



ORDINARY MEETING OF COUNCIL

Held on

Wednesday, 24 March 2021
4pm

at

Armidale Council Chamber

PRESENT: Councillor Ian Tiley (Mayor), Councillor Peter Bailey, Councillor Jon Galletly, Councillor Andrew Murat (till 5.14pm), Councillor Margaret O'Connor, Councillor Dorothy Robinson (till 5.14pm).

IN ATTENDANCE: Mr James Roncon (General Manager), Mr John Rayner (Financial Controller/Temporary Advisor), Mr Scot MacDonald (Director Businesses & Services), Ms Marissa Racamelara (Acting Director Organisational & Corporate Services), Ms Kelly Stidworthy (Manager Financial Services), Ms Stacey Drew (Executive Policy Advisor) and Ms Hayley Ward (Executive Officer).

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As this report deals with commercial information of a confidential nature which, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c) of the Local Government Act 1993). Council closes the meeting, in accordance with Council's Code of Meeting Practice, as consideration of this matter in open Council would be contrary to the public interest.

1. **CIVIC AFFIRMATION AND ACKNOWLEDGEMENT OF COUNTRY**
Cr Galletly and Cr O'Connor.
2. **STATEMENT IN RELATION TO LIVE STREAMING OF COUNCIL MEETINGS**
3. **APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS**

MOTION

99/21

RESOLVED:

That the apology from Cr O'Brien be accepted.

Moved Cr Murat Seconded Cr Bailey

The Motion on being put to the vote was CARRIED.

4. **DISCLOSURES OF INTEREST**
Nil.
5. **PUBLIC FORUM (COMMUNITY GROUP PRESENTATION)**
 - 5.1 Kathy Clare - Armidale Crime Prevention and Neighbourhood Watch Community Group
 - 5.2 Maria Hitchcock/Alun Davies - New England Visions 2030 about Wellness Centres and Hydrotherapy Pools
6. **PUBLIC FORUM (Have Your Say)**
 - 6.1 Elizabeth O'Hara - Speaking for Item 9.1 Use of Bore Water at Guyra
 - 6.2 Janna Hayes - Speaking for Item 9.4 Coffee Vans Policy
 - 6.3 Francis Webb - Speaking against Item 12.4 Possible Planning Agreement Rangoon Windfarm.
7. **CONFIRMATION OF MINUTES**

CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 24 FEBRUARY 2021

100/21

RESOLVED:

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

Moved Cr Murat Seconded Cr Bailey

The Motion on being put to the vote was CARRIED.

MOTION

101/21

RESOLVED:

That an additional speaker, Francis Webb, be allowed to present at Have Your Say to speak against Item 12.4 Possible Planning Agreement Rangoon Windfarm.

Moved Cr Tiley

Seconded Cr O'Connor

The MOTION on being put to the vote was CARRIED.

8. MAYORAL MINUTE

8.1 Mayoral Minute: General Manager Performance Review

Ref: AINT/2021/09031 (ARC16/0025)

102/21

RESOLVED:

- a. That Council formally note that the Mayor and General Manager, James Roncon, have reached agreement, with assistance of Local Government NSW Management Solutions, on the Performance Agreement for the Armidale Regional Council General Manager.
- b. That given the reduced numbers of Councillors since 12 December 2020, for the remainder of the Council's term a Committee of three Councillors comprise the Performance Review Committee for the first half yearly review.
- c. That the Performance Review Committee comprise the Mayor, Deputy Mayor and one Councillor nominated by the General Manager.
- d. That the matter of future performance reviews be determined by the incoming Council.
- e. That the Performance Agreement be made available to Councillors as a confidential attachment to the April 2021 Council meeting.

Moved Cr Tiley

The Motion on being put to the vote was CARRIED.

Cr Robinson requested her vote against the motion be recorded.

9. NOTICES OF MOTION

9.1 Use of Bore Water at Guyra

Ref: AINT/2021/07701 (ARC16/0025)

103/21

WITHDRAWN by the Notifier

9.2 Free Green Waste

Ref: AINT/2021/07955 (ARC16/0025)

Moved Cr O'Connor

Seconded Cr Robinson

That one day's free green waste disposal be available to all residents in the calendar months of May and June 2021 to assist them to continue clean up from the 2019-20 drought in which so many trees and plants died.

The Motion on being put to the vote was LOST.

9.3 Water Security Report

Ref: AINT/2021/07956 (ARC16/0025)

Moved Cr O'Connor

Seconded Cr Robinson

That the General Manager provide a report to the governing body on the options paper from the NSW government which has been provided to Council in relation to ways in which our region's water security can be improved.

The Motion on being put to the vote was LOST.

9.4 Coffee Vans Policy

Ref: AINT/2021/07958 (ARC16/0025)

104/21

MOVED:

That the matter of a Coffee Vans Policy be deferred to the 28 April 2021 Ordinary Council Meeting.

Moved Cr O'Connor

Seconded Cr Robinson

The Motion on being put to the vote was CARRIED.

9.5 Cost Shifting

Ref: AINT/2021/07959 (ARC16/0025)

105/21

RESOLVED:

- a. That this Council write to the local Member Hon Adam Marshall M.P, to the Minister for Local Government Hon. Shelley Hancock and to the NSW Premier and Treasurer as well as to the Prime Minister and the Productivity Commission to protest the increasing impact of NSW and Federal costs shifting from those levels of government to Local government and in this respect ARC highlight but not be limited to the following areas of costs shifting; a) superannuation guarantee charge b) Library funding c) planning and development statutory fees not allowing full costs recovery by local councils d) increasing costs to local government of pensioner rebates contributions e) rural fire service assets being required to be shown as a local government asset for depreciation and f) large increases in rural the emergency services levy.
- b. That these matters be the subject of Council motions to the next Local Government of NSW conference.

Moved Cr O'Connor

Seconded Cr Robinson

The Motion on being put to the vote was CARRIED.

9.6 Water Pricing and Drought Policy

Ref: AINT/2021/07960 (ARC16/0025)

106/21

WITHDRAWN by the Notifier.

9.7 Invitation to the Auditor General

Ref: AINT/2021/08516 (ARC16/0025)

107/21

WITHDRAWN by the Notifier.

10. LEADERSHIP FOR THE REGION

10.1 Policy Review Project Status Update

Ref: AINT/2021/04015 (ARC17/1770)

108/21

RESOLVED:

That Council note the policy review status report and the proposed plan for completion prior to 4 September 2021.

Moved Cr Galletly Seconded Cr O'Connor

The Motion on being put to the vote was CARRIED.

**10.2 Pathway Name & Address (NAR) – Amendments to Name, Postal Address,
Communication & Information Details Policy**

Ref: AINT/2021/03266 (ARC16/0022-6)

109/21

RESOLVED:

That Council adopt revised Policy - POL205 Pathway NAR - Changes to Name, Postal Address, Communication and Information Details.

Moved Cr Galletly Seconded Cr O'Connor

The Motion on being put to the vote was CARRIED.

10.3 Code of Meeting Practice

Ref: AINT/2021/06393 (ARC16/0620)

110/21

RESOLVED:

That Council:

- a. Commence the public forum for both have your say and presentations at 3pm, prior to the commencement of the Council meeting at 4pm.
- b. Council note and endorse the proposed changes to the policy as highlighted in the attachment.
- c. That the adopted policy be provided to the Office of Local Government as required under Schedule 2 Item 9 and to meet the requirements of Compliance Report Two due 9 April, 2021.
- d. Amend clauses 3.3 and 3.4 of the policy to include workshops and councillor briefings.

Moved Cr Bailey

Seconded Cr Murat

The Motion on being put to the vote was CARRIED.

10.4 Tabling of Disclosure of Pecuniary Interest

Ref: AINT/2021/07181 (ARC19/3543)

111/21

RESOLVED:

That Council:

- a. Note the tabling of updated Disclosures of Pecuniary Interest for Mayor Tiley, Councillor O'Brien and Councillor Galletly.
- b. Note that redacted Disclosures of Pecuniary Interest will be uploaded to Council website as per the *Public Access Act*.

Moved Cr Galletly

Seconded Cr O'Connor

The Motion on being put to the vote was CARRIED.

10.5 Councillor and Staff Interaction Policy

Ref: AINT/2021/07666 (ARC17/2330-2)

112/21

RESOLVED:

That Council:

- a. Endorse the following amendments to the Councillor and Staff Interaction Policy:
 - i. Various insignificant language, formatting and grammatical changes
 - ii. Insertion of Councillor request system
 - iii. Clarified obligations of staff
 - iv. Added obligations of councillors
- b. Refer the Draft Councillor and Staff Interaction Policy to the Office of Local Government for review as required under the Performance Improvement Order.
- c. Taking into account the Minister for Local Government's Performance Improvement Order, the current lack of resources, experience and expertise within the organisation and to assist in this period of consolidation and rebuilding, delegate to the General Manager authority to exercise the restrictions included in the Councillor and Staff Interaction Policy to impose limitations on, prioritise or delay response to disrespectful or excessive use of the councillor request system and excessive use of Questions on Notice, Notices of Motion and Committee reports.

Moved Cr Bailey

Seconded Cr Galletly

The Motion on being put to the vote was CARRIED.

Cr Andrew Murat left the meeting, the time being 05:14 PM

Cr Dorothy Robinson left the meeting, the time being 05:14 PM

11. GROWTH, PROSPERITY AND ECONOMIC DEVELOPMENT

11.1 Local Strategic Planning Statement (LSPS) Implementation - Resourcing Intentions

Ref: AINT/2021/04511 (ARC19/3364)

113/21

RESOLVED:

That Council receive and note the report in relation to Local Strategic Planning Statement (LSPS) Implementation – Resourcing Intentions.

Moved Cr Galletly Seconded Cr O'Connor

The Motion on being put to the vote was CARRIED.

FOR INFORMATION: 11.2 Cash and Investment report 28 February 2021

Ref: AINT/2021/06268 (ARC16/0001-6)

114/21

RESOLVED:

That Council note the Cash and Investment Report for February 2021.

Moved Cr Galletly Seconded Cr O'Connor

The Motion on being put to the vote was CARRIED.

11.3 Sale of Property Proceeds

Ref: AINT/2021/07176 (ARC18/3045)

115/21

RESOLVED:

That Council:

- a. Note that the property sales which have been supporting Council's General Fund cash position, is unsustainable.
- b. Note that a new Property Specialist role in line with the requirements of the Performance Improvement Order will shortly commence recruiting.
- c. Consider the strategy for the proceeds from property sales as part of a broader Reserves Policy to be developed in conjunction with the 2021/22 operational plan and budget.

Moved Cr Galletly Seconded Cr O'Connor

The Motion on being put to the vote was CARRIED.

12. ENVIRONMENT AND INFRASTRUCTURE

12.1 Refusal of Development Application Modification DA-147-2019/A at 91 Faulkner Street, Armidale, in relation to Car Parking

Ref: AINT/2021/05276 (DA-147-2019/A)

Moved Cr O'Connor

Seconded Cr Bailey

That Council

- a. Note the officer's report.
- b. Refuse Development Application Modification DA-147-2019/A at 91 Faulkner Street, Armidale, for the following reasons:
 - 1) By virtue of a reduction in car parking dedicated for 97-101 Faulkner Street and without provision of compensatory monetary contribution/planning agreement, the proposal fails to achieve the relevant objectives of Chapter 2.9 of the Armidale Dumaresq Development Control Plan 2012.
 - 2) The proposal would set an undesirable precedent which compromises:
 - the future development of land within the commercial area of Armidale; and
 - the standard and provision of Council owned off street car parking spaces.

DIVISION:

FOR: Crs M O'Connor and P Bailey.

AGAINST: Crs I Tiley and J Galletly.

The Mayor used his casting vote – the Motion was LOST.

116/21

RESOLVED:

That Council

- a. Note the officer's report.
- b. Refuse Development Application Modification DA-147-2019/A at 91 Faulkner Street, Armidale, for the following reasons:
 - 1) By virtue of a reduction in car parking dedicated for 97-101 Faulkner Street and without provision of compensatory monetary contribution/planning agreement, the proposal fails to achieve the relevant objectives of Chapter 2.9 of the Armidale Dumaresq Development Control Plan 2012.
 - 2) The proposal would set an undesirable precedent which compromises:
 - the future development of land within the commercial area of Armidale; and
 - the standard and provision of Council owned off street car parking spaces.
- c. Advise the Applicant of this determination and include other potential options, including a voluntary Planning Agreement, available under the *Environmental Planning and Assessment Act 1979* which may satisfy the requirements of Chapter 2.9 of the Armidale Dumaresq Development Control Plan 2012.

DIVISION **Moved: Cr Tiley** **Seconded: O'Connor** *The result being:-*

FOR: *Crs P Bailey, J Galletly, M O'Connor and I Tiley*

AGAINST: *Nil*

The Mayor declared the Motion CARRIED unanimously.

**12.2 Donation to Council of 1A The Boulevarde (corner Ross Street), Armidale -
Confirmation of Arrangements**

Ref: AINT/2021/06406 (ARC16/1224)

117/21

RESOLVED:

That Council:

- a. Advise the donor (Rossbuild Constructions Pty Ltd) that acceptance of the donation is conditional on the donor paying all of the costs incurred by Council associated with the land transfer.
- b. Resolve that on transfer of the donated land, following the requisite public notice period, the land (Lot 105 on DP1266695) be classified as "operational land" under Section 31(2) of the *Local Government Act 1993*.
- c. Give public notice of the proposed resolution to classify the donated land as required under Section 34 of the *Local Government Act 1993* when land transfer details are finalised and agreed with the donor.
- d. Endorse the proposed (currently unbudgeted) expenditure associated with the initial maintenance of the donated land.
- e. Endorse the proposed (currently unbudgeted) ongoing maintenance regime for the donated land.
- f. Advise the owner of the adjoining property at 1 The Boulevarde of maintenance intentions prior to undertaking initial maintenance actions.

Moved Cr Galletly

Seconded Cr O'Connor

The MOTION on being put to the vote was CARRIED.

12.3 Proposal to Update 2015 Armidale Flood Study *Ref: AINT/2021/06819 (ARC16/0545)*

118/21

RESOLVED:

That Council :

- a. Subject to receipt of requisite grant funding, update the 2015 Armidale Flood Study.
- b. Approve the General Manager to seek grant funding under the 2021-22 Floodplain Management Grant Program.

Moved Cr Galletly

Seconded Cr O'Connor

The MOTION on being put to the vote was CARRIED.

12.4 Possible Planning Agreement Rangoon windfarm *Ref: AINT/2021/07359 (ARC16/0142-6)*

119/21

RESOLVED:

That Council:

- a. Notes the Rangoon Windfarm is classified State Significant Development and the Minister of Planning Infrastructure and Environment is the consent authority.
- b. Consideration should be given to the impacts and benefits to the Ben Lomond community of the proposed Windfarm development and appropriate planning agreement.
- c. That the matter be deferred and Council invite the Rangoon Windfarm to address the next Council meeting.

Moved Cr O'Connor

Seconded Cr Bailey

The Motion on being put to the vote was CARRIED.

12.5 Martins Gully Bridge Replacement - Contractor Engagement

Ref: AINT/2021/07384 (ARC21/4476)

120/21

RESOLVED:

That Council:

- a. Accept the tender submitted by TOBCO of \$618,636.36 ex GST for the Design and Construction of Martins Gully Bridge Replacement.
- b. Delegate authority to the General Manager to execute all documents in relation to the contract.

Moved Cr Galletly

Seconded Cr O'Connor

The Motion on being put to the vote was CARRIED.

12.6 NSW Public Space Legacy Program Update

Ref: AINT/2021/07625 (ARC20/4295)

121/21

RESOLVED:

That Council note the NSW Public Space Legacy Program update report including the revised project proposals that have been rationalised into one project which is the first stage of the Armidale Creeklands Masterplan.

Moved Cr Galletly

Seconded Cr O'Connor

The Motion on being put to the vote was CARRIED.

12.7 Kempsey Road Reconstruction (Natural Disaster Recovery Works only) - Engagement of a Panel of Contractors

Ref: AINT/2021/07634 (ARC21/4499)

122/21

RESOLVED:

That Council

- a. Accept the Schedule of Rates and Wet Hire Rates submitted by Contractors for the Kempsey Road Reconstruction Works.
- b. Grant Authority to General Manager to certify all documents in relation to the execution of the contract.

Moved Cr Galletly

Seconded Cr O'Connor

The Motion on being put to the vote was CARRIED.

**12.8 Approval of Development Application DA-125-2020 at 156-160 and 162
Bradley Street, Guyra, for Early Learning Childcare Centre and associated
works**

Ref: AINT/2021/07661 (DA-125-2020)

123/21

RESOLVED:

That Item 12.8 be deferred for consideration pending the outcome of a peer review.

Moved Cr O'Connor Seconded Cr Bailey

The Motion on being put to the vote was CARRIED.

12.9 Development Application Approvals: monitoring targets

Ref: AINT/2021/07694 (ARC16/0681)

124/21

RESOLVED:

That Council note the report on the financial year to date figures relating to Development Applications and Complying Development Certificates.

Moved Cr Galletly Seconded Cr O'Connor

The Motion on being put to the vote was CARRIED.

**12.10 Implementation of NSW Government Park and Pay App for paid parking at the
airport**

Ref: AINT/2021/07717 (ARC18/2956)

125/21

RESOLVED:

That Council:

- a. Note the report to implement the NSW Government Park and Pay App at the Armidale Regional Airport.
- b. Authorise the General Manager to sign the agreement with Duncan Solutions for the interface between Park and Pay and Council system.

Moved Cr Galletly Seconded Cr O'Connor

The Motion on being put to the vote was CARRIED.

**12.11 Natural Resource Access Regulator - Notification of Penalty Notice
(Groundwater)**

Ref: AINT/2021/07718 (ARC19/3333)

126/21

RESOLVED:

That Council note the Penalty Notices from NRAR.

Council will review its management of water use to ensure it complies with the Water Management Act 2000 and any Licence it holds.

Moved Cr Galletly

Seconded Cr O'Connor

The Motion on being put to the vote was CARRIED.

12.12 Guyra Preschool and Long Day Care: Project Update

**Local Roads and Community Infrastructure Phase 1: Update on Car Park (158
Bradley St, Guyra) project**

Ref: AINT/2021/07719 (ARC20/4291)

127/21

RESOLVED:

That Council:

- a. Note the update on the LRCI project to construct a new car park at the rear of the Council Administration Building, 158 Bradley Street, Guyra, funded by the Federal Government's Local Roads and Community Infrastructure (LRCI) program, with grant funds to be expended by 30 June 2021.
- b. Note the scope and draft budget for the proposed Early Childhood Learning Centre (ECLC), 158 Bradley Street, Guyra, and the current budget shortfall.
- c. Refer the project to the 2021-22 budget process noting the remaining funding for the project could be sourced from Council's Property Land Sale Proceeds Reserve, subject to approval by the Financial Controller.

Moved Cr Galletly

Seconded Cr O'Connor

The Motion on being put to the vote was CARRIED.

12.13 Kempsey Road (Natural Disaster Recovery Arrangements) - Removal of Hazardous Trees

Ref: AINT/2021/08225 (ARC20/4415)

128/21

RESOLVED:

That Council:

- a. Invoke Section 55(3)(i) of the Local Government Act due to:
 - i. a contractor having already been awarded a significant value of the work to be performed and currently mobilised on site with the specialist skills, equipment and expertise required to under the work to standard required for Natural Disaster Recovery and Relief Arrangements;
 - ii. the need to undertake the work expediently to ensure public safety; and
 - iii. the need to undertake the work expediently to allow for road rehabilitation to occur in an unimpeded manner;
- b. Endorse the Procurement Strategy and reporting methods to be adopted in relation to this existing project; and
- c. Approve the General Manager to authorise expenditure to Burgundy Heights to an upper limit of \$1,650,000 including GST for the Removal of Hazardous Trees on Kempsey Road, noting that a contract for \$878,064 (GST Inclusive) has already been awarded.

Moved Cr Galletly

Seconded Cr O'Connor

The Motion on being put to the vote was CARRIED.

13. OUR PEOPLE AND COMMUNITY

13.1 Arts North West LGA Summary

Ref: AINT/2021/04195 (ARC16/1030)

129/21

RESOLVED:

That Council:

- a. Note the update on cultural activities from Arts North West; and
- b. Refer the proposed 2021-22 annual contribution of \$21,587.69 for consideration in the 2021-22 draft operational plan and budget.

Moved Cr Galletly

Seconded Cr O'Connor

The Motion on being put to the vote was CARRIED.

13.2 Public Exhibition of Property Addressing and Naming our Roads and Places Policy

Ref: AINT/2021/05314 (ARC16/1216)

130/21

RESOLVED:

That Council:

- a. Endorse the draft Property Addressing and Naming our Roads and Places Policy (POL071) for public exhibition until Monday 27 April 2021.
- b. Receive a further report at the conclusion of the exhibition period.

Moved Cr Galletly

Seconded Cr O'Connor

The Motion on being put to the vote was CARRIED.

13.3 Library Collection Development Policy - Draft for Public Exhibition

Ref: AINT/2021/06425 (ARC20/4249)

131/21

RESOLVED:

That Council:

- a. Endorse the draft Library Collection Development Policy for public exhibition for a period not less than 28 days; and
- b. Receive a further report at the conclusion of the exhibition period.

Moved Cr Galletly

Seconded Cr O'Connor

The Motion on being put to the vote was CARRIED.

13.4 Library Community Information Display Policy - Draft for Public Exhibition

Ref: AINT/2021/06508 (ARC20/4249)

132/21

RESOLVED:

That Council:

- a. Endorse the draft Library Community Information Display Policy for public exhibition for a period not less than 28 days; and
- b. Receive a further report at the conclusion of the exhibition period.

Moved Cr Galletly

Seconded Cr O'Connor

The Motion on being put to the vote was CARRIED.

13.5 Library Use and Code of Conduct Policy - Draft for Public Exhibition

Ref: AINT/2021/07256 (ARC20/4249)

133/21

RESOLVED:

That Council:

- a. Endorse the Draft Library Use and Code of Conduct Policy for public exhibition for a period not less than 28 days; and
- b. Receive a further report at the conclusion of the exhibition period.

Moved Cr Galletly

Seconded Cr O'Connor

The Motion on being put to the vote was CARRIED.

13.6 Request for fee waiver of Armidale Town Hall and Guyra Community Hall - Youth Week Activities

Ref: AINT/2021/07292 (ARC21/4471)

134/21

RESOLVED:

That Council approve a total fee waiver of \$1,911 for the use of the Armidale Town Hall on 17 April 2021 and Guyra Community Hall on 24 April 2021 to support the delivery of Youth Week activities.

Moved Cr Galletly

Seconded Cr O'Connor

The Motion on being put to the vote was CARRIED.

13.7 'Restore and Thrive' – Realigning Council's organisation structure with a view to high performance outcomes

Ref: AINT/2021/07865 (ARC16/0001-6)

135/21

RESOLVED:

- a. That as per s332 of the *Local Government Act 1993* Council adopts an Executive Leadership Team structure comprising three Directors.
- b. That the Executive Leadership Team positions be designated senior staff positions, to be engaged on performance based contracts.
- c. That Council note that this report seeks to address the requirements of the Minister for Local Government's Performance Improvement Order.
- d. That Council note the engagement of The Dattner Group to undertake a 'Culture Audit' of the Armidale Regional Council.

Moved Cr O'Connor

Seconded Cr Bailey

The Motion on being put to the vote was CARRIED.

13.8 Minutes of Councillor Village Tour and Town Meetings

Ref: AINT/2021/08515 (ARC21/4491)

136/21

RESOLVED:

That the minutes of the meetings be noted and staff investigate all issues over the coming months and, where necessary, seek consideration of proposed actions in budget discussions.

Moved Cr Galletly Seconded Cr O'Connor

The Motion on being put to the vote was CARRIED.

14. REQUESTS FOR LEAVE OF ABSENCE

Nil.

15. AUTHORITY TO AFFIX COUNCIL SEAL

Nil.

16. COMMITTEE REPORTS

16.1 Arts, Cultural and Heritage Advisory Committee - minutes of the meeting held

4 March 2021

Ref: AINT/2021/06592 (ARC16/0217)

137/21

RESOLVED:

That the Minutes of the Arts, Cultural and Heritage Advisory Committee meeting held on 4 March 2021 be noted and the following recommendations endorsed:

- a. That the committee support the release of the Creative Arts Small Grants on 1 April 2021.
- b. That in the event of the Creative Arts Small Grant's program not being finalised by the end of the financial year that Council extend the funding beyond the 30 June 2021.
- c. That the public art fund of \$5,000 be rolled over into the 2021/2022 financial year if it is not expended by 30 June 2021.
- d. That an EOI be developed for a Guyra local or group to take responsibility of the remaining Guyra mural budget to choose a Guyra artist and approve a design finishing the project by 30 June 2021.
- e. That Council write to the Guyra Central School thanking the students for their input into the original mural project.
- f. That Council explore options to engage the artist, James Price, to provide a mural in the LGA at another site.
- g. That the committee strongly support the retention of the UNE Heritage Centre and Regional Archives.

Moved Cr O'Connor Seconded Cr Galletly

The Motion on being put to the vote was CARRIED.

16.2 Sports Council Committee - minutes of the meeting held 3 March 2021

Ref: AINT/2021/07632 (ARC16/0330)

138/21

RESOLVED:

That the Minutes of the Sports Council Committee meeting held on 3 March 2021 be noted and the following recommendations endorsed:

- a. That the minutes from the meeting held 1 December 2020 be taken as read and be accepted as a true record of the meeting.
- b. That the committee note the financial report for the period to 31 January 2021.
- c. That Armidale Regional Council return to 'matching' player levies received for sports infrastructure dollar-for-dollar.
- d. That twice annually all sports player levies collected by Armidale Regional Council should be placed within the Sports Council Committee Newcastle Permanent Account.
- e. That the Sports Council Committee intends to conduct a workshop involving all sporting bodies to consider the introduction of a user fee structure for a Council's premier regional sporting fields, The Armidale Sportsground, Rologas Sportsfields and Harris Park sportsfields.
- f. That the committee note the current grant opportunities available.
- g. That the committee review and discuss projects on the Sports Council Priority List that fit the criteria for the grant opportunities.
- h. That the committee determine who will be responsible for submitting the grant opportunities (noting that should Council staff be requested to submit a grant application, a report must go to Council seeking permission to apply for the grant).
- i. That the committee review the Sports Council Priority List.
- j. That the Committee make amendments to the list as necessary, noting that #7 Lynches Road Netball Courts should reflect the current costing of the grant recently applied for.
- k. That the committee review the infrastructure priority list at the next tabled meeting.
- l. That the current Terms of Reference may be reviewed at the next tabled meeting.

Moved Cr Bailey

Seconded Cr Galletly

The Motion on being put to the vote was CARRIED.

16.3 Minutes - Traffic Advisory Committee Meeting held 2nd March 2021

Ref: AINT/2021/07994 (ARC16/0168-6)

139/21

RESOLVED:

That Council:

- a. Note the Minutes of the Traffic Advisory Committee meeting held on 2nd March.
- b. Extend the existing Bus Zone on Butler Street, 40m to the south in conjunction with the Armidale Secondary College installing an extra gate on the north end of the bus shelter to help with bus safety.
- c. Extend the No Stopping zones on the western end of Mossman Street to improve turning movement space once consultation with the residents has taken place.
- d. Retract the previous request to Install a drop off zone on the eastern side of Butler Street between Lamb Ave and Mossman Street and move that the "No Parking" zone installed between the Children's Crossing and Hargrave St and mark BB line (double barrier) to prevent U-turns and reduce traffic conflicts.
- e. Install "Do not queue across intersections" sign, at Hargrave Street & Butler Street.
- f. Approve the temporary road closures for the Armidale 2021 ANZAC Day March and Commemoration Service that will occur on Sunday 25 April 2021, for Faulkner Street from Dumaresq Street to Beardy Street and the connecting intersections with East Mall and Rusden Street.
- g. Endorse the removal of the unrequired School zone and parking restrictions, related signage and markings at Duval College, now it is no longer being used as a school.

Moved Cr Bailey

Seconded Cr Galletly

The Motion on being put to the vote was CARRIED.

16.4 Economic Development Committee - Minutes of the Meeting held 22 March 2021

Ref: AINT/2021/08288 (ARC19/3530)

140/21

RESOLVED:

That the Minutes of the Economic Development Committee meeting held on 22 March 2021 be noted.

Moved Cr Bailey

Seconded Cr Galletly

The Motion on being put to the vote was CARRIED.

17. MATTERS OF AN URGENT NATURE

MOTION

141/21

RESOLVED:

That Council:

- a. Consider donating any available hay produced by the sewer farm to the communities of the mid north coast affected by the floods.
- b. Delegates the General Manager the authority to action the donation.
- c. Accept the offer from a local carrier to cart the hay for free.

Moved Cr Galletly

Seconded Cr O'Connor

The Motion on being put to the vote was CARRIED.

MOTION

142/21

RESOLVED:

That Council launch a public appeal for donations of additional hay from the local community and act as a local coordination point to be distributed to communities of the mid north coast affected by the floods.

Moved Cr Bailey

Seconded Cr O'Connor

The Motion on being put to the vote was CARRIED.

18. QUESTIONS ON NOTICE

18.1 Questions on Notice - Cr Robinson

Ref: AINT/2021/07704 (ARC16/0033)

That Council note the response to the seven Questions on Notice submitted by Cr Robinson.

18.2 Questions on Notice - Cr O'Connor

Ref: AINT/2021/07952 (ARC16/0033)

That Council note the response to the four Questions on Notice submitted by Cr O'Connor.

MOTION

143/21

Moved Cr O'Connor

Seconded Cr Galletly

a) That Council move into closed Session to receive and consider the following items:

19.1 Armidale Court House. (AINT/2021/08037) - *As this report deals with commercial information of a confidential nature which, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c) of the Local Government Act 1993). Council closes the meeting, in accordance with Council's Code of Meeting Practice, as consideration of this matter in open Council would be contrary to the public interest.*

b) That Council exclude the press and public from the proceedings of the Council in Confidential Session pursuant to Section 10A, subsections 2 & 3 and section 10B of the Local Government Act 1993, on the basis that the items to be considered are of a confidential nature.

c) That Council make the resolutions made in Confidential Session public as soon as practicable.

The Motion on being put to the vote was CARRIED.

Council entered Closed Session at 6.04pm.

Council returned to Open Session at 6.09pm.

RESUMPTION OF MEETING

144/21 **Moved Cr O'Connor** **Seconded Cr Bailey**

That the recommendations of Closed Session be adopted.

The Motion on being put to the vote was CARRIED.

19. CLOSED SESSION

19.1 Armidale Court House

Ref: AINT/2021/08037 (ARC18/2692-2)

145/21 **RESOLVED:**

That:

- a. Council receive and note the report.
- b. Council cannot accept the offer from Property NSW regarding the vesting of 100 Faulkner Street Armidale, the former Court House and Sheriff's Office, into its custodianship, under the current terms.
- c. That Council seek full cost funding from the NSW Government to fully restore the Court House buildings and in consideration thereof, the Council accept the property for a nominal value.
- d. That the acquisition by Council be outside the Restrictive Community Use Policy.

Moved Cr Tiley **Seconded Cr Galletly**

The Motion on being put to the vote was CARRIED.

There being no further business the Mayor declared the meeting closed at 6.09pm.