

Armidale

Regional Council

ORDINARY MEETING OF COUNCIL

Held on

Wednesday, 18 January 2017
9am

at

Armidale Council Chambers

PRESENT: Administrator, Dr Ian Tiley.

IN ATTENDANCE: Mr Greg Meyers (Acting Interim General Manager), Mr Ambrose Hallman (Acting Director Planning and Environmental Services; and Community Development), Mr Keith Lockyer (Chief Financial and Information Officer), Mr Rob Shaw (Director Regional Infrastructure), Mr Ralf Stoeckeler (Director of Engineering); Mr James Turnell (Manager Waste Services), Mrs Jessica Bower (Executive Officer), Mr Luke Finnegan (Manager Water and Sewer Service), Ms Kathy Martin (Manager Sustainability and Strategic Planning) and 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 7
DECEMBER 2016**

1/17

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 20
DECEMBER 2016**

2/17

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.

The Administrator Dr Tiley departed from the agenda to acknowledge Mr Peter Bannon's service to Armidale Regional Council, particularly for his role on the Access Advisory Committee.

4. HAVE YOUR SAY ON AN AGENDA ITEM
Ms Michelle Chapman spoke on item 7.1.1 Planning Proposal No 4 to amend Armidale Dumaresq LEP 2012.

Mr Chris Sheehan spoke on item 7.1.2 DA-135-2016 - Alterations and Additions to Existing Hotel and Signage - 222 Rusden Street, Armidale.

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 4 to amend Armidale Dumaresq LEP 2012 *Ref: AINT/2016/09021*

3/17

RECOMMENDATION:

- a) That the Planning Proposal for Draft Amendment No 4 to Armidale Dumaresq Local Environmental Plan 2012, which applies to part Lot 9 DP 836850, Lot 10 DP 836850 and the adjoining Ross Street road reserve, Armidale, be amended by:
- i. zoning part of Lot 9 DP 836850 to E3 Environmental Management and applying a minimum lot size standard of 4 hectares,
 - ii. altering the southern boundaries of the proposed R1 General Residential zone and 500m² Lot Size on Lot 9 DP 836850, and
 - iii. including references to the public authorities consulted and specialist studies undertaken in relevant sections of the Planning Proposal.
- b) That the amended Planning Proposal be forwarded to the Department of Planning and Environment in accordance with section 58(2) of the *Environmental Planning and Assessment Act 1979*, seeking an alteration to the latest Gateway Determination issued on 8 July 2016.
- c) If the Department of Planning and Environment issues an altered Gateway Determination, that a further report be provided to Council following implementation of the Gateway Determination's requirements.
- d) That the Office of Environment and Heritage and the proponent be advised of Council's resolution.

The recommendation was ADOPTED.

7.1.2 DA-135-2016 - Alterations and Additions to Existing Hotel and Signage - 222

Rusden Street, Armidale

Ref: AINT/2016/11972

4/17

RECOMMENDATION:

That Council grant consent in relation to DA-135-2016 in accordance with the conditions set out in the attachment to this report and that the matter of condition 28 be determined with delegated authority to the Administrator and the Acting Interim General Manager.

The recommendation was ADOPTED.

7.1.3 Clean Air for NSW

Ref: AINT/2016/11023

5/17

RECOMMENDATION:

That Council endorse the Draft Clean Air for NSW consultation paper submission.

The recommendation was ADOPTED.

7.1.4 Request for Suspension of Alcohol Free Zone during the Lamb and Potato Festival 2017

Ref: AINT/2016/11631

6/17

RECOMMENDATION:

That Council pursuant to its powers under Section 645 of the *Local Government Act 1993*:

- a) **Suspend the declaration of that portion of the Guyra alcohol free zone in Rotary Park on the New England Highway, and the National Bank Carpark Guyra from 18-29 January 2017.**
- b) **To notify the officer in charge of the Guyra Police district of the proposed suspension of the Alcohol Free Zone.**
- c) **That notice be given of the suspension of that part of the Guyra Alcohol Free Zone as described above.**
- d) **To remove or cover the alcohol free zone signs in the subject areas.**

The recommendation was ADOPTED.

7.1.5 Proposed changes to Environmental Planning and Assessment Act 1979

Ref: AINT/2017/00415

7/17

RECOMMENDATION:

- a) **That the report on the proposed amendments to the *Environmental Planning and Assessment Act 1979*, which are open for public comment until 10 March 2017, be noted.**
- b) **That Council make a submission on the proposed amendments and specifically regarding notification requirements for complying development being more limited than for development applications, which may mitigate against securing the stated objectives of the amendments.**

The recommendation was ADOPTED.

7.2 OUR GOVERNANCE

7.2.1 Cash & Investments Report November 2016

Ref: AINT/2016/10134

8/17

RECOMMENDATION:

That the Cash & Investments report for Armidale Regional Council as at 30 November 2016 be received and noted.

The recommendation was ADOPTED.

7.2.2 Delegations - Chief Executive Officer

Ref: AINT/2017/00651

9/17

RECOMMENDATION:

- a) Delegate to the Chief Executive Officer, Peter Dennis, the functions of the Council under Section 377 of the NSW Local Government Act as amended from time to time;
- b) Authorise the Administrator to sign the Instrument of Delegation on behalf of Council;
- c) For the period 30 January 2017 and ongoing appoint one of the two Group Leaders to act as CEO if the CEO is sick or otherwise absent from work on leave, with such appointment to cease upon the return to work of the CEO or other resolution of the Council; and
- d) Delegate to any person acting as CEO pursuant to this resolution all the functions, delegations, and sub-delegations given to the CEO by the Council.

The recommendation was **ADOPTED**.

Acting Interim General Manager's Note: The Instrument of Delegation has been amended as per the above recommendation (refer AINT/2017/00764).

7.2.3 Tender Approval Delegation - Chief Executive Officer

Ref: AINT/2016/09978

10/17

RECOMMENDATION:

- a) Council note the report by the Chief Financial Officer on the Chief Executive Officer's Delegation of Authority for the Acceptance of Tenders.
- b) Council include delegation to the Chief Executive Officer authority to accept Council tenders with a contract value of up to \$500,000 where all other tender requirements of the Local Government Act 1993 and the Local Government (General) Regulation 2005 are met.
- c) Executive Leadership to consider all tenders and minute Chief Executive Officer determination.
- d) All tenders approved under delegation are reported to open Council quarterly.

The recommendation was **ADOPTED**.

7.2.4 Endorsement of Draft Community Strategic Plan 2027 for public exhibition*Ref: AINT/2016,*

11/17

RECOMMENDATION:

- a) That the Draft Community Strategic Plan 2017-2027 be endorsed for public exhibition; and
- b) That the Plan be publicly exhibited from Friday 20 January to Friday 24 February 2017 and that any submissions received be considered by Council.

The recommendation was ADOPTED.

7.2.5 Public Exhibition of New Fees and Charges for Development Services due to Amalgamation

Ref: AINT/2017/00013

12/17

RECOMMENDATION:

- a) That the revised fees and charges for the Planning and Environment Department be placed on public exhibition for 28 days from Wednesday 25 January to Wednesday 22 February 2017 seeking submissions.
- b) That in the event a submission is received a further report considering any submissions be presented to Council.
- c) Should no submissions be received, the fees be adopted as advertised.

The recommendation was ADOPTED.

7.2.6 Appointment of Chief Executive Officer - Reimbursement of Relocation Expenses

Ref: AINT/2017/00480

13/17

RECOMMENDATION:

- a) That the Chief Executive Officer, on relocating to the Armidale Regional Council area within 6 months of commencing employment on 30 January 2017, will have reasonable removalist expenses reimbursed of between \$7,000 and \$10,000. Half will be paid on incurring the expense and the other half after 12 months of employment, subject to satisfactory performance.
- b) That a copy of the Council Minute be included as an addendum to Schedule A of the Contract of Employment.

The recommendation was ADOPTED.

7.3 OUR INFRASTRUCTURE

7.3.1 Mall Vibrancy Plan

Ref: AINT/2016/11545

14/17

RECOMMENDATION:

That the item be withdrawn and deferred for consideration at the Ordinary Council meeting on 8 February 2017.

The recommendation was ADOPTED.

7.3.2 Guyra Showground - Adoption of Plan of Management

Ref: AINT/2017/00178

15/17

RECOMMENDATION:

That the Guyra Showground Plan of Management 2016-2026 be adopted.

The recommendation was ADOPTED.

7.3.3 Waste Collection - Service Level Review

Ref: AINT/2016/11103

16/17

RECOMMENDATION

That the report be noted.

The recommendation was ADOPTED.

7.3.4 Armidale Regional Airport Terminal - Federal Funding Deed (Community Development Grant 063 Stage 2)

Ref: AINT/2016/11772

17/17

RECOMMENDATION:

That Council sign a Deed of Agreement (CDG-063 Stage 2) securing \$1,119,936 (ex GST) of Commonwealth funding for the Armidale Regional Airport Terminal upgrade.

The recommendation was ADOPTED.

7.4 OUR PEOPLE

7.4.1 New Community Event - Winter Festival

Ref: AINT/2017/00181

18/17

RECOMMENDATION:

That the Administrator endorses the concept for a new event to take place in the Armidale Creeklands during winter 2017.

The recommendation was ADOPTED.

7.4.2 Free Day at the Armidale Pool

Ref: AINT/2016/10993

19/17

RECOMMENDATION:

(a) That Council waives the youth entry fees to the Monckton Aquatic Centre on Friday 27th January 2017.

The recommendation was ADOPTED.

7.4.3 Fee Waiver - U3A programs delivered from the Kent House Community Centre*Ref: AINT/2016/11569*

20/17

RECOMMENDATION:

(a) That Council waiver the room hire fees for all Armidale University of the Third Age (U3A) programs delivered from the Kent House Community Centre in 2017.

The recommendation was ADOPTED.

8. COMMITTEE REPORTS

8.1 Regional Growth Advisory Committee - Minutes of the meeting held on 15 November 2016

Ref: AINT/2016/11569

21/17

RECOMMENDATION:

That the Minutes of the Regional Growth Advisory Committee meeting held on 15 November 2016 be noted.

The recommendation was ADOPTED.

8.2 Arts & Cultural Advisory Committee - Minutes of the meeting held on 28 November 2016

Ref: AINT/2016/10142

22/17

RECOMMENDATION:

That the Minutes of the Arts & Cultural Advisory Committee meeting held on 28 November 2016 be noted.

The recommendation was ADOPTED.

8.3 Access Advisory Committee - Minutes of the meeting held on 1 December 2016

Ref: AINT/2016/10354

23/17

RECOMMENDATION:

That the Minutes of the Access Advisory Committee meeting held on 1 December 2016 be noted and the following recommendations endorsed:

- a) **That Council release a joint media release about dog owner responsibility and how to behave around guide dogs.**
- b) **That a letter is sent to State Rail requesting they install a hand rail on the stairway to the entry at the Railway Station to assist with access.**
- c) **That the Administrator notes the views of the Access Advisory Committee in regard to the shared zone proposed for the Guyra main street upgrade, however this will be taken into consideration in the final plan.**

The recommendation was ADOPTED.

8.4 Traffic Advisory Committee - Minutes of the meeting held 6 December 2016. Ref: AINT/20.

24/17

RECOMMENDATION:

- a) That the Minutes of the Traffic Advisory Committee meeting held on 6 December 2016 be noted.

Request for approval for cycling event - Guyra to Ben Lomond and return (via loop) 21 Jan 2017

- b) That the proposed event to be conducted over 2 routes on 21 January 2017 be approved subject to:
- I. A current appropriate Public Liability Insurance Certificate to the value of \$20m being produced by the organisers;
 - II. Submission of a Traffic Control Plan and a Road Occupancy Licence is to be made to the RMS for the short length of the New England Highway between Llangothlin Road and Ben Lomond Road.
 - III. Compliance with any conditions imposed by New England Local Area Command and RMS.

Request for 'No Parking' signs - Uniplan entry gates (Myrtle Drive)

- c) That the request for 'No Parking' signs - Uniplan entry gates (Myrtle Drive) be denied.
- d) That Council Rangers be requested to undertake regularity inspections of the Uniplan location in Myrtle Drive.

Request for extension of speed zone along Castledoyle Rd

- e) That the Roads and Maritime Services be requested to carry out a speed zone review of Castledoyle Road and the surrounding area.

Concerns about disabled parking space outside Town Hall

- f) That the current locations of the single parking space immediately east of the pedestrian crossing and the current disability parking space in front of the Town Hall in Rusden Street, be switched.

Request for change of Section 6 (Barbeques Galore) car park time limit

- g) That the request to change the Section 6 (more commonly known as Dan Murphy's) car park time limit from 3 hours to 2 hours be denied.

Request for 'No Stopping' sign Sole and O'Donnell Streets Guyra

- h) That the request to install 'No stopping' signs on the New England Highway 10 metres from the Sole Street intersection and the O'Donnell Street be denied.

Concerns for traffic visibility at Barney and Douglas Street intersection

- i) That a 'No Stopping' sign be installed at the required 10m from the kerbside, westward along the North-Western corner of Barney/Douglas Street.

The recommendation was ADOPTED.

8.5 Armidale Regional Sports Council - Minutes of the meeting held 07 December 2016

Ref: AINT/2016/11476

25/17

RECOMMENDATION:

- (a) That the Minutes of the Armidale Regional Sports Council Committee meeting held on 7 December 2016 be noted.**
- (b) That Shona Eichorn and Harrison Munday be elected to the Armidale Sports Council sub committee.**
- (c) That the Sports Council endorse the small grant funding applications of \$250 to Chelsea Thornton, Stuart Geddes and Oliver Freeman.**
- (d) That the following 8 projects be added to the Guyra Priority List:**
 - i. Concrete for cricket nets @ Recreation ground**
 - ii. Cricket sight screens @ Recreation ground**
 - iii. Electric timing equipment @Swimming Pool**
 - iv. Fence of side of field @ Sporting Complex**
 - v. Storage Shed @ Sporting Complex**
 - vi. PA System @ Sporting Complex**
 - vii. Storage shed @ Showground/hall/pool**
 - viii. Canteen refurbishment @ Recreation Ground**
- (e) That all levies collected as part of the Sports Development Program are to remain under the control of the Armidale Regional Sports Council and be spent on infrastructure on Council owned or managed facilities.**
- (f) Sporting associations that do not use Council facilities can join Sports Council for the nominated fee and sporting associations that pay into the Sports Development Levy will not have to pay the membership fee as this will be seen as having been paid as part of their Sports Development levy contribution.**
- (g) The Armidale Regional Sports Council would like to recommend to Council that all facilities under the control of the previous Guyra Council be included in the maintenance service level document together with the Armidale facilities.**

The recommendation was ADOPTED.

**8.6 Environmental Sustainability Advisory Committee - Minutes of the meeting
held 8 December 2016**

Ref: AINT/2016/11533

26/17

COUNCIL RECOMMENDATION:

That the Minutes of the Environmental Sustainability Advisory Committee meeting held on 8 December 2016 be noted and the following recommendations endorsed:

- a) **That Council provide a letter of support for the Southern New England Landcare “High Country Biodiversity Survey” grant application.**
- b) **That the Administrator notes the Committee’s request for the appointment of a Sustainability Strategy Consultant to be expedited and that this is a matter by the Executive Leadership Team as part of the current organisational structure review.**
- c) **That the Administrator confirms that:**
 - i. **the consultants brief will be prepared by the internal Sustainability Working Group with a copy being provided to the Environmental Sustainability Advisory Committee for comment;**
 - ii. **That the consultant selection process will be undertaken internally in accordance with Council’s procurement policy.**

The recommendation was ADOPTED.

**8.7 Community Safety Advisory Committee - Minutes of the meeting held on 13
December 2016**

Ref: AINT/2016/11556

27/17

RECOMMENDATION:

That the Minutes of the Community Safety Advisory Committee meeting held on 13 December 2016 be noted and the following recommendation endorsed:

- a) **That the Community Safety Advisory Committee endorse the new ad and payment be made to Kate Richards for her work.**

The recommendation was ADOPTED.

8.8 Gayinyaga - Minutes of the meeting held on 14 December 2016 Ref: AINT/2016/11793

28/17

RECOMMENDATION:

That the Minutes of the Gayinyaga Committee meeting held on 14 December be noted and the following recommendations endorsed:

- a) **That the Traffic Committee meet with the residents of Narwan Village and discuss their safety concerns about Cookes Road.**
- b) **That Gayinyaga strongly supports the Narwan Rugby League Club's application to find a permanent home for their club and to enter the Rugby League Group 19 Competition.**

The recommendation was ADOPTED.

9. PUBLIC FORUM
Nil.

DECISIONS FROM CLOSED SESSION

29/17

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 Tender Sewer House Service Line Replacement Program 2016 . (AINT/2016/11650) - *As this report deals with commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council (Section 10A(2)(d)(ii) of the Local Government Act 1993). Council closes 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 Write off Outstanding Debts - Preschool. (AINT/2017/00099) - *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

30/17

RECOMMENDATION:

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

10. CLOSED SESSION

10.1 Tender Sewer House Service Line Replacement Program 2016 *Ref: AINT/2016/11650*

31/17

RECOMMENDATION:

That Council accepts the tender from Interflow Pty Ltd to undertake the sewer house line replacement programme 2016/17, with extension to a three-year contract option subject to the replacement works being undertaken to Council's satisfaction in 2016/17, as being the most advantageous to Council.

The recommendation was ADOPTED.

10.2 Write off Outstanding Debts - Preschool

Ref: AINT/2017/00099

32/17

RECOMMENDATION:

That Council write off the outstanding overdue preschool debts of \$20,824.89 as detailed in the report.

The recommendation was ADOPTED.

The recommendation was ADOPTED.

There being no further business the Administrator declared the meeting closed at 9:50am.