

Armidale

Regional Council

ORDINARY MEETING OF COUNCIL

Held on

Wednesday, 8 February 2017
6pm

at

Tingha Sports and Recreation Club

PRESENT: Administrator, Dr Ian Tiley.

IN ATTENDANCE: Mr Peter Dennis (Chief Executive Officer), Mr Lindsay Woodland (Group Leader Organisation Services), Mr Mark Piorkowski (Group Leader Service Delivery), 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), Mr Ralf Stoeckeler (Director of Engineering), Mrs Jessica Bower (Executive Officer), Mr Paul Woods (Manager, Merger Implementation), Mrs Heather Ivey (Corporate Services 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 18
JANUARY 2017**

33/17

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

6.1 Mall Vibrancy Plan

Ref: AINT/2017/01669

34/17

RECOMMENDATION:

That the report be noted.

The recommendation was ADOPTED.

7. REPORTS OF OFFICERS
 - 7.1 OUR ENVIRONMENT
 - 7.2 OUR GOVERNANCE

7.2.1 Cash & Investments Report December 2016

Ref: AINT/2017/00399

35/17

RECOMMENDATION:

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

The recommendation was ADOPTED.

7.2.2 Executive Leadership Team (ELT)

Ref: AINT/2017/01585

36/17

RECOMMENDATION:

- a) That the Interim Executive Leadership Team be disbanded and replaced by the Executive Leadership Team (ELT) comprising the Chief Executive Officer (CEO), Group Leader – Service Delivery (GLSD) and Group Leader – Organisation Services (GLOS).
- b) That the Administrator shall attend the ELT meetings as necessary and appropriate to ensure clear communication and engagement in regard to matters of common interest to the Administrator and ELT.
- c) That the Chief Executive Officer may include any or all of the Service Leaders (yet to be appointed) as members of the Executive Leadership Team.
- d) That other staff may be invited to attend ELT meetings on a regular basis to present and contribute to relevant reports relating to their key areas of responsibility.

The recommendation was ADOPTED.

7.2.3 Quarterly Water Adjustment Report

Ref: AINT/2017/00944

37/17

RECOMMENDATION:

That this report be noted and the total adjustments to water accounts contained within this report be noted as totalling \$7,950.42.

The recommendation was ADOPTED.

7.2.4 Code of Meeting Practice - Closure of Meeting to the Public 24 August 2016

Ref: AINT/2017/00989

38/17

RECOMMENDATION:

- a) That Council acknowledge, that the decision to close its meeting to the public on the 24 August 2016 to deal with Development Application DA-119-2016 - 180 Shannon Road, Armidale was not consistent with its obligations under section 10A of the NSW Local Government Act 1993; and
- b) That Council acknowledge that the applicant was Council's Interim General Manager (IGM) Glenn Wilcox.
- c) That Council note that the Notice of Determinations approving the application in accordance with the previous report as referred to above has been issued.

The recommendation was ADOPTED.

7.2.6 Endorsement of Draft Community Recognition Program Policy *Ref: AINT/2017/01112*

39/17

RECOMMENDATION:

- a) That the Draft Community Recognition Program Policy be endorsed;
- b) That the Draft Policy be placed on public exhibition for a period of 28 days from Wednesday 22 February 2016 to 22 March 2017, and if no significant submissions are received, the policy be adopted.

The recommendation was ADOPTED.

7.2.7 Project Management Office - PMO - Update - February 2017 *Ref: AINT/2017/01131*

40/17

RECOMMENDATION:

That the report on the establishment and update on the Project Management Office to the February 2017 meeting of Council be received and noted.

The recommendation was ADOPTED.

7.3 OUR INFRASTRUCTURE

7.3.1 Building Better Regions Fund - Application for the Airport Industrial Subdivision Infrastructure

Ref: AINT/2017/01317

41/17

RECOMMENDATION:

That Council:

- a) Endorse preparation of an application for Building Better Regions Fund funding (BBRF) of 50% Federal Contribution towards the Airport Industrial Subdivision and additional airport parking if it meets the guidelines.
- b) Note the main grant selection criteria by which applications will be assessed is economic development and jobs.
- c) Note the importance of economic development and jobs to the ARC LGA with such being a priority in multiple strategic documents such as the draft Community Strategic Plan.
- d) Acknowledges a commitment to fund 50% of the project, being estimated at \$3.8m.

The recommendation was ADOPTED.

7.3.2 Guyra Main Street Project

Ref: AINT/2017/00905

42/17

RECOMMENDATION:

- a) That Council endorses the Guyra Main Street upgrade plan.
- b) That support be sought from the Stronger Regions and Stronger Communities Assessment Panel for a contribution of \$2.0m towards the project.

The recommendation was ADOPTED.

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

Ref: AINT/2017/00924

43/17

RECOMMENDATION:

- a) That Council adopt Level of Service three (i.e. Class B roads and all bus routes graded twice per year, Class C and Class D roads graded once per year) as its standard for unsealed road maintenance.
- b) That an amount of \$2,503,861, which includes allowance for drainage and emergency repairs, be included for consideration by Council in the 2017/18 Operational Plan.
- c) That a training plan be developed for maintenance staff to introduce the new standard, and to reinforce a common and consistent grading methodology across the Armidale Regional Council Local Government Area.

The recommendation was ADOPTED.

7.3.4 Road Naming - Ben Lomond

Ref: AINT/2017/01079

44/17

RECOMMENDATION:

That a proposal to name the unnamed road that leads off Government Road, Ben Lomond, "Lotties Lane" be advertised for the period from Wednesday 15 Feb to Wednesday 15 March 2017, and should no objections be received, the name be adopted.

The recommendation was ADOPTED.

7.3.5 Request for water service - Guyra

Ref: AINT/2017/01102

45/17

RECOMMENDATION:

That the request to provide a water service at no cost to the Guyra Central School lot bounded by Sandon, Green and Hardinge Streets, be granted.

The recommendation was ADOPTED.

7.3.6 Main Landfill Construction Project Status Update

Ref: AINT/2017/01367

46/17

RECOMMENDATION:

That Council:

- a) **Note the on time and under project budget delivery on contracts to date associated with the new Waterfall Way land fill project;**
- b) **Note the updated time frame and progress of tenders for the main land fill construction.**

The recommendation was ADOPTED.

7.3.7 Response to delegation with Deputy Prime Minister the Honourable Barnaby Joyce MP

Ref: AINT/2017/01666

47/17

RECOMMENDATION:

- a) **That Council convey to the Deputy Prime Minister and Member for New England the Hon Barnaby Joyce MP, its appreciation for the information conveyed in his letters dated 22 December 2016 and 30 January 2017.**
- b) **That further information be provided to the Deputy Prime Minister regarding the Roads and Bridges proposal and the acquisition of land for the Guyra PreSchool and Long Day Care Centre as outlined in this report.**
- c) **That the Council Officers preparing the Building Better Regions Fund application for the Airport Industrial Land pursue the offer of a letter of support from the Deputy Prime Minister to accompany Council's application.**
- d) **That the request for a plaque recognising the contribution of the late Michael Hartmann towards the Kolara project be referred to the project manager for inclusion in the construction program.**

The recommendation was ADOPTED.

7.4 OUR PEOPLE

**7.4.1 Fee Waiver for the use of the Armidale Town Hall to hold Carnivale Armidale:
Multicultural Community Dance**

Ref: AINT/2017/00978

48/17

RECOMMENDATION:

That Council waive the fee for the hire of the Armidale Town Hall to hold the Carnivale Armidale: Multicultural Community Dance.

The recommendation was ADOPTED.

8. COMMITTEE REPORTS

8.1 Traffic Advisory Committee - Events requiring endorsement

Ref: AINT/2017/01256

49/17

RECOMMENDATION:

That the recommendations of the Traffic Advisory Committee meeting held via email be noted and endorsed.

Special Event Transport Management Plan for the 'Tour de Rocks'

- a) **That approval be provided for the Special Event Transport Management Plan for the staging of the 'Tour de Rocks' Thursday 20 April to Saturday 22 April 2017, for the occupation and usage of Armidale Regional Council Local Government Area (LGA) local roads only, pending approval for the use of local roads within the LGA of Kempsey by Kempsey Council, and of any regional classified roads from the Roads and Maritime Services, and any further recommendations from NSW Police.**
- b) **That Council provides suitable road closure signage to the event organisers for the closure of Dangar Street between Dumaresq and Kirkwood Streets, from 6am to 9am on Thursday the 20 April 2017.**

Special Events Transports Management Plan - Michael Hartmann Memorial Ride Saturday 12th March 2017.

- c) **That the Special Events Transports Management Plan - Michael Hartmann Memorial Ride Saturday 12 March 2017, be approved in compliance with the submitted Traffic control Plan and any further recommendations from NSW Police.**

The recommendation was ADOPTED.

The following two items included in the Closed Agenda for the meeting were adopted in open Council, with no discussion held. Access to the correspondence and reports relating to the items considered during the course of the Closed Session were withheld. This action was taken in accordance with Section 10A(s) of the Local Government Act, 1993 as the items lists come within the following provisions:-

- 10.1 Ferndale Pit - proposed purchase of land from R.D. Mackerras. (AINT/2017/00788) - *As this report 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.*
- 10.2 Quarterly Debt Recovery Report . (AINT/2017/00900) - *As this report deals with personnel matters concerning particular individuals (Section 10A(2)(a) of the Local Government Act 1993). Council closes the meeting, in accordance with; AND 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. CLOSED SESSION

10.1 Ferndale Pit - proposed purchase of land from R.D. Mackerras Ref: AINT/2017/00788

50/17

RECOMMENDATION:

- a) That Council agrees in principle to the proposed purchase of approximately 3.5 hectares of land encompassing Ferndale Pit at an agreed price of \$50,000 plus GST, subject to confirmation of the land boundaries by survey and subdivision approval.
- b) That Council agrees to pay all costs of survey and production of a registered plan of subdivision, DA approval for the subdivision, and fencing, but each party would pay its own legal fees.
- c) That Council agrees to provide a dozer for up to four hours to push up a dam on Mr Mackerras's residual property.
- d) That the Chief Executive Officer and the Administrator be authorised to sign the contract of sale, and
- e) That the Council Seal be affixed to the contract documents.

The recommendation was ADOPTED.

10.2 Quarterly Debt Recovery Report

Ref: AINT/2017/00900

51/17

RECOMMENDATION:

That the outstanding debtors and actions being taken to recoup monies owed to Council as at January 2017 be noted and that the total balance due of the accounts contained within this report be noted as totalling \$451,874.47.

The recommendation was ADOPTED.

9. PUBLIC FORUM

An open forum was conducted by the Administrator to allow the Tingha community to raise their views on item 7.2.5 Tingha Boundary Adjustment. The Administrator conducted a show of hands in support of moving to Inverell Shire Council and in support of remaining with Armidale Regional Council. Approximately five voted to stay with Armidale Regional Council with the vast majority of the 50-60 members of the Tingha community present voting to move to Inverell Shire Council. A register of points raised was compiled (refer AINT/2017/02157).

7.2.5 Tingha Boundary Adjustment

Ref: AINT/2017/01000

52/17

RECOMMENDATION:

- a) That after carefully considering the request of the Tingha Citizens Association Incorporated (TCAI) and the citizens who signed the petitions, Armidale Regional Council would reluctantly not oppose the township of Tingha and the area identified in the map prepared by Armidale Regional Council and attached to this report (an area of approximately 393 square km) being removed from the Armidale Regional Council LGA and absorbed by the Inverell Shire Council LGA.
- b) That Council's resolution in regard to this matter be referred to the Minister for Local Government for her further consideration. Further, that should the Minister be of the mind to progress the proposal then the Minister be encouraged to undertake further community consultation.
- c) Should a boundary adjustment under (a) above proceed, that the process of distribution of assets and liabilities be through a mutually agreed process coordinated by the Department of Premier and Cabinet and/or the Office of Local Government to ensure equity and fairness for both councils.
- d) That all costs incurred by both councils due to the boundary adjustment be adequately funded by the NSW State Government.
- e) That Armidale Regional Council will strongly oppose any allocation from the \$5million Merger Transition Fund or the \$10million Strong Community/Regions Fund being moved to the Inverell Shire Council.
- f) The above resolutions are made after noting the resolutions of Inverell Shire Council from its special meeting held today to not support the proposed boundary position of Armidale Regional Council.

The recommendation was ADOPTED.

There being no further business the Administrator declared the meeting closed at 6:50pm.