at the locations listed below:

- 8 February 2017, 6pm (Tingha, venue to be confirmed)**
- 1 March 2017 (Armidale office Council Chamber, 135 Rusden Street, Armidale)**
- 22 March 2017 (Guyra office Council Chamber, 158 Bradley St, Guyra)**
- 12 April 2017 (Armidale office Council Chamber, 135 Rusden Street, Armidale)**
- 3 May 2017 (Guyra office Council Chamber, 158 Bradley St, Guyra)**
- 24 May 2017 (Armidale office Council Chamber, 135 Rusden Street, Armidale)**
- 14 June 2017 (Armidale office Council Chamber, 135 Rusden Street, Armidale).**

The recommendation was ADOPTED.

7.2.4 IPART Rate Peg 2017/2018

Ref: AINT/2016/09979

232/16

RECOMMENDATION:

That Council notes the Rate Peg determination of 1.5% for the 2017/2018 budget year.

The recommendation was ADOPTED.

7.2.5 Conduct of Local Government Elections in September 2017 and Popular Election of Mayor

Ref: AINT/2016/07397

233/16

RECOMMENDATION:

- a) That the information report be noted.**
- b) That the NSWEC be engaged to conduct the September 2017 Council election; and**
- c) That Council not hold a constitutional referendum on the popular election of mayor in the 2020 election, in conjunction with the Council elections on 9 September 2017.**

The recommendation was ADOPTED.

7.2.6 Development of a Model Code of Meeting Practice for NSW Councils

Ref: AINT/2016/09934

234/16

RECOMMENDATION:

That Council make a submission on the development of the model meeting code, noting that the closing date for submissions is 20 January 2017.

The recommendation was ADOPTED.

7.2.7 Submissions - Organisational Structure Discussion Paper

Ref: AINT/2016/09727

235/16

RECOMMENDATION:

- a) **That the two top management levels (CEO and 2 Group Leaders) outlined in Option 2 of the Blackadder Associates Discussion Paper be endorsed.**
- b) **That the remaining structure below Level 2 be further considered when the new CEO and Group Leaders are engaged, to enable them in collaboration with the JCC and the Unions to review the final structure before presenting to Council for endorsement.**
- c) **That level 3 service leaders be not contracted staff.**
- d) **That those staff who made a submission be thanked for their constructive comments and reassured that the matters raised will be carefully considered when the structure below level 2 is reviewed.**

The recommendation was ADOPTED.

7.2.8 Temporary Suspension of Alcohol Free Zones for Events

Ref: AINT/2016/09387

236/16

RECOMMENDATION:

- a) **That Council endorse the action of the Administrator to suspend the operation of the Alcohol Prohibition Area over the Armidale Central Mall on Thursday 1st December 2016 4:30pm – 10pm for Christmas in the Mall.**
- b) **That Council suspend the operation of the Alcohol Prohibited Area over Civic Park, Curtis Park and the Central Mall as follows:**
 - **Markets in the Mall – Sunday 11th December 2016, Sunday 29th January 2017 10am – 3pm Armidale East & Central Mall**
 - **Australia Day – Thursday 26th January 11am – 10pm – Civic & Curtis Park**

- **Autumn Festival – Friday 17th March 2017 – 5pm – 10pm & Saturday 18th March 2017 10am – 10pm Civic & Curtis Park.**
- c) **Subject to the consideration of any additional recommendations from the Police, that during the periods of suspension and within both the Alcohol Prohibited Area and the Alcohol Free Zones the following shall apply:**
- **Glass is not permitted where alcohol is served and may be consumed within the suspended areas.**
 - **The lifting of the prohibition does not preclude Council or the Police from taking any action considered necessary under the provisions of all relevant legislation.**
 - **Any necessary Liquor licences through the Office of Liquor, Gaming and Racing must be obtained prior to the period's identified events.**
- d) **At the completion of the function the prohibition to consume alcohol will return.**

The recommendation was ADOPTED.

7.2.9 Sustainable Choice Membership

Ref: AINT/2016/09680

237/16

RECOMMENDATION:

That Council agrees to join Sustainable Choice, a partnership program between Local Government NSW and the NSW Office of Environment and Heritage with the intention of making progressive and advantageous decisions in future in relation to Sustainable Choice and improved Sustainable Procurement.

The recommendation was ADOPTED.

7.2.10 Appointment to APVMA Relocation Advisory Committee

Ref: AINT/2016/10030

238/16

RECOMMENDATION:

- a) **That Council accept the invitation to be a member of the Advisory Committee; and**
- b) **That the Project Manager EDTM, Tony Broomfield, be nominated as Council's representative on the Advisory Committee.**

The recommendation was ADOPTED.

7.3 OUR INFRASTRUCTURE

7.3.1 Northern Inland Regional Waste Collective Tender for Processing Greenwaste*Ref: AINT/20*

239/16

RECOMMENDATION:

- (a) That in relation to the Northern Inland Regional Waste Collective Green Waste Processing Contract, Council accept the tender received from Davies Earthmoving & Quarrying Pty Ltd; and
- (b) That Council authorise the Acting Interim General Manager to execute a contract with Davies Earthmoving & Quarrying Pty Ltd.

The recommendation was ADOPTED.

7.3.2 Addressing Issues - Cookes Road, Armidale

Ref: AINT/2016/09002

240/16

RECOMMENDATION:

That Council note the proposal to:

- a) Rename and renumber Cookes Road between Long Swamp Road and Mann Streets; and
- b) Renumber the urban properties in Cookes Road between Kirkwood Street and up to and including 71 Cookes Road, Armidale.

The recommendation was ADOPTED.

7.3.3 Dumaresq Dam Master Plan

Ref: AINT/2016/09392

241/16

RECOMMENDATION:

That the Master Plan for the Dumaresq Dam upgrade be adopted for implementation.

The recommendation was ADOPTED.

7.3.4 1668 Grafton Road - request for supply of gravel

Ref: AINT/2016/09694

242/16

RECOMMENDATION:

That Council supply 88 tonnes of gravel and 23 tonnes of rock spall to the owner of 1668 Grafton Road Armidale as a contribution to the cost of extending the access track from Grafton Road to the property boundary, so as to eliminate a potential traffic risk.

The recommendation was ADOPTED.

7.4 OUR PEOPLE

7.4.1 Engagement of consultants to complete the Arts & Cultural Strategic Plan*Ref: AINT/2016/0*

243/16

RECOMMENDATION:

That Positive Solutions be engaged to complete Council's first Arts & Cultural Strategic Plan by 30 June 2017.

The recommendation was ADOPTED.

7.4.2 Stronger Regions and Stronger Communities Fund

Ref: AINT/2016/10109

244/16

RECOMMENDATION:

- a) **That Council allocate funds to the projects supported by the Stronger Regions Assessment Panel for the Community Grant Program \$1m, as per the minutes of the Stronger Regions Assessment Panel meeting held on 24 November 2016.**
- b) **That Council allocate funds to the projects supported by the Stronger Regions Assessment Panel for the \$9m Stronger Regions Infrastructure Fund, as per the minutes of the Stronger Regions Assessment Panel meeting held on 24 November 2016.**

The recommendation was ADOPTED.

8. COMMITTEE REPORTS

8.1 Community Safety Advisory Committee - Minutes of the meeting held on 8 November 2016

Ref: AINT/2016/09355

245/16

RECOMMENDATION:

That the Minutes of the Community Safety Advisory Committee meeting held on 8 November 2016 be noted.

The recommendation was ADOPTED.

8.2 Gayinyaga - Minutes of the meeting held on 9 November 2016 *Ref: AINT/2016/09354*

246/16

RECOMMENDATION:

That the Minutes of the Gayinyaga Committee meeting held on 9 November 2016 be noted and the following recommendations endorsed:

- a) That a further application is made, after sourcing further quotes for the memorial structure, to the Stronger Communities Fund for additional funding if required.**
- b) That the issue of cars and trucks continuing to speed on Cookes Road should be raised with the Traffic Committee.**

The recommendation was ADOPTED.

8.3 Civic Advisory Committee - Minutes of the meeting held on 12 November 2016

Ref: AINT/2016/09356

247/16

RECOMMENDATION:

That the Minutes of the Civic Advisory Committee meeting held on 12 November 2016 be noted and the following recommendations endorsed:

- a) That, given the Committee's primary responsibility to "provide advice on the future development of the Armidale CBD Masterplan", it requests a copy of that Plan be provided to the Committee; and after reasonable time to examine the Plan, that a representative of Council attend a meeting of the Committee for further productive discussion.**
- b) That the Administrator be informed of the Committee's intention to form a Subcommittee, for the purpose of considering ideas for Mall vibrancy, to which representatives of the business community would be invited.**

The recommendation was ADOPTED.

8.4 Audit and Risk Committee - Minutes of the meeting held on 22 November 2016

Ref: AINT/2016/09686

248/16

RECOMMENDATION:

That the Minutes of the Audit and Risk Committee meeting held on 22 November 2016 be noted and the following recommendations endorsed:

- a) That meetings be scheduled in February, May, August and November 2017 and further**

- that the next meeting be held on 28 February 2017, commencing at 5.30pm;**
- b) That a meeting be held in September/October 2017 to review the 2016/17 Financial Statements;**
 - c) That the setting of meeting dates be a standard agenda item;**
 - d) That the progress report on the 2016/17 Strategic Internal Audit Plan be noted;**
 - e) That the Draft Financial Statements for the former Guyra Shire Council, for the period 1 July 2015 to 12 May 2016 (amalgamation day) be endorsed;**
 - f) That the Draft Financial Statements for the former Armidale Dumaresq Council, for the period 1 July 2015 to 12 May 2016 (amalgamation day) be provided to the Committee when finalised;**
 - g) That the Internal Audit Report – Governance Structure Review, October 2016 be noted;**
 - h) That a copy of the report be provided to Council’s External Auditors;**
 - i) That an Internal Audit Status Report on the implementation of the recommendations be submitted quarterly to the Committee; and**
 - j) That the report on the Local Government Amendment (Governance and Planning) Bill 2016 as it relates to changes for the Internal Audit Function, be noted.**

The recommendation was ADOPTED.

9. PUBLIC FORUM
Nil.

There being no further business the Administrator declared the meeting closed at 10:05am.