



BUSINESS PAPER

ORDINARY MEETING OF COUNCIL

To be held on

Wednesday, 25 November 2020
4pm

at

Armidale Council Chamber

Members

Viv May PSM - Interim Administrator

AGENDA

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Item:	7.1	Ref: AINT/2020/41033
Title:	Interim Administrator Minute - Councillor Workshops and Briefings/Transparency	Container: ARC16/0025
Author:	Viv May, Interim Administrator	
Attachments:	1. Councillor Workshops and Briefings 2017-2020	

MOTION:

That the Minute be received and noted.

When appointed to the role of Interim Administrator at Armidale Regional Council I assured residents that I would do my best to independently serve in an honest, open and transparent way, ensuring all voices are heard.

I have had the opportunity to meet with many people and one of the common themes has been a perceived secrecy on the part of Council – both elected and administrative. In meetings with former and suspended Councillors, concerns were expressed that all Councillors were not supplied with all information in the decision making process. It was alleged that in some instances decisions were not being made by the governing body and I was presented with a number of examples.

To test the above an audit has recently been completed on all Councillor Workshops and Briefings since October 2017 a copy of which is attached. It is clear that some decisions were not being made by the governing body and that CEO's (and other staff) had no delegation to proceed in many important matters and this is of course both totally unacceptable and unlawful.

Between October 2017 and June 2020 more than 60 Councillor Workshops/Briefings were held between Councillors and Council officers. While there were agendas for the meetings and a number of reports and/or PowerPoint presentations available within Council's records management system, minutes were not recorded and in some instances there is only a "topic" included on the Agenda, with no further detail about what was presented and/or discussed. Furthermore, there is no record of a Conflict of Interest register for the meetings.

More than 150 matters were considered across this time period, although some of these were updates on items already considered at prior session.

In relation to Workshops/Briefings it is important to note that Council's Code of Meeting Practice, adopted 22 May 2019 includes "pre-meeting briefing sessions". The following excerpt applies to these sessions:

*3.31 Prior to each ordinary meeting of the council, the general manager **will** arrange, if requested by a majority of Councillors, a pre-meeting briefing session to brief Councillors on the items of business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.*

3.32 Pre-meeting briefing sessions are to be held in the absence of the public.

3.3.3 The general manager or a member of staff nominated by the general manager is to preside at the pre-meeting briefing sessions.

3.34 Councillors (including the Mayor) must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered.

3.35 Councillors (including the Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do at a council or committee meeting. The council is to maintain a record of all conflicts of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the Councillor who made declaration.

While there are many instances where matters considered at Workshops/Briefings were later considered at Council meetings, a number of significant matters, such as the Expression of Interest for the Airport, ARMIDALE PLAN 2040 “Master 2040”, the Business Symposium and Business HUB, ARC2022 Transformation Program and decisions around implementation of water restrictions do not appear to have been presented to Council for ratification following Workshop/Briefings being held with Councillors.

Another area of concern is in relation to applications for grant funding and Council formal acceptance once the applications are approved. There are a number of instances where applications do not appear to have been endorsed by Council.

In some instances, significant work has been carried out with costly consultants engaged to develop plans and strategies and although these matters have been considered at Workshops they have not been presented to Council for adoption. These include the Dumaresq Creek Master Plan, ARMIDALE PLAN 2040 and Dumaresq Dam Redevelopment Plan Stage 1. In the case of these three items, this has since been rectified.

The task of addressing the above short comings is going to be mammoth and I have now had brought to my attention by the Acting General Manager that there are also a number of MOU’s that have been agreed without reference to the governing body and signed leases that do not comply with statutory requirements. The task of addressing these matters will take months.

I also take the view that the use of Closed Council in many instances has been a very liberal interpretation of the Code of Meeting Practice, and I have endeavoured to address this matter to ensure transparency while respecting statutory obligations.

The *Local Government Act* – Chapter 3 provides “Principles for Local Government” and clearly states that Council decision-making should be transparent and decision makers are to be accountable for decisions and omissions - clearly the audit identified in many instances the council at all levels has failed in this regard.

To address the inappropriate use of Workshops/Briefings and community perceptions of lack of transparency, I have asked the Acting General Manager to prepare a report for the December meeting on the opportunities available for such gatherings in the future to be open to the public and/or initiating a more formal method of reporting same to Council.

Accordingly I move the above.

(Viv May PSM)

Interim Administrator

Item:	8.1	Ref: AINT/2020/39902
Title:	Code of Conduct Complaint Statistics	Container: ARC16/0617
Responsible Officer	Acting Director Organisational and Corporate Services	
Author:	Stacey Drew, Executive Policy Advisor	
Attachments:	Nil	

1. Purpose

To report to Council on the annual the code of conduct complaints statistics to ensure that Council's obligations under clause 11.1 of the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW 2020* (the Procedures) are satisfied.

2. OFFICERS' RECOMMENDATION:

That Council:

- a. Receive and note the annual Code of Conduct Complaint Statistics.**
- b. Forward a copy of the annual report on the Code of Conduct Complaints Statistics to the Office of Local Government.**

3. Background

The *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW 2020* (the Procedures) issued by the Office of Local Government (OLG), Council's Complaints Coordinator must report annually to the Council and to the OLG on a range of complaint statistics by 30 November. The report format used is provided by the OLG.

4. Discussion

The required reporting concerns complaints about Councillors and the General Manager made under the *Model Code of Conduct for Local Council in NSW 2020* and requires submission of information in regards to:

- a. the total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September (the reporting period)
- b. the number of code of conduct complaints referred to a conduct reviewer during the reporting period
- c. the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints
- d. the number of code of conduct complaints investigated by a conduct reviewer during the reporting period
- e. without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period
- f. the number of matters reviewed by the Office during the reporting period and, without identifying particular matters, the outcome of the reviews, and
- g. the total cost of dealing with code of conduct complaints made about councillors and the general manager during the reporting period, including staff costs.

Council received 24 Code of Conduct complaints during the year and finalised 1 complaint that was made in the previous reporting year. There are no outstanding Code of Conduct matters in relation to any Councillor or the General Manager. Council's expenditure for conduct reviews for the period was \$87,495.27.

5. Implications

The reporting to Council and the OLG of annual statistics fulfils Council's statutory requirements. Part 11 of the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW 2020 requires the annual reporting complaint statistics.

5.1. Policy

The *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW 2020* apply.

5.2. Risk

Consideration of this report and submission to the OLG of the annual report ensures that reporting obligations under the Procedures are met.

5.3 Sustainability

This report contributes to the delivery the Community Strategic Plan 2017-2027: Leadership for the Region Community Outcome 3— being that Council demonstrates sound organisational health and has a culture which promotes action, accountability and transparency.

5.4 Financial

This is within approved budget.

6. Consultation and Communication

Council must report annually on code of conduct complaint statistics to the Office of Local Government (OLG) and consults with the department on this requirement, if appropriate.

7. Conclusion

Council's consideration of this report and the referral of the statistics to the OLG ensures that Councils reporting obligations under the Procedures are fulfilled.

Item:	8.2	Ref: AINT/2020/39915
Title:	Legislation Compliance Policy	Container: ARC16/0617
Responsible Officer	Acting Director Organisational and Corporate Services	
Author:	Stacey Drew, Executive Policy Advisor	
Attachments:	1. Draft Legislation Compliance Policy	

1. Purpose

The purpose of this new Policy is to outline Council's commitment to promote a culture of compliance with applicable laws and foster continuous improvement in the compliance process. The Policy aims to support and strengthen the framework for the monitoring and management of legislative compliance within the organisation.

2. OFFICERS' RECOMMENDATION:

That Council:

- a. Endorse the draft Legislation Compliance Policy for public exhibition for a period of 28 days.**
- b. Receives a further report at the conclusion of the exhibition period.**
- c. Table the report at the next meeting of the Audit, Risk and Improvement Committee for information.**

3. Background

This Policy has been developed in response to recommendations made by the following:

- NSW Audit Recommendation – letter to Council 16 February 2018
- Report on Local Government 2019 (NSW Audit Office – March 2020)
- External Review Governance Arrangements (Sept 2020 p. 20/44)

4. Discussion

Good governance is an integral part of Council's ability to manage its risks. Effective legislative compliance management supports Council to maintain integrity, mitigate reputational risk and meet legislative obligations to demonstrate Council's corporate and social responsibilities.

Subject to Council's approval, a copy of the Policy will be tabled at the Audit, Risk and Improvement Committee (ARIC) Meeting.

5. Implications

5.1. Policy

Adoption of this draft policy will support adherence to legislative requirements for Council in a structured and timely manner.

This Policy links to a number of related Council policies including the Complaints and Customer Feedback Policy , Code of Conduct, Privacy Management Plan.

5.2. Risk

Development and adherence to the intent of this Policy will assist to mitigate a number of Council risks including reputational and legislative risks.

5.3. Sustainability

No sustainability implications are evident with the adoption of this Policy.

5.4. Financial

No financial implications have been identified with the adoption of this Policy.

6. Consultation and Communication

Adoption of the Legislation Compliance Policy will act to support a good governance and compliance culture across Council for Councillors and Council employees. Working with council staff will be ongoing to build a robust and embedded Legislative Compliance Framework. The policy will be placed on Public Exhibition for a period not less than 28 days.

7. Conclusion

Council is committed to promoting a culture of legislative compliance and, as a result, enhance the level of openness and transparency we provide to the community. The adoption of a new Policy for Legislative Compliance has been developed in response to several recommendations and standards of best and leading practice.

Item:	8.3	Ref: AINT/2020/39992
Title:	Draft Fraud and Corruption Prevention Policy Container: ARC16/0617	
Responsible Officer	Acting Director Organisational and Corporate Services	
Author:	Stacey Drew, Executive Policy Advisor	
Attachments:	1. Draft Fraud and Corruption Prevention Policy	

1. Purpose

This Fraud and Corruption Prevention Policy reinforces Council's commitment to fraud and corruption prevention by providing clear guidance and expectation of staff that responsibility falls with every individual who is involved with the functions and/or operations undertaken for, or on behalf of Council.

2. OFFICERS' RECOMMENDATION:

That Council:

- a. Endorse the draft Fraud and Corruption Policy being placed on public exhibition for a period of 28 days.**
- b. Receive a further report at the conclusion of the exhibition period.**

3. Background

Council is undertaking a review of its corporate policies in line with an ongoing governance review. The review identified the need for Council to ensure it has a current Fraud Control Framework including this policy.

The *Independent Commission Against Corruption Act 1988*, mandates the requirements Councils must follow and the NSW Ombudsman provides guidelines to local government including the model of which a Council's Fraud and Corruption Prevention Policy should follow.

4. Discussion

This policy applies to all staff, councillors, contractors and volunteers and works in concert with the Public Interest Disclosures – Internal Reporting Policy and the Statement of Business Ethics. Both policies are being presented for adoption at the Council meeting and form part of an integrated Fraud control Framework which drives good governance across Council.

5. Implications

Council considers that its fraud and corruption control program is an integral component of its overall risk management framework which builds upon the requirement for transparent and accountable processes consistent with sound business practices and organisational standards of compliance.

5.1. Policy

This policy has linkages and forms part of an improved and connected suite of policies to drive good governance and an open transparent council.

5.2. Risk

This policy has been developed to reduce the risk of fraudulent and corrupt behaviour to Council.

5.3. Sustainability

No sustainability implications have been identified with the adoption of this Policy.

5.4. Financial

No financial implications are identified with the adoption of this policy.

6. Consultation and Communication

This policy impacts all staff, councillors, contractors and volunteers. As such a program to ensure awareness of this policy is undertaken.

7. Conclusion

Council is embarking on a governance review program to ensure Council is responsible to the community and is seen as an open and transparent organisation which delivers good governance. The Fraud and Corruption Prevention Policy is part of a broader and connected framework of fraud and corruption control.

Item:	8.4	Ref: AINT/2020/39995
Title:	Business Ethics Policy	Container: ARC16/0617
Responsible Officer	Acting Director Organisational and Corporate Services	
Author:	Rhonda Skelton, Governance Coordinator	
Attachments:	1. Draft Statement of Business Ethics Policy	

1. Purpose

This policy outlines the ethical standards required of both Armidale Regional Council delegates and its private industry business partners when engaged by Council. Adherence to these standards by both parties will enable the development of a mutually beneficial business relationship.

2. OFFICERS' RECOMMENDATION:

That Council:

- a. Endorse the draft Statement of Business Ethics Policy for public exhibition for a period of 28 days.**
- b. Receives a further report at the conclusion of the exhibition period.**
- c. Table the report at the next meeting of the Audit, Risk and Improvement Committee for information.**

3. Background

Council is undertaking a review of Council policies. This involves reviewing and amending existing policies, identifying policy gaps and developing new policy where none have existed.

The Statement of Business Ethics policy has been one identified that is missing from Council's Policy Register. This is a new Policy.

4. Discussion

Council is committed to ensuring its business relationships are ethical, honest, fair and consistent. Our business dealings will be transparent and open to public scrutiny wherever possible.

Council's business principles are as follows:

- All procurement is conducted on the basis of value for money and aligned to other relevant Council policies
- All business relationships with external parties will be transparent
- Procurement and appointment decisions will be based on merit and will be impartial and will not take extraneous issues into account

The attached policy provides further detail to how these principles will be applied across Council.

As this is a new policy it is recommended that the Draft Statement of Business Ethics Policy be placed on public exhibition for 28 days and be further presented for adoption at the conclusion of the exhibition period.

5. Implications

5.1. Policy

This is a new policy and will contribute to embedding good governance across Council.

5.2. Risk

The Statement of Business Ethics Policy will contribute to the reduction of risk and will form part of Council's efforts to reduce and manage the implications associated with risk.

5.3. Sustainability

No Sustainability implications are associated with this policy.

5.4. Financial

No financial implications are associated with the adoption of this policy.

6. Consultation and Communication

The recommendation to place this policy on public exhibition will enable the community to have input into its content and provide time for the Audit & Risk Improvement Committee to consider its intent.

7. Conclusion

Council is embarking on a considerable review of its Policy Register. Work is being undertaken to ensure Council has up-to-date policies to lead good governance at Council. The intent of the Statement of Business Ethics Policy is to enhance Council's level of openness and transparency and to guide the business community on what it can expect when dealing with Council.

Item:	8.5	Ref: AINT/2020/40044
Title:	Public Interest Disclosures - Internal Reporting Policy	Container:
	ARC16/0617	
Responsible Officer	Acting Director Organisational and Corporate Services	
Author:	Stacey Drew, Executive Policy Advisor	
Attachments:	1. Draft Public Interest Disclosure Internal Reporting Policy	

1. Purpose

The purpose of the Public Interest Disclosure – Internal Reporting Policy is to establish an effective internal reporting system in accordance with the NSW *Public Interest Disclosures Act 1994* (PID Act) which encourages and facilitates the reporting of disclosures in relation to the five areas below without fear of reprisal:

- Corrupt conduct
- Maladministration
- Serious and substantial waste of public money
- Breach of the NSW Government Information (Public Access) Act 2009, and
- Local Government pecuniary interest contravention.

Council is committed to the objectives of the IPD Act and encourages the reporting of wrongdoing.

2. OFFICERS' RECOMMENDATION:

That Council:

- Endorse the draft Public Interest Disclosure – Internal Reporting Policy for public exhibition for a period of 28 days.**
- Receives a further report at the conclusion of the exhibition period.**

3. Background

Armidale Regional Council is undertaking an extensive review of its Policy Register. As part of this review it has identified the NSW Ombudsman's Office have released a July 2020 update of their guidance to NSW Councils in respect to the PID Act.

This revised policy has been modelled on the NSW Ombudsman's recommended policy template.

4. Discussion

Council is committed to the principles of the *Public Interest Disclosures Act 1994* (PID Act). The PID Act establishes mandatory requirements for all NSW public sector agencies including local councils, as well as establishing a system and guidelines under which people working within the NSW public sector can make reports about the functioning of the public sector in a way that minimises the risk of reprisal.

Public interest disclosures can be made about five different categories: corrupt conduct, serious maladministration, serious and substantial waste, a failure to properly fulfil functions under the

Government Information (Public Access) Act 2009, and pecuniary interest contravention under the Local Government Act 1993.

The updated policy has been prepared and modelled on the NSW Ombudsman's recommended policy template.

The policy establishes Council's commitment to encouraging the reporting of public interest disclosures; provides guidance on the reporting and management of alleged instances of wrongdoing; the roles and responsibilities of Council and staff and provides information on internal and external resources for the reporting of wrongdoing.

5. Implications

5.1. Policy

This updated policy will improve Council's openness and transparency.

5.2. Risk

This policy forms part of Council's good governance framework. By encouraging and reporting wrongdoing, staff members are helping to promote integrity, accountability and good governance within council.

5.3. Sustainability

No sustainability implications are identified with the adoption of this policy.

5.4. Financial

No financial implications are identified with the adoption of this policy.

6. Consultation and Communication

This policy applies to all council staff, councillors, contractors and volunteers. As such, ensuring the content of this policy is known broadly will form part of the role undertaken by Council's PID Designated Officer. This policy will be placed on Council's website Policy Register.

7. Conclusion

The proposed amendments to the policy will ensure Council is compliant with the model practices recommended by the NSW Ombudsman and will ensure Council has an effective system for internal reporting in accordance with the NSW Public Interest Disclosures Act 1994

Item:	8.6	Ref: AINT/2020/40592
Title:	Leases, Licences and Agreements - Review	Container: ARC16/0539
Responsible Officer	Interim General Manager	
Author:	John Rayner, Interim General Manager	
Attachments:	1. Options Paper_Property Portfolio_ARC	

1. Purpose

To provide Council with an update on progress on the review of leases, licences and agreements that are in place with various community groups.

2. OFFICERS' RECOMMENDATION:

That Council:

- a. Receive and note the report.**
- b. Note that action will be taken to properly resource and manage Council's property portfolio, including establishment of a property management system, clarifying the classification of land and progressively addressing the recommendations in the report.**
- c. Prepare tender documents for the provision of property management services for commercial and residential portfolios.**
- d. Note that having identified the range of leases, licences and agreements in place, Stage 2 is underway and will be reported to the Council on 9 December 2020.**

3. Background

Council has a register which includes information on various leases, licences and agreements summarised below:

Various leases and agreements with community groups and organisations	67
Grazing Licences	10
Armidale Airport leases, licences and agreements	19
Outdoor eating licences	10
Rusden Street Carpark Space Licences (estimate)	11
Residential Property Leases	10

Council took a decision on 19 August 2020:

"With a view to commencing dialogue and a better understanding of the not for profit, cultural and sporting groups' current lease and occupancy arrangements, prepare a discussion paper. The paper should provide options on the most equitable, consistent and possible tiered lease and/or occupancy agreements that service the interests of both the occupier of the facility or property and the wider community, with specific recognition of volunteering."

After quotes were obtained, Wilson Property Solutions Pty Ltd was engaged to undertake an expanded review to provide Council with a better understanding of all of its leases, licences and agreements.

The task has been broken down into three stages.

Stage 1 of this discussion paper includes:

- Categorisation of organisations/individuals.
- Details of each lease/licence/agreement in terms of lessee/tenant, date entered, term, annual amount, conditions and other information which will assist in moving to Stage 2.

Stage 2:

- Provides options to assist in determining the most equitable and consistent approach dealing with the issue.

Stage 3 will be the adoption of a preferred option by Council and implementation.

The attached discussion paper refers to Stages 1 and 2 only.

4. Discussion

Through this review Council has an understanding of the various arrangements which exist with community groups and other organisations. The Executive Summary of this report concludes:

“The current management approach to the portfolio is inconsistent and ineffective. Current data collection processes and procedures are inconsistent and present a high risk to data integrity.

This report addresses key issues and makes recommendations on statutory compliance, opportunities for improving the management of the operational and community portfolio, and opportunities to improve overall portfolio management to facilitate better quality information and more effective decision making.”

The report makes a number of recommendations which entail:

- Meeting statutory requirements.
- Improving governance of leases and arrangements.
- Developing policies.
- Reviewing procedures.
- Allocating appropriate resources.

Council does not have an experienced Property Officer. The recommendations are:

1. Develop a Land Register to meet the statutory requirements of the Local Government Act 1993.
2. Update all generic plans of management to meet the requirements of the Local Government Act 1993 and the Crown Lands Management Act 2016.
3. Develop processes and procedures to comply with Section 46 and 47 of the Local Government Act 1993.
4. Review all Crown land under ARC control, assign a categorisation for consideration by the Minister and incorporate sites within Plans of Management in accordance with the Crown Land Management Act 2016 and the Local Government Act 1993.
5. Centralise community leasing (and outdoor dining licences) and develop an organisational RACI to ensure effective internal stakeholder engagement and establish clear delegations to provide clarity on decision making powers and accountability.

6. ARC to consider existing best practice Community Leasing Policies, consult with internal and external stakeholders and develop a specific ARC policy for approval by Council.
7. ARC to determine the resource structure to support the community leasing portfolio and instruct the responsible direct/manager to produce compliant processes and procedures as a matter of priority.
8. ARC to prepare a Local Approvals Policy for the Use of Public Land to address the licencing of outdoor dining areas under the Roads Act 1993.
9. Review existing standard licence agreements for Car Parking, develop evaluation criteria and document processes for approval by the General Manager.
10. Review existing airport and commercial agreements and document key strategic standard commercial agreement outcomes for approval by the General Manager.
11. Arrange for all property resources to undertake training in relation to public sector probity guidelines specifically relating to undertaking dealings in public land.
12. Prepare tender documentation for the provision of property management services for commercial and residential portfolios.
13. Undertake a peer review of the data captured in the SPS spreadsheet and provide additional data relating to classifications, plans of management, current rentals and review dates. Data entered must be subject to data management controls to be approved by the relevant Director.
14. Develop a fit for purpose and sophisticated spreadsheet to manage the community portfolio, outsource the operational portfolio and call for management reports to be prepared by the operational portfolio service provider.
15. Prepare a business case to determine the viability of purchasing an asset management system to support Council's existing financial system.
16. Centralise the management responsibilities for the portfolio under one Director with one dedicated SME resource, one analyst and one outsourced provider.
17. Develop a communications strategy to address the transition of the portfolio from the current to future state.

5. Implications

5.1. Policy

The discussion paper highlights deficiencies in policy and when examining summary of leases there appears to be a lack of consistency in arrangement with community groups.

5.2. Risk

Through the lack of Governance around leases, licences and agreements Council is suffering reputational risk, has not complied with legislation and may suffer financially as a result of poor documentation and inadequate resourcing.

5.3. Sustainability

There needs to be consistence between leases/agreements and Plans of Management which may or may not exist but may also be out of date.

The current situation will need to be resourced and rectified. There will be a net cost in dealing with community organisations but that should be offset through gains in commercial rents.

5.4. Financial

There will be a cost, not known at this stage, in properly resourcing the property function and in developing policies.

Until a more in depth examination is undertaken it is not known whether Council is maximising its commercial returns.

6. Consultation and Communication

The options paper from Wilson Property Solutions will form the basis of prioritising actions which in turn will lead to community engagement on Plans of Management, policy development and with community and sporting organisations in negotiating equitable arrangements.

Discussions will take place with community organisations once model policies and templates are developed.

7. Conclusion

Wilson Property Solutions concluded:

“There is significant work to do in order to comply with statutory responsibilities and establish a management framework to effectively manage both the operational and community portfolio.

With dedicated resources, a centralised approach and compliance with policy, ARC’s approach to portfolio management can pivot to provide an open and equitable framework which delivers favourable outcomes for the community.”

The report recommends a prioritising of the recommendations consideration of resourcing the property function to ensure compliance and good governance.

Item:	9.1	Ref: AINT/2020/38763
Title:	2020/21 First Quarter Budget Review	Container: ARC20/4358
Responsible Officer	Acting Director Organisational and Corporate Services	
Author:	Melissa Dennison, Management Accountant	
Attachments:	1. 2020/21 First Quarter Budget Review	

1. Purpose

The purpose of this report is to provide Council with information on the 2020/21 Revised Budget position and to obtain approval to amend the adopted budget for those amounts.

2. OFFICERS' RECOMMENDATION:

That Council:

- a. Note the 2020/21 First Quarter Budget Review.**
- b. Resolve to amend the 2020/21 budget in accordance with the Quarterly Budget review Statement for the period 1 July 2020 to 30 September 2020 tabled at the attachment.**

3. Background

Section 203 (1) of the *Local Government (General) Regulation 2005* requires Council's responsible accounting officer to prepare and submit a quarterly budget review statement within 2 months of the end of each quarter.

The document attached to this report provides a quarterly budget review statement in the format required by the Office of Local Government *Quarterly Budget Review Statement for NSW Local Government*, which outlines the minimum disclosure requirements. Council has the option to show the quarterly budget review statement at a consolidated level or by fund. For the purpose of transparency, the statement contains the impact of the quarterly budget review by fund. A consolidated result is also included.

As required by the Office of Local Government, the quarterly budget review statement is provided in the attachments in the following order:

- 1. Income Statement (containing operating income and expenses) by fund**
 - 1.1 Operating budget adjustment by fund
- 2. Capital Budget by fund – the net impact on the funding from the capital program flows through to the income statement**
 - 2.1 Capital budget adjustments by fund
- 3. Cash & Investments by fund – movement in unrestricted cash and internal and external reserves**
- 4. Cash & Investments position**
- 5. Key Performance Indicators by fund**
- 6. Contracts entered into and Consultancy/Legal expenditure.**

4. Discussion

The 2020/21 First Quarter Budget Review was conducted to identify savings, deferrals and additional funding sources to assist areas which the Acting General Manager has identified as requiring strengthening within the organisation. This included funding asset renewal and staff

resourcing in key areas. Likewise, any revenue shortfalls and potential budget overruns were also reviewed and included during the review.

5. Implications

5.1. Policy

Nil.

5.2. Risk

The first quarter budget review and subsequent budget reviews provides the opportunity for Council to review the Council position against adopted budget providing transparency and highlighting financial risks posed to Council.

The extensive first quarter review outcome is positive should the Council resolve the proposed amendments to the first quarter budget for the period 1 July to 30 September 2020. It is notable that the economic risks associated with the financial position and cash reserves for the future is highly dependent on 1) effective budget management and; 2) the outcomes of the Special Rate Variation extension for the subsequent years beyond the expiry of the current SRV that expires 30 June 2021.

5.3. Sustainability

Through the in-depth Quarter One Budget Review process, managing areas reviewed the adopted budget against the planned operational activities. The amendments to the budget where savings have been identified are partly due too:

1. Inability to proceed with events due to COVID pandemic;
2. Lack of staff resourcing and delivery of programmed works;
3. Improved service delivery;
4. Reviewing of current subscription and software;
5. Review of consultancy work;
6. Review of 'unnecessary' ad-hoc expenditure i.e., food supplies

The areas whereby additional impacts to budget were identified is partly due to the change of operational expenditure and revenue that were not foreseeable when the original budget was adopted by Council such as:

1. Airport revenue impacts due to the COVID Pandemic;
2. Change in staff due to the restructure;
3. Change in operations that have required additional funding sources.

The process has demonstrated that area Managers had identified areas of improved expenditure efficiencies plus areas where by staff resourcing is inadequate to perform funded activity that would increase organisational efficiencies.

The recommendation for the Council to resolve to amend the 2020/21 budget in accordance with the budget review statement for period 1 July 2020 to 30 September 2020 as tabled at the attachment will contribute to the economic sustainability of the Council.

5.4. Financial

After accounting for carry forwards, the revised 2020/21 budget forecast a consolidated operating deficit of \$2.4m. Following an extensive review of the budget against planned operations, the first quarter budget review poses an improvement to the consolidated operating

result of a \$22k deficit. There are a range of reasons for this and a detailed listing of budget adjustments is included in the attachment.

The General Fund was the key focus of the budget review and an improvement in the operating result has been recognised from a \$1.5m operating deficit to an \$805k operating surplus. A summary of adjustments is as follows:

Description	Amount
Savings recognised across business areas	\$1,508,652
Increased costs	(\$472,792)
Adjustment to Council expenses	\$226,300
Increased revenue	\$1,833,393
Reduced revenue due to Covid-19	(\$721,625)
Reduced revenue due to other reasons	(\$21,000)
Grant program adjustments	(\$1,500)
Total	\$2,351,428

The net improvement to the General Fund operating result is \$2.4 million from the above adjustments. A large contributing factor is the recognition of \$1,429,701 in grant funding relating to the Local Roads and Community Infrastructure program.

The improved position has resulted from a large amount of work being undertaken by Managers and key staff involved in budget preparation, including the Finance team. In addition to other activities, staff have undertaken in depth reviews of budget expenditure within a tight timeframe to achieve the favourable outcome.

After carry forward adjustments the capital works program was forecasted at \$39m for 2020/21. The first quarter budget review increased this to \$42m mainly due to the addition of expenditure budgets for grant programs. The minimal movement to the Capital program is as expected as Council are prioritising the finalisation of projects within the existing funded capital program over undertaking new work to eliminate the accumulation of years of carry forward works.

Unrestricted cash improves as a result of the budget review increasing from a forecast \$3m to \$4.5m. The main reasons for this are that Council has received land sale proceeds from the sale of the old Kolora Aged Care Facility and from the land transfer to the Ex-Services Club (\$1.07m). An improvement has also resulted from the savings identified in the General Fund.

The General Fund took out a loan to pay off the new Kolora Aged Care Facility in 2015 and the report at that time stated the following:

Extract from Council report 27 July 2016:

Recommended funding options for the Kolora Aged Care Facility from Council's Chief Financial Officer:

- *Federal grants* **\$2,002,400**
- *Kolora Reserves* **\$2,000,000**
- *Real Estate Reserve* **\$1,500,000**
- *Loan funding unexpended as @June 201* **\$1,200,000**
- *General Fund Allocation 17/18 budget* **\$ 400,000**

Total \$7,102,400

Council may be in a position to reduce the future impact on ratepayers once a decision is made in regard to the future use and/or disposal of the current Kolora facility and units. It is recommended that any surplus funds generated through the disposal of these assets are used to offset General Fund contributions toward the facility.

It would be appropriate for the land sale proceeds to remain as unrestricted cash to reimburse the General Fund and cash reserves from the above impacts and leave Council with a buffer for unexpected events. Further, the following considerations are relevant in relation to Council's cash position:

- Council is currently consulting with the community on a Special Rate Variation (SRV). As mentioned under 5.2 Risks, the cash position can only be maintained in the future if Council is able to successfully apply for the extension of the temporary SRV that expires 30 June 2021. The SRV contributes around \$1.5m to Council's budget each year and the loss of this revenue would create severe negative financial impacts.
- Council is currently carrying close to \$2m in natural disaster costs pertaining to Kempsey Road that are awaiting finalisation and payment from Transport NSW.
- Council's unrestricted cash position is reliant on the Federal Government continuing to pay a portion of the Financial Assistance Grant in advance. The value of the advance payment was \$3.5m made in May 2020 but pertaining to the 2020/21 financial year. As this is untied funding this is not treated as an unspent grant at 30 June.

Amendments to the capital works program have resulted in a decrease in cash in the water fund by \$314k and sewer fund by \$300k.

Impact

The overall financial results are summarised as follows:

Operating Result \$'000	Fund			Consolidated
	General	Water	Sewer	
Original Budget	(\$1,456)	(\$621)	(\$205)	(\$2,283)
Carry Forwards	(\$1,547)	(\$621)	(\$205)	(\$2,373)
Budget Review 1	\$805	(\$621)	(\$205)	(\$22)

Cash Result \$'000	Fund			Consolidated (Unrestricted Cash)
	General (Unrestricted Cash)	Water (Unallocated)	Sewer (Unallocated)	
Original Budget	\$3,093	\$19,091	\$17,025	\$3,093
Carry Forwards	\$3,093	\$18,991	\$17,025	\$3,093
Budget Review 1	\$4,469	\$18,678	\$16,725	\$4,469

6. Consultation and Communication

The first quarterly budget review entailed an extensive review of budgets at project level analysing data based on the current year to date expenditure ; expenditure trends against previous years actual expenditure and budgeted programs of work. Area Managers and Directors were consulted on areas that were identified as potential risks and/or savings. Likewise, Managers and Directors were provided with the opportunity to convey budgetary implications, risk areas and identified savings that would need to be considered and reported to Council within the Quarter One budget review. Final proposed budget adjustments through the review have been reviewed and accepted by the Acting General Manager, John Rayner.

7. Conclusion

The Budget Review needs to be resolved by Council in order to be included in the 2020/21 adopted budget.

The 2020/21 First Quarter Budget Review for the period 1 July 2020 to 30 September 2020 tabled in the attachment contains the revised 2020/21 budget as outline above.

Item:	9.2	Ref: AINT/2020/39541
Title:	Expansion of New England Rail Trail Business Case ARC16/0085	Container:
Responsible Officer	Acting Director Organisational and Corporate Services	
Author:	Darren Schaefer, Manager Strategic Communications and Marketing	
Attachments:	1. NE Rail Trail Business Case - Regional Development Australia on behalf of New England Rail Trail - 26.10.2020	

1. Purpose

To make Council aware of the progress by New England Rail Trail (NERT) in the preparation of a business case for the initiative. This business case contains revised capital and maintenance costs for all sections of the proposed 103km rail corridor, including final estimated costs for the section of trail between Armidale and Ben Lomond.

2. OFFICERS' RECOMMENDATION:

That Council:

- a. Note receipt of the business case which now includes costs from Armidale to Black Mountain and acknowledge the comprehensive work that has been produced by New England Rail Trail Incorporated and its contracted contributors to date.**
- b. Support the project in principle recognising there needs to be a period of due diligence so that all implications for both Armidale Regional Council and Glen Innes Severn Council are understood.**
- c. Support future investigations for funding applications, jointly or separately between the two Councils.**

3. Background

The Rail Trail is a joint project with Glenn Innes Shire Council (GISC), Armidale Regional Council (ARC) and New England Rail Trail Incorporated (NERT). The project initially involved the section of railway between Black Mountain and Glencoe. On the advice of rail trail consultant Mike Halliburton and Associates, it was recommended to extend the rail trail from Armidale to Glen Innes.

At the 19 August 2020 Ordinary Council Meeting (minute No. 202/20) council resolved to note the then position of the New England Rail Trail, and again in the Ordinary Council Meeting on 23 September, 2020 (minute No. 217/20) when Halliburton & Associates were engaged to conduct further works in September 2020 to more accurately estimate the capital and operational costs for additional sections of the trail, including Armidale to Black Mountain. These costs have now been incorporated into a business case developed by Regional Development Australia Northern Inland (RDANI) on behalf of NERT.

Halliburton are presently compiling costs for bridge maintenance of the two major bridges between Ben Lomond and Glen Innes. Once complete, this will finalise the Halliburton Report for delivery by the end of November, 2020. A finalised business case will be delivered by NERT & RDANI soon thereafter.

Glen Innes Severn Council will be seeking funding opportunities for 'stage one' - a section of trail between Ben Lomond and Glen Innes, from the Bushfire Local Economic Recovery Fund (BLERF). Applications close for BLERF 2pm, 11th December 2020.

As the total project exceeds \$10 million, it is a requirement under the Department of Premier and Cabinet (DPC) Capital Expenditure Guidelines for Armidale Regional Council to notify the DPC and perform a Capital Expenditure Review prior to commencement.

4. Discussion

The business case presents a Benefit Cost Ratio (BCR) of 5.47 and a Net Present Value (NPV) of \$114.6million over 20 years. This, combined with a \$1.5million per annum injection into the economy from visitor expenditure, presents a compelling case for further progression.

The New England Rail Trail initiative aligns with the following ARC planning papers:

2017-2027 Armidale Regional Council Community Strategic Plan (page 6): "The community had several suggestions as to how innovation and growth could be encouraged; ideas such as a rail trail...."

2017-2025 Economic Development Strategy: Undertake a feasibility study and prepare a full business case for the New England Rail Trail Project (Action 4.2).

2020-21 Operational Plan: Expansion of Rail Trail Business Case – Complete the expansion of business case by Q4

5. Implications

5.1. Policy

Councils will need to ensure that Local Government Procurement policies are adhered to and that the trail be included in the new Crown Lands Plan of Management.

5.2. Risk

A risk analysis has been included in the business case (page 32 table 4.2) with each risk assigned a mitigation strategy. They can be broadly categorised into the below:

- **Economic risk:** The project is 100% reliant on government funding and with many of the high risks for the project relating to construction; tenders; design changes, adherence to timeframes, etc. requiring solid project management to remain within budget. Cost recovery by way of the sale of steel and sleepers is dependent on demand and market price for commodities at the time.
- **Social risk:** Ability to win support from the adjoining landholders for the project. This has been largely addressed via engagement efforts and forums and will continue to be addressed through ongoing communication.
- **Operational risk:** Ongoing governance that would be needed support the maintenance and fundraising efforts for offsetting some of the maintenance costs.
- **Regulatory risk:** Land ownership change requires an Act of Parliament. A pilot project from Tumbarumba to Rosewood in NSW north has been recently approved which will pave the way for understanding requirements for seeking government approval for NERT initiative.

5.3. Sustainability

- With respect to vegetation clearing - generally speaking, a cleared 'trail corridor' of 3.5 - 4.0 metres will be required to enable a trail of 2.5 metres to be developed in the centre of the cleared corridor. Either side of this trail will be further clearing of vegetation up to 1.0m for drainage – a total of up to 4.5 metres wide.
- It is the intention to allow existing lease and stakeholders to continue with their long- term grazing and weed control practices along the 'remnant' corridor.
- Connecting the towns and villages via a trail will provide an opportunity for local residents to choose a non-motorised connection for visiting friends or undertaking some exercise.
- Providing an additional tourism attraction which utilises the natural scenic and infrastructure endowments of the region, driving growth of the local economies and employment opportunities through enriching the visitor experience and complementing the wider array of New England High Country tourism experiences.

5.4. Financial

Capital Cost

The NERT business case has costed at \$22.05million. This is a considerable cost, among some of the largest in the ARC capital portfolio. While it is anticipated that this capital cost is likely to be 100% government funded (split between Federal & State), any over runs will be borne by both councils. It should be noted that a 15% contingency has been included in the NERT business case.

As is often the case with a project of this size, a contribution from council funds *may* be required by government to demonstrate commitment to the project in order to secure the initial grant funds. Between allowances for over runs and possible initial funding commitments, councils will need to set aside such provisions in the capital budget for the trail construction.

Where the business case incorporates the construction of some necessary amenities such as toilets, fencing, car parking and bridge assessments, all will be required to be capitalised and depreciated over time and incorporated into the asset renewal program. This will have a direct cost to councils on top of the operational costs listed in the current business case. Similarly, associated costs of effects on public liability insurance and resourcing the governance of the project:

- i. for the build component, and;
- ii. ongoing operation of the trail will need to be worked through and financial impacts accounted for in both LGAs.

Operational Cost

Resultant from the September 2020 Halliburton study, the business case now forecasts ongoing operational costs of \$154,700p/a (high estimate) for 103km of rail trail which will be shared between both Councils. A more detailed review of the annual operational costs will be required from both councils along with associated maintenance schedules to ensure they align with current service levels for similar infrastructure, in other LGAs and that of ARC. Notably, NERT have identified that donations, sponsorship, fundraising along with user charges and merchandise sales may help to offset this cost \$156,500 (low estimate).

6. Consultation and Communication

Section 4.6.5 of the NERT business case demonstrates evidence of engagement and with it broad community support from local businesses, individuals including neighbouring landholders (Black Mountain to Ben Lomond) between 2014-2017.

As with most projects, there is some opposition to the rail trail initiative in the LGA as evidenced via online social platforms as well as in Council chambers during 'have your say' forums. This is largely due to members of the community wanting trains return on the northern rail line, while others are concerned about loss of leased grazing land and/or potential bio security risks to the grazing land in the rail corridor. The NERT business case (sections 3.3 & 3.4) addresses these issues in some detail including grazing on what is described as a 'remnant' corridor.

Further, engagement with neighbouring landholders bordering the trail will need to occur from Armidale to Black Mountain, with the potential for additional engagement if conditions change resultant from the transfer of ownership from State owned to Crown lands (to be advised). This will also need to be covered under a new Crown Lands Plan of Management.

7. Conclusion

Receiving the business case from NERT and RDANI represents a major step forward for the NERT committee and associated stakeholders. The expertise of the consultants engaged to assist in the preparation of the report is valued having now provided a comprehensive assessment of the entire 103Km of rail track. In moving forward, both Glen Innes Severn Council and Armidale Regional Council require time to review, interrogate some of the findings, agree on suggested governance structures, resolve community engagement requirements and continue to investigate implications for councils beyond that outlined above. It is therefore recommended that Council note receipt of the business case and allow time for a period of due diligence to occur.

Item:	9.3	Ref: AINT/2020/39731
Title:	Cash And Investment Report October 2020 Container: ARC16/0001-5	
Responsible Officer	Acting Director Organisational and Corporate Services	
Author:	Deborah Walls, Accountant	
Attachments:	1. October 2020 Laminar Report Pack (extract)	

1. Purpose

The Cash and Investment Report provides an overview of cash and investments for the period 1 October 2020 – 31 October 2020 and certifies compliance with Council's Investment policy and the Local Government Act 1993 and Regulations.

2. OFFICERS' RECOMMENDATION:

That Council note the Cash and Investment Report for October 2020.

3. Background

The following is the cash and investments particulars for the period 1 October 2020 to 31 October 2020. As at 31 October 2020, Council held \$59,326,680 in investments and \$13,334,032 as cash. Total of \$72,660,712.

4. Discussion

Cash and Investments

Balances were as follows:

Item/Account	October 2020	September 2020	Movement
	\$	\$	\$
<u>Cash at Bank</u>			
General Fund Bank Account	-	-	-
High Interest Cash At Call	11,892,102	21,948,078	(10,055,976)
Trust Fund	1,441,930	1,442,729	(799)
Total Cash	13,334,032	23,390,807	(10,056,775)
<u>Investments</u>			
T-Corp IM	10,306,680	5,303,594	5,003,086
Term Deposits	49,020,000	45,020,000	4,000,000
Total Investments	59,326,680	50,323,594	9,003,086
Total Cash & Investments	72,660,712	73,714,401	(1,053,689)

Summary of Investment movements for October 2020:

Investment Maturities	
Institution	Amount
National Australia Bank	(\$1,000,000)
AMP	(\$1,000,000)
Total	(\$2,000,000)

New Investments	
Institution	Amount
Bendigo & Adelaide Bank	\$5,000,000
AMP	\$1,000,000
NSWTC IM Short Term Income Fund Unit Trust	\$5,005,748
Total	\$11,005,748

Investment Revenue Earned

October 2020

General Cash Account	-
Term Deposits	\$47,828
T-Corp IM	\$3,086
High Interest Account	\$8,516
Trust Account	\$652
Total	\$60,082

As per the attached investment report (refer Attachment 1), the investments are diversified across a range of institutions, with no one institution exceeding 30% of funds invested to ensure the portfolio is in line with the Investment Policy.

Investment Yield

	October 2020			September 2020		
Term of Investment	ARC	3m BBSW rate	Outperformance	ARC	3m BBSW rate	Outperformance
6 months	1.36%	0.07%	1.29%	1.44%	0.12%	1.32%
12 months	1.59%	0.04%	1.55%	1.68%	0.08%	1.60%

The Armidale Regional Council Community Strategic Plan 2027 identifies the importance of Leadership for the Region. In particular;

L2 – Council exceeds community expectations when managing its budget and operations

L2.1 – Financial sustainability is maintained through effective short and long term financial management

L2.1.3 – Develop effective financial management systems

5. Implications

5.1. Policy

The investment of surplus funds must remain in line with Council's Investment Policy. This will ensure sufficient working capital is retained and restrictions are supported by Cash. Cash management complies with the NSW Local Government (General) Regulation 2005.

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

- Council Investment Policy
- 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

5.2. Risk

The Council has invested in Term Deposits which have rates of return higher than the 30 Day BBSW Index. By investing in High Interest Savings Accounts this reduces the average yield across the entire portfolio to be more in line with the 30 day BBSW index.

Armidale Regional Council has out performed the RBA Cash rate and the 3 month BBSW.

During October 2020, Armidale Regional Council invested in NSW Treasury Corporation Short Term Investment Fund. This Fund has the objective to earn rates of return higher than the benchmark returns over three year periods, on an after-fee basis. This is in line with the current investment policy of the Council. Investing in the Short Term Investment Fund allows diversification across the investment portfolio.

Council's responsibility is to ensure working capital is retained and restrictions are supported by cash.

5.3. Sustainability

Armidale Regional Council utilises an online Portfolio Platform to manage its Investments and investment register. The number of investments has been rationalised allowing for more efficient internal investment management to be performed. Communication is performed by electronic means, resulting in efficiencies of processes and a reduction in the use of paper.

5.4. Financial

Actual Interest Income to Budget Interest Income Comparison

Yearly Budget Interest Income \$895,000.

Interest Income	YTD Actual	YTD Budget	Difference
YTD October 2020	\$261,151	\$298,333	(\$37,182)
YTD September 2020	\$201,069	\$223,750	(\$22,681)
Movement	\$60,082	\$74,583	(\$14,501)

YTD Unfavourable Budget Variance of \$37,182 to 31 October 2020

6. Consultation and Communication

An Investment Report is required to be tabled at the monthly Ordinary Meeting of Council.

7. Conclusion

The Cash and Investment Report provides an overview of cash and investments as at and for the period ended 31 October 2020 and demonstrates compliance with Council policy.

Item:	9.4	Ref: AINT/2020/39899
Title:	Application to the Regional Airports Program 2 ARC20/4302	Container:
Responsible Officer	Director Businesses and Services	
Author:	Bill Gleeson-Barker, Acting Manager Armidale Regional Airport	
Attachments:	Nil	

1. Purpose

The purpose of this report is to provide Council with information on the Federal Governments recently released grant for the Regional Airports Program 2 (RAP2) and the subsequent recommendations for Armidale Regional Council to make application for the program.

2. OFFICERS' RECOMMENDATION:

That Council:

- a. Apply for a Grant application up to the maximum amount of \$300,000 in the RAP2 program that does not require Council contribution.**
- b. Approve the Acting Airport Manager to engage local aviation community and key stakeholders to ascertain the most beneficial infrastructure for airport users and emergency services.**
- c. Note that the December Ordinary Council Meeting will include a recommendation of projects for the RAP2 submission that is due 15 Dec 20.**

3. Background

The Federal Regional Airports Program (2) provides grants to improve the safety and accessibility of airports and aerodromes in regional areas of Australia. It will support critical air infrastructure that will:

- a. Improve the safety of aircraft, operators and passengers using regional airports or aerodromes;
- b. Facilitate improved delivery of essential goods and services such as food supplies, health care and passenger air services;
- c. Improve the connectivity of Australia's regions to domestic and global market opportunities; and
- d. Meet the operational requirements of aeromedical and other emergency services in the region

4. Discussion

Armidale Regional Airport had success in securing a 50% funded grant under the Regional Airports Program 1 (RAP1) rollout and those projects are currently in progress and will be completed at the end of next Financial Year.

Armidale Regional Airport continues to record approximately 90% reduction in revenue due to COVID-19. It is recommended that Council only consider RAP2 at 100% grant funding that is capped at \$300,000 ie no expense to Armidale Regional Council.

As per Point 2 section (b) of this report, the recommended next step is that the Airport Manager engages with the local aviation community and key stakeholders at Armidale Regional Airport to ascertain the most appropriate infrastructure to benefit, improved capability to the widest spectrum of airport users with emphasis and linkage to aeromedical, emergency services and the general aviation community. On completion of local engagement with the local aviation community and the Armidale Regional Council Project Office, the proposed projects will be recommended to Council at the December Ordinary Meeting.

4.1. Policy

No policy implications have been identified.

4.2. Risk

- a. Economic risk. With the proposed grant application being 100% funded, economic risk is low.
- b. Reputational risk. Not applying for a 100% grant has a high likelihood to pose reputation management issues between the local community and Armidale Regional Council.

4.3. Sustainability

Sustainability Implications will be included within the report furnished to Council in the December Ordinary Meeting with final recommendations for RAP2.

4.4. Financial

It is recommended that Council only support application for 100% funding, capped at \$300,000, at no expense to Armidale Regional Council.

It is anticipated there will be minor, internal project management expenses that do not require a budget variation.

5. Consultation and Communication

As detailed at Section 2 point (d) it is recommended that wider aviation community engagement be established to ensure the most suitable grant submission is put forward.

6. Conclusion

The recommendations be supported to ensure that Armidale Regional Council have consulted relevant Airport stakeholders to develop a RAP2 grant submission at no expense to Council while meeting the program guidelines.

Item:	9.5	Ref: AINT/2020/39901
Title:	Light Freight and Logistics Centre - Armidale Regional Airport	Container: ARC16/0875-4
Responsible Officer	Director Businesses and Services	
Author:	Bill Gleeson-Barker, Acting Manager Armidale Regional Airport	
Attachments:	Nil	

1. Purpose

The purpose of this report is to provide Council with recommendations relating to the investigation on the proposed development of a Light Freight and Logistics Centre at Armidale Regional Airport.

2. OFFICERS' RECOMMENDATION:

That Council does not undertake any further investigations for the development of a Light Freight and Logistics Centre at Armidale Regional Airport.

3. Background

Armidale Regional Council was asked to conduct a commercial and viability assessment for the establishment of a Light Freight and Logistics Centre by the former CEO following a request from a Councillor. The investigation was completed by Principle Advisor Economic Development and was completed 27 May 20.

4. Implications

4.1. Policy

As the investigation was preliminary, no Policy implications were tested.

4.2. Risk

Elements of identified risk include;

- a. Economic risk. There are no identifiable grants present to support the establishment of this initiative. The initial investigation concluded a lack of interest from local Freight businesses, and furthermore identified that truck based haulage is considerably larger than air freight locally. Feedback from business owners in the investigation was that there was no financial benefit from relocation from their current operational sites.
- b. Social risk. It was identified by local businesses that sensitivities from business competition would likely be present with TOLL, StarTrack and TNT contracts operating together in one location; and
- c. Operational risk. The establishment of this facility is not included in the Operational Plan or Airport Master Plan for Armidale Regional Council.

4.3. Sustainability

Sustainability Implications were not included in the process of initial investigation. A larger, purpose built freight centre at the airport would not be viable or sustainable based on current local levels of freight movements and the increased economic risk profile due to COVID-19 and other economic forces.

4.4. Financial

Financial implications of delivering a 'shovel ready' facility include the ability to source funding. Delivery of the project would require a funding source from one of the below options;

- a. State/Federal Government(s);
- b. Council (Ratepayers) assisted by prudent borrowings if necessary;
- c. Passive investors (Super funds, etc);
- d. Commercial Operators ; and
- e. A mix of the above (under Public-Private-Partnership arrangements).

Both businesses involved in the initial investigations consultation indicated that they would not be prepared to invest due to financial outlay and also the current establishment and commitment to facilities at Acacia Park.

Furthermore, financial implications exist due to the absence of the specified project within the Armidale Regional Council Airport Master Plan, Operational Plan and furthermore Council budget.

It is noted that that nationally there has been a 27% growth in the freight sector over the past five years to 2019, however COVID-19 and its long-term impact will be unknown for years to come.

5. Consultation and Communication

Consultation was undertaken with two of the main locally owned freight and logistic companies that work within air freight and hold all local air freight contracts.

6. Conclusion

The proposal to construct a Light Freight Centre at Armidale Airport was investigated and it was identified there was no market demand from air freight contractors to invest. The proposed infrastructure does not feature within the Council Operation Plan, Airport Master Plan, budget or business papers. To remove any uncertainty this report recommends the proposal or further analysis does not proceed.

Item:	9.6	Ref: AINT/2020/41058
Title:	Successful Application to the NSW Public Spaces Legacy Program Container: ARC20/4295	
Responsible Officer	Director Businesses and Services	
Author:	Ambrose Hallman, Manager Development and Regulatory Services	
Attachments:	Nil	

1. Purpose

The purpose of this report is to provide an update on Council's application under the NSW Public Spaces Legacy Program.

2. OFFICERS' RECOMMENDATION:

That Council acknowledge the successful application notification from the NSW Department of Planning, Industry and Environment for participation in the next stage of the NSW Public Spaces Legacy Program.

3. Background

On 19 August 2020 Council resolved (Minute No. 185/20):

"That Council:

- a) submit an application to the NSW Government's Public Spaces Legacy Program and commit to the program's key requirements to improve Planning outcomes."*

Following on from the August meeting, the completed application was submitted to DPIE with the required information to enable Council to be eligible for consideration in the next stage of the program.

4. Discussion

On 5 August 2020 the DPIE announced the launch of a \$250 million NSW Public Spaces Legacy Program as part of ongoing work to protect the health of the community, provide economic and jobs stimulus in response to the COVID-19 pandemic and deliver a legacy of safe, quality public and open space.

The program incentivises local councils to accelerate their assessments of development applications (DAs) and rezonings to create new development capacity and meet demand for housing and employment over the next decade.

Funding for the planning, design, construction or land acquisition costs for new and existing public and open space will be made available to 68 councils across NSW that are using (or mandated to use) the ePlanning system, that adopt a Local Acceleration Program, provided they can achieve improvements in assessment activity between 1 September 2020 and 30 June 2021.

Eligible public space projects include new or upgraded open and public space including regional and district public and open spaces and linear parklands, trails and strategic public and open space linkages, foreshore and riverfront precincts. This includes improvements for water-based

recreation such as launching small watercraft, access to waterways for swimming, trails and picnic areas.

Funding will be made available for urban amenity improvements including civic plazas, town squares and main street precincts that improve connections between public space, promoting walkability and greater accessibility.

The phasing of the Open Space Legacy Program is as follows:

1. 31 August 2020: Submit Application outlining development and strategic planning targets.
2. 1 September to 31 December 2020: Demonstrate achievement of said targets.
3. January 2021: DPIE to assess Council achievement of said targets and if satisfactory will invite Council to submit open space projects.
4. 1 January 2021 to 30 June 2021: DPIE to assess Council achievement of said targets and makes assessment of open space projects.
5. Successful councils invited to submit detailed public and open space project proposals 1 February 2021
6. Funding agreements issued to participating councils. Detailed planning & design period for open space project(s) commences 1 March 2021
7. Construction commences (after) 1 August 2021
8. Construction complete 31 December 2022

Council's application set the following targets and nominated the following projects:

Target

Development Applications Assessment Times:

Council nominated to reduce the 39 days (Nett Median) to a new targeted nett median of 32 days by 30 June 2022 being an approximate overall improvement of 18%, via a staged reduction as follows:

- 37 nett days by 31/12/2020;
- 35 nett days by 30/06/21;
- 32 days by 30/06/22.

Council's current nett medium time for Development Applications is 32 days.

Regionally Significant Development Applications:

Council committed to determining the Regionally Significant Development Application DA-164-2019 for a 5MW Solar farm at 'Palmerston' 347 Dangarsleigh Road which was in exceedance of 180 Days.

This Application was determined by the Regional Planning Panel on the 27 August 2020.

Planning Proposals:

Planning Proposal 9

Must being completed prior to 31 December (currently on track).

Planning Proposal 11

Must being completed prior to 31 December (currently on track).

Local Strategic Planning Statement (LSPS):

Council must have the Local Strategic Planning Statement completed by 30 September.
Council formally adopted the LSPS at the 28 October meeting.

Projects Nominated:

- Dumaresq Dam Conservation Reserve
- Implementation of the Armidale Creeklands Masterplan
- Mother of Ducks Lagoon Community Walking Trail
- Improvements to McDonald Park Armidale

On 6 November, Council was advised our initial application was successful and Council is now required to enter into a Participation Agreement with DPIE. This agreement requires the submission of monthly reports to DPIE.

5. Implications

5.1. Policy

Council recently adopted the Acceptance and Assessment of Applications Policy to help facilitate quicker assessment of Development Applications. The policy reinforces the DPIE's legislated process of all applications being lodged via the NSW Planning Portal.

5.2. Risk

Council is now required to report monthly to DPIE on our progress against the targets set in the original application. Subject to achieving these targets during the monitoring period, we will be invited to apply for project funding in accordance with the Program Guidelines, in early 2021.

It is important that staffing levels are maintained to ensure the targets are achieved. Staff leave leading into Christmas will need to be managed to ensure the targets are reached.

5.3. Sustainability

With the achievement of the targeted 18% improvement in DA assessment, it is anticipated that an additional 10-15% of applications will be determined within the revised targeted nett Median period. This is expected to result in an additional 12 (average) applications transitioning from *DA lodgement* stage to construction commencement each year. This should result in developer contributions becoming available sooner, a more stable development and construction industry facilitating an additional 2.5 full time construction jobs and an additional 2 full time ongoing local jobs within the LGA.

Council can then deliver additional community infrastructure projects or embellishment works in a timelier manner providing improved community benefit.

5.4. Financial

This funding will provide Council with additional funds to undertake open spaces projects and should have a positive long term impact on Council's financial position.

6. Consultation and Communication

Staff are working closely to improve record management workflows, prepare media releases, refining Council's website, formulating FAQ's and recording webinars with Council's development assessment team for the community to better understand and appreciate the process for the lodgement and processing of applications through the NSW Planning Portal.

7. Conclusion

Council has achieved the first milestone of the Open Spaces Legacy program by being invited to enter into a Participation Agreement with DPIE. The next stage is achieving the targets during the monitoring period to then be invited to apply for project funding.

Item:	9.7	Ref: AINT/2020/41102
Title:	Disposal of part of Lot 2 DP 1129942, Link Road, Armidale Container: ARC20/4408	
Responsible Officer	Interim General Manager	
Author:	Scot MacDonald, Director Businesses and Services	
Attachments:	1. Plan of Subdivision of Lot 20 DP829599 2. Valuation Report on 11087-11097 NE Hwy Armidale Lot 2 DP 1129942	

1. Purpose

To facilitate the disposal of part of Lot 2 DP1129942, Link Road, Armidale

2. OFFICERS' RECOMMENDATION:

That Council:

- a. Delegate to the General Manager authority to sell part of Lot 2 DP 1129942 Link Road, Armidale with authority to execute contract documentation on behalf of Armidale Regional Council.**
- b. Delegate approval for the General Manager to accept an offer that is commensurate with its independent valuation.**

3. Background

Part of Lot 2 DP 1129942 was acquired by the former Armidale Dumaresq Council to facilitate the development of a proposed Transport Museum. The museum at this location is not proceeding.

A Deed of Agreement between the former Armidale Dumaresq Council and Desmond and Lyndon Hardman to gift Council's land to the proposed Transport Museum expired on the 30 June 2019.

The owners of the remainder of Lot 2 DP 1129942 wish to sell their land and this will require a sale of the complete Lot including Council's land.

4. Discussion

Council's land is the only practical access to the balance of Lot 2 DP 1129942. Until Council's land becomes available, the northern section of Lot 2 DP 1129942 is effectively sterilised.

5. Implications

Disposal of Council's part of Lot 2 DP 1129942 will potentially facilitate further housing development around Link Road, Armidale.

5.1. Risk

The primary risk is accepting a below market valuation for Council land that would disadvantage ratepayers. Council and its delegated officer will rely on an August 2016 valuation by MVS National (attached).

5.2. Financial

Council can expect to receive approximately \$60,000 for its part of Lot 20 DP 1129942 less transaction costs.

Council has no other obligations to any other party on disposal of the land.

6. Consultation and Communication

Council staff have had representations by Mr Desmond Hardman requesting Council proceed to collaboratively or jointly sell its land. Additionally Mr Hardman requested Council reimburse him for sundry costs. No undertakings were given to Mr Hardman.

7. Conclusion

Council has been requested to jointly sell its part of Lot 2 in DP 1129942 to facilitate disposal of the complete Lot. Sale of Council's land will 'unlock' the Lot and enable access and development.

The original purpose for Council ownership of the land was to participate in the development of a Transport Museum. This proposal is no longer proceeding and therefore Council should divest itself of the partial Lot 2 in DP 1129942.

Item:	10.1	Ref: AINT/2020/38931
Title:	Climate Emergency Action Plan: Allocation of Budgeted Funding Container: ARC16/0864	
Responsible Officer	Acting Director Organisational and Corporate Services	
Author:	Mandy McLeod, Sustainability Officer	
Attachments:	Nil	

1. Purpose

This report provides information on the allocation of budgeted funding for the Climate Emergency declared by Council in October 2019 and subsequent recommendations for priority actions from the report *A Framework for Climate Action*, prepared by the Climate Emergency Working Group.

2. OFFICERS' RECOMMENDATION:

That Council:

- a. Approve the expenditure of \$41,573 for Solar panels at Monckton Aquatic Centre from budgeted funding of \$60,000 for the Climate Emergency action plan.**
- b. Note that the expenditure is from the priority actions recommended by the Climate Emergency Working Group and Council staff stemming from the CEWG report, *A Framework for Climate Action*.**

3. Background

Armidale Regional Council declared a Climate Emergency at the Ordinary Council Meeting on 23 October 2019 (Resolution 211/19) following receiving a petition of over 1,800 signatures calling for Council to declare a Climate Emergency, and a Global Strike for Climate in Armidale on 20th September 2019 (AINT/2019/2425).

Item 8.2 c) from the Ordinary Council Meeting on 23 October 2019 was:

That a report be prepared by February 2020, (note this was extended to April 2020 at December 2019 Ordinary Council Meeting) with input from a working group of the Environmental Sustainability Advisory Committee (ESAC) and the community, on current initiatives and additional future actions that can be undertaken in the short, medium and long term to:

- 1. Reduce greenhouse emissions aiming, by 2030, for no additional contribution from our region to the global temperature rise;*
- 2. Adapt to current and anticipated climate change impacts;*
- 3. Reduce atmospheric concentrations of greenhouse gases, e.g. Sequester and store carbon in trees and soils.*

4. Discussion

The Community Strategic Plan provides under Environment and Infrastructure for Community Outcomes:

1. The unique climate, landscape and environment of the region is protected, preserved and made accessible; and

2. The community can participate in initiatives which contribute to a sustainable lifestyle.

The Delivery Program 2018 – 2021 under Environment and Infrastructure under the second outcome above E2.1. states under Climate Change:

Promote or provide educational programs to increase community awareness of climate change risks and enable the community to implement climate change adaptation and mitigation actions in daily life.

The Operational Plan 2020/2021 E2. Sustainability action requires Implementation of the Climate Emergency Action Plan.

The Climate Emergency Working Group (CEWG) was formed in March 2020 and an Interim report was provided to Council in April 2020 with their final report *A Framework for Climate Action* tabled at the ESAC meeting on 10th August and as part of the committee minutes at the Ordinary Council Meeting on the 19th August 2020, Resolution number 205/20. As part of this Resolution, the Interim Administrator requested as Item 16.2 j):

That two nominees of the Committee meet with Council staff and undertake detailed analysis of the report to determine how some of the actions and recommendations could be undertaken through Council Initiatives in alignment to the Community Strategic Plan, adopted 20/21 Operational Plan and \$60,000 budget allocation.

Three separate meetings were held with Council staff and the CEWG representatives to determine what items had already been undertaken by Council and what the allocated funding should be directed to. In addition following on from a public submission by Annette Kilarr, member of the CEWG, Item 5 at the Ordinary Council Meeting on the 28th October, a separate meeting of CEWG representatives with the Interim Administrator was held and the final recommendation for expenditure of the \$60,000 budget allocation in alignment to the Community Strategic Plan and Delivery Program was that the budget funding split would be:

- Solar panels at Monckton Aquatic Centre - \$20,000 to \$25, 000 (and above if necessary as this was regarded as a priority item);
- Community education - \$10,000
- Risk analysis on outcome of Climate change - \$30,000

Indicative costings based on an initial quote for the solar panels at Monckton Aquatic Centre are provided below in the Section 5.4. Financial. Note that the funding for the solar panels has exceeded the initial item split, as explained in detail in section 5.4.

5. Implications

5.1. Policy

Councils Community Engagement Policy states that ARC will strive to ensure fairness in the distribution of resources; rights are recognised and promoted; people have fairer access to the economic resources and services essential to meet their basic needs and to improve their quality of life.

This report and the expenditure items address priority items in the CEWG report *A Framework for Climate Action* which was developed as part of the declaration of a Climate Emergency in October 2019.

5.2. Risk

Council has in place an Enterprise Risk Management Framework and one of the purposes of this is to document its approach to risk management and the overall risk management framework.

The Risk Management Framework is based on the Australia/New Zealand Standard for Risk Management AS/NZ 31000:2009. Under Risk Management Context, Risk Appetite the following is stated: Council has no appetite for risks that cause significant and irreparable damage to the environment and seeks to preserve and enhance it for future generations.

The location of the solar panels at Monckton Aquatic Centre has been assessed against the 2015 flood study and been deemed to have no effect on the 1in 100 year flood event. Depth of flow and velocity will be considered in the detailed design phase.

5.3. Sustainability

EcoARC is Councils "GreenPrint" strategy for environmental sustainability, was prepared as part of Councils commitment to the Community Strategic Plan 2017 – 2027. Protecting the environment, reducing pollution and waste and encouraging climate friendly lifestyles were priorities identified by the community in the Community Strategic Plan 2017 – 2027.

The expenditure of this part of the budgeted funding of \$60,000, will decrease Councils reliance on non renewable energy sources for electricity at the Monckton Aquatic Centre with an estimated annual production of 24,000kWh. The second budgeted funding will provide for education of the community on the reduction of energy consumption within their homes. The third funding item will provide for education and potential mitigation actions stemming from the risk analysis outcomes of climate change for residents of the rural areas of the Local Government Area. Note that the two latter items (community education and the risk analysis outcomes of climate change) will form separate Council reports with briefs from the CEWG for the December Council meeting.

Council has also partnered with the University of New England to undertake Project Zero30 with the aim of no additional contribution from our region to global temperature rise by 2030, (Ordinary Council Meeting 25th September 2019 Resolution 200/19).

5.4. Financial

In Councils 2020/2021 Budget and Operational plan, \$60,000, has been allocated to implement actions arising from the Climate Emergency action plan (subsequently called *A Framework for Climate Action*, developed by the CEWG).

Initial discussions and a site visit was undertaken by Council staff with a registered local solar system installer at Monckton Aquatic Centre to determine the most appropriate site within the centre, as well as provision of 15 minute electricity use, to determine the most cost effective sizing of solar panels and indicative costings for this project.

The indicative costing for the installation of solar panels and fencing at the Monckton Aquatic Centre is provided below. The solar panels will provide for a 14.8kW solar system with an estimated annual production of 24,000kWh.

Table 1. Costings for installation of Solar panels - Monckton Aquatic Centre.

Item	Indicative cost (exclusive of GST)
14.8kW solar system (includes trenching and cabling to meter box within grandstand)	\$27,636
Security fencing (note only needed on one side)	\$1,500
10% Project management	\$2,763
35% Contingency as project not fully scoped	\$9,673

TOTAL	\$41,573
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The funding allocation would then be different to the proposed split, provided in Section 4 above which was initially formulated by the CEWG, however the difference is mainly due to the 35% contingency due to the project not being fully scoped.

Potential unknown costs at this stage that warrant the 35% contingency include:

- geotechnical analysis of the foundations that will need to be undertaken for the solar panels installation;
- any remediation or disposal of soil from foundation diggings if found to be contaminated from former gas works;
- any additional costings associated with the quoting process; and
- any general unforeseen site issues as per normal project budgeting.

If costs associated with the project do not reach the 35% or if other monies could be used for the contingency by Council, this money may not need to be spent and therefore could be transferred to the other projects, community education and risk analysis on outcomes of climate change.

With the indicative costs from Table 1 above the updated proposed split of budgeted funding of \$60,000 would be:

- Solar panels at Monckton Aquatic Centre - \$41,573;
- Community education - \$5,000;
- Risk analysis on outcome of Climate change - \$13,427;

If the 35% contingency was either not required or funded from other monies the breakdown of the budgeted funding would be:

- Solar panels at Monckton Aquatic Centre - \$31,900;
- Community education - \$8,100;
- Risk analysis on outcome of Climate change - \$20,000;

6. Consultation and Communication

Armidale Regional Council declared a Climate Emergency at the Ordinary Council Meeting on 23 October 2019 (Resolution number 211/19) following receiving a petition of over 1,800 signatures calling for Council to declare a Climate Emergency and a Global Strike for Climate in Armidale on 20th September 2019 (AINT/2019/2425).

Expressions of Interest for the Climate Emergency Working Group were advertised through a Media release by Council on the 6th March 2020 and this information was also put on the CEWG, Your Say Armidale website page, with the Selection criteria and the Terms of reference. The primary function of the working group was stated as to “to provide relevant content for a report to Council at the Council Meeting (OCM) in April 2020”. Successful nominees were notified and the first meeting of the Working group was held on the 30th March.

7. Conclusion

This report recommends that budgeted funding for installation of solar panels at Monckton Aquatic Centre be approved. This project stems from priority actions and recommendations from the CEWG report, *A Framework for Climate Action* which was reviewed in detail by two nominees of the Working Group and Council staff in alignment to the Community Strategic Plan, adopted 20/21 Operational Plan and \$60,000 budget allocation.

Item:	10.2	Ref: AINT/2020/39430
Title:	Bushfire Local Economic Recovery Fund - Grant application Container: ARC17/2177-6	
Responsible Officer	Acting Director Organisational and Corporate Services	
Author:	Lilian Colmanetti, Project Officer - Strategic Infrastructure Planning	
Attachments:	1. Bushfire Local Economic Recovery Fund - Program Guidelines	

1. Purpose

The purpose of this report is to request that Council endorse the submission of a funding application under the Bushfire Local Economic Recovery (BLER) Fund Program and delegate authority to the General Manager to enter into the funding agreement if the application is successful.

2. OFFICERS' RECOMMENDATION:

That Council:

- a. Endorse the submission of a funding application to Department of Regional NSW under the Bushfire Local Economic Recovery (BLER) Fund Program with total cost of \$8,000,000 for the following projects:**
 - 1. New Guyra Early Childhood Learning Centre (ECLC) : \$2,500,000**
 - 2. Guyra Landfill Rehabilitation: \$4,000,000**
 - 3. Groundwater in sporting facilities and parks in Armidale: \$1,500,000**
- b. Delegate authority to the General Manager to enter into the funding agreement subject to an offer being received and the General Manager being satisfied that the terms and conditions of the agreement are to the net benefit of Council.**

3. Background

The Bushfire Local Economic Recovery (BLER) Fund Program aims to support the recovery of bushfire impacted communities through a range of funding programs that support local and regional economic and social recovery, including initiatives across economic, social, built and natural environment recovery. All projects supported under the Bushfire Local Economic Recovery (BLER) Fund Program will be jointly funded by the NSW and Australian Governments.

Application is open and closes on December 11.

4. Discussion

The proposed projects for application under the Bushfire Local Economic Recovery (BLER) Fund Program will support economic and social recovery at a local and regional level, supporting job retention and creation in the region, strengthening community resilience and reducing the impact future natural disasters will have on our communities.

As per Council report from 28 October, item 13.2, the New Guyra Early Childhood Learning Centre (ECLC) project has total expected cost of \$4,592,106 excl. GST and there are only \$2,068,197 identified sources of funding at the moment. The application under the Bushfire Local Economic Recovery (BLER) Fund Program, if successful, would cover the gap of \$2,524,000.

The New Guyra Early Childhood Learning Centre (ECLC) project aligns with the Community Strategic Plan specifically in relation to:

Our People and Community

- P4 Education – Services and activities are provided for all ages and segments of our community to promote life-long learning, healthy living and community wellbeing
 - P4.1 Facilitate and support the delivery of high quality early childhood and out of school hours services across the region
 - P4.4 Further develop partnerships with educational institutions across all stages of the learning spectrum to ensure that face to face and online education is available to the community

As per Council report from 28 October, item 11.4, the Guyra Landfill was closed over a decade ago and the site has operated as a waste transfer station since it finished operating as a landfill. Council has been advised by the NSW EPA that the landfill may represent a risk to the environment from leachates leaving the site and entering waterways leading to Urandangie Creek and the Malpas Dam catchment. Council has a responsibility to protect the environment and deliver waste services in a responsible manner.

The Guyra Landfill Rehabilitation project aligns with the Community Strategic Plan specifically in relation to:

Environment and Infrastructure

- E1 Environment – The unique climate, landscape and environment of the region is protected, preserved and made accessible
 - E1.4 Protect and enhance the natural environment to promote and support biodiversity

Due to extreme drought conditions that Armidale Region has experienced in 2016 and early 2020, Council has undertaken investigation into the availability of groundwater in its area of operation. During this investigation two test bores were drilled near Dumaresq Creek and testing of the groundwater quality confirmed the water to be unsuitable for supplementing town water supply; however, the water is suitable for maintenance of playing fields and parks. Council proposes that the two bores be developed to use for maintenance of sports fields and parks along Dumaresq Creek to replace the traditional use of town water. The groundwater should also be a more reliable source of supply during dry times.

The Groundwater in sporting facilities and parks in Armidale project aligns with the Community Strategic Plan specifically in relation to:

Environment and Infrastructure

- E3 Infrastructure – The Community is provided with the essential and resilient infrastructure it requires for daily life, and has access to a prioritised schedule of infrastructure works Environment – The unique climate, landscape and environment of the region is protected, preserved and made accessible

- E3.2 Supply water and waste water services to meet the community needs in Armidale and Guyra, as well as environmentally appropriate impoundment, distribution and disposal infrastructure

5. Implications

5.1. Policy

No policy implications have been identified at this point as the proposed report seeks endorsement for a funding application pending approvals from the funding body.

5.2. Risk

The main areas that Council could have a risk implication on submitting a funding application under the Bushfire Local Economic Recovery (BLER) Fund Program would be in regard to reputational, financial and environmental risk.

If Council is unsuccessful in securing funding for the proposed projects under this program and therefore is unable to deliver the projects, this could have negative impact with the community and other stakeholders such as the EPA.

The way to mitigate reputational risks for all the projects would be for Council to acknowledge to the community that staff are working exhaustively to obtain funding for those projects and, if unsuccessful, Council would re-submit the applications on the next round of the program (if available) and/or apply for another program that is announced in the future.

In order to mitigate financial risks in regard to the New Guyra Early Childhood Learning Centre (ECLC) project, Council would liaise with internal and external stakeholders involved in the project to work on other options to deliver the project within the available budget already secure under other programs.

In regard to the Guyra Landfill Rehabilitation project and its environmental risk, Council would seek more guidance from the EPA on how to comply with legislations requirements and what would be the next steps for Council to be able to proceed with the project.

5.3. Sustainability

If Council endorse the submission of a funding application to Department of Regional NSW under the Bushfire Local Economic Recovery (BLER) Fund Program and the submission is successful, Council will work closely with suppliers, consultants and contractors to ensure more efficient and improved service delivery through new and improved technologies to provide best cost benefit to Council and community in the long term.

The use of sustainable materials and practices during development, delivery and evaluation of projects will be highly recommended and adopted wherever and whenever is possible.

The construction of the groundwater infrastructure in sporting facilities and parks in Armidale would create water efficiencies in the long term, replacing the traditional use of town water and having a more reliable source of supply during dry times.

5.4. Financial

If successful in securing funding under the Bushfire Local Economic Recovery (BLER) Fund Program, Council would be able to deliver the New Guyra Early Childhood Learning Centre (ECLC) within the current proposed scope of works as the current sources of funding would not cover the full costs of the project.

Co-contribution is not mandatory for this grant application and Council can apply for up to 100 per cent of the value of the projects.

6. Consultation and Communication

There has been consultation with internal stakeholders from Council's water, waster and project management teams to identify and confirm potential projects for this grant application.

In regard to the New Guyra Early Childhood Learning Centre (ECLC) project, as per Council report from 23 September, item 12.3, since the announcement of the new facility, Council has been liaising with neighbouring residents, business operators and service providers, as well as organisations currently operating from the Moredun Street site; and in August 2020, Council conducted an engagement campaign with the wider community.

Council has been advised by the NSW EPA that the closed Guyra landfill is an environmental risk and is required to manage the risk.

7. Conclusion

The application for Bushfire Local Economic Recovery (BLER) Fund Program, if endorsed by Council, will allow Armidale Regional Council to seek funding for projects that will support the community well-being, support local and regional economic and social recovery, stimulate employment opportunities and address environmental risks.

Item:	10.3	Ref: AINT/2020/39556
Title:	Approval of Modification to DA-108-2020 175 Dumaresq Street in relation to deletion of 7.12 contribution	Container: DA-108-2020
Responsible Officer	Director Businesses and Services	
Author:	Simon Vivers, Town Planner	
Attachments:	Nil	

1. Purpose

The purpose of this report is for Council to consider waiving the imposition of a Section 7.12 contribution in relation to DA-108-2020 at 175 Dumaresq Street, Armidale.

2. OFFICERS' RECOMMENDATION:

That Council:

- a. Approve waiving of 7.12 Contribution in relation to DA-108-2020.**
- b. Authorise issue of a Modification to DA-108-2020 under delegated authority to reflect Council's waiving of 7.12 Contribution.**

3. Background

Council has approved Development Application ref: DA-108-2020 at 175 Dumaresq Street, Armidale, under delegated authority on 1 October 2020. The approved development is summarised as follows:

- Stage 1:
Demolition of existing amenities building and shed and construction of building comprising male and female toilets, referees amenities, disabled toilet and canteen together with construction of shed in new location
- Stage 2:

Construction of building comprising changing rooms, storage room and toilets.

The land is privately owned by Armidale Rugby League (Seniors) and is zoned RE2 Private Recreation under the Armidale Dumaresq Local Environmental Plan 2012. The cost of work is estimated at \$673,086.00, however work for disabled access would be deducted from the total cost of works.

4. Discussion

A 1% contribution has been levied on the proposed development, in accordance with the Armidale Regional Council Section 7.12 Contributions Plan 2018.

Clause 2.3 outlines the purpose of the plan:

- *To authorise the Council to impose a condition on certain development consents and complying development certificates requiring the payment of a contribution pursuant to section 7.12 of the Act;*

- *To require a certifying authority (the Council or an accredited private certifier) to impose, as a condition of issuing a complying development certificate, a requirement that the applicant pay to Council a levy determined in accordance with this Plan;*
- *To assist the Council to provide public facilities and amenities which are required to maintain and enhance amenity and service delivery within the area;*
- *To state the purposes for which the levies are required, and*
- *To provide for the governance of the contributions and their application in accordance with the Act and Regulations.*

Clause 3.13 outlines types of development which are exempt from the plan or may not require application of the plan. Of relevance, this includes:

- *An application on or behalf of Council for infrastructure, including that funded by Section 7.11 or 7.12 of the Act, such as but not limited to libraries, community facilities, recreation areas, recreation facilities and car parks;*
- *In rare exceptional cases, where Council considers an exemption is warranted, and the decision is made by formal resolution of Council at an Ordinary Council meeting.*

The clause also requires that to apply for an exemption to the payment of a Section 7.12 Levy, a written application must be submitted to Council at development assessment stage, giving reasons under the relevant category, and providing any necessary evidence and justification for the exemption.

Council's officer considers that the proposed development presents as a rare exceptional case where an exemption is warranted, based on the following reasons:

- Although the land is under private ownership, the approved development would assist to strengthen an established Rugby League club (Armidale RAMS) through establishing modern facilities;
- The club and facilities operate as a not-for-profit organisation, in a manner which is tantamount to a community facility. Building on from this, the applicant has stated that the grounds are also utilised by schools within the local area, for various matches, carnivals and the like. The approved development is expected to further facilitate these community events; and
- The approved development is reasonably consistent with the purpose of the plan. The facility would not be public, however Council's officer is satisfied that the operations are generally consistent with a community facility.

The approved development will also improve disabled access within the facility. This has not been discussed given this Clause 3.13 provides a clear exemption for this part of the development. Taking disability access aside, the plan would still be levied at against the balance (around \$600,000).

5. Implications

5.1. Policy

This report relates directly to the Armidale Regional Council Section 7.12 Contributions Plan 2018.

5.2. Risk

The recommendation is considered to have limited risk. Council's officer is satisfied that the proposal represents a rare exceptional case which would not cause an undesirable precedent and in turn, exposure to economic and social risk (through a reduction in the integrity of the plan and associated reduction in provision of services).

5.3. Sustainability

No implications likely.

5.4. Financial

No significant financial implications would be likely to arise from the proposal. Refer to previous comments in relation to risk.

6. Consultation and Communication

The proposal requires only consultation between the applicant and Council. The applicant has submitted an adequate justification to Council, in accordance with Clause 3.13 of the Armidale Regional Council Section 7.12 Contributions Plan 2018.

7. Conclusion

The report recommends the 7.12 Contribution levied against DA-108-2020 is waived, together with a direction for Council to proceed with issuing a modification reflecting the change.

The report demonstrates that the approved development suitably complies as a rare and exception case for Council to consider a waive of the contribution in accordance with Clause 3.13 of the Armidale Regional Council Section 7.12 Contributions Plan 2018.

Item:	10.4	Ref: AINT/2020/39912
Title:	Closure of Tillbuster Transfer Station	Container: ARC20/4402
Responsible Officer	Interim General Manager	
Author:	Scot MacDonald, Director Businesses and Services	
Attachments:	<ol style="list-style-type: none">1. Tilbuster Landfill Map & Photos - November 2020 - OCM Report 25 November 2020 - Scot MacDonald2. Report Tilbuster well installations and 1st round monitoring July-Sept 10 - OCM Report 25 November 2020 - Scot MacDonald3. Report Tilbuster 2nd round Feb 2011 - OCM Report 25 November 2020 - Scot MacDonald4. Report Tilbuster Landfill Round 4 Monitoring & Final Report Jan 12 - OCM 25 November 2020 - Scot MacDonald	

1. Purpose

The purpose of this report is to request Council close the Tillbuster Waste Transfer Station.

2. OFFICERS' RECOMMENDATION:

That Council closes the Tillbuster Waste Transfer Station on the 31 December 2020.

3. Background

Tillbuster Waste Transfer Station receives general waste, recyclable materials and some green waste.

A review of the utilisation of the Transfer Station shows there is very low receivables with relatively high cost to open. The Tillbuster site is 20 kilometres from Council's Long Swamp Road waste station.

4. Discussion

The Station currently opens 14:00 to 17:00 on Saturdays and Sundays. A review of the material received into the Tillbuster Waste Transfer Station showed on the days it is open, approximately 1.5 cubic metres of waste is recorded. On average 3.75 people use the Transfer station each day it is open. \$14.78 in revenue is received each day it opens. Staffing the Station costs Council \$145.25 each day.

5. Implications

Users of Tillbuster Waste Transfer station will be redirected to the Guyra Waste Transfer Station or Armidale's Long Swamp Road Waste Station.

Both of these sites are approximately 20 kilometres away from Tillbuster.

5.1. Risk

There are no environmental risks from closing Tillbuster Waste Transfer Station. The site has been remediated. NSW EPA has not notified Council of any hazards. In 2011, Armidale

Dumaresq Council commissioned an environmental study examining possible impacts from the Tillbuster landfill. The attached Report concluded there was no evidence of impact from waste operations.

There is a risk of illegal dumping once the Station has closed. Council can deploy rangers to enforce anti-dumping regulations if there are reports of anti-social behaviour. This risk can be mitigated with an information campaign.

5.2. Sustainability

Avoiding loading, transporting and rehandling the waste from Tillbuster to Long Swamp Road will improve the safety and efficiency of the Waste management operation.

5.3. Financial

By closing Tillbuster Waste Transfer Station, Council will not have to expend \$14,500 per annum in staffing costs.

Approximately \$5000pa in waste transport costs (to Long Swamp Road) will be avoided.

It is not anticipated there will be a reduction in revenue as the fees will continue to be paid in Guyra or Armidale Waste stations therefore Armidale Regional Council will realise an estimated \$20,000 in annual efficiencies.

6. Consultation and Communication

Due to the very low level of use, there has been no community consultation.

Tillbuster residents will be advised by a mailbox note if this recommendation is adopted.

7. Conclusion

The Tillbuster Waste Transfer Station has recorded very low and declining levels of use. Fewer than four people use the facility each day it opens (afternoons on Saturday and Sunday). However Council is required to staff the site during the time it opens.

Closure of the site should cause minimal inconvenience to residents and enable more efficient waste management.

Item:	10.5	Ref: AINT/2020/39428
Title:	Local Roads and Community Infrastructure Program - Extension - Projects' nomination	Container: ARC17/2177-6
Responsible Officer	Acting Director Organisational and Corporate Services	
Author:	Lilian Colmanetti, Project Officer - Strategic Infrastructure Planning	
Attachments:	1. \$12.1 million infrastructure boost for New England Councils	

1. Purpose

The purpose of this report is to request that Council endorse the submission of projects' nomination under the Local Roads and Community Infrastructure (LRCI) Program – Extension and delegate authority to the General Manager to enter into the funding agreement once the nominated projects are approved.

2. OFFICERS' RECOMMENDATION:

That Council:

- a. **Endorse the submission of projects' nomination to the Department of Infrastructure, Transport, Regional Development under the Local Roads and Community Infrastructure (LRCI) Program – Extension with total cost of \$1,762,217 for the following projects:**
 - New Nature Playground \$225,000 (approved at the 28 October Council meeting, resolution 293/20)
 - Gravel Resheeting program \$400,000
 - Guyra Men's Shed \$100,000
 - Lower Creek (earthworks and road works) \$50,000
 - Monckton Aquatic Centre Armidale (pool heat pump replacement) \$350,000
 - Bitumen resealing program \$637,217
- b. **Delegate authority to the General Manager to enter into the funding agreement subject to an offer being received and the General Manager being satisfied that the terms and conditions of the agreement are to the net benefit of Council.**

3. Background

The Local Roads and Community Infrastructure Program have been established by the Federal Government in order to support jobs and the resilience of local economies to help communities bounce back from the COVID-19 pandemic.

Armidale Regional Council has initially received \$1,429,701 under this program, and the submission of project nominations have been adopted by Council on the August 19 meeting (resolution 191/20). At the October 28 meeting (resolution 266/20), Council have noted that application has been successful.

In October 2020 it has been announced that the Australian Government had increased the Local Roads and Community Infrastructure Program allocation and Armidale Regional Council would receive additional allocation under the LRCI extension for the amount of \$1,762,217 to build shovel-ready projects.

This funding will be available from 1 January 2021, with the Program being extended until the end of 2021.

4. Discussion

The proposed projects allocation will support the creation of job opportunities within the Armidale region, helping the community to slowly start recovering from the crisis and also providing the community with renewed infrastructure assets.

In order to determine initiatives to be nominated under the Local Roads and Community Infrastructure (LRCI) Program – Extension, consultation with internal stakeholders has been undertaken to ensure alignment with the Community Strategic Plan and community interests.

The proposed nominated projects align with the Community Strategic Plan specifically in relation to:

Our People and Community

- P3 Diversity – Services are provided to ensure inclusiveness and support the vulnerable members of the community.
 - P3.3 Promote partnerships between businesses and the community which offer programs that encourage inclusivity and networking, such as the Men's Shed program in Armidale and Guyra.

Environment and Infrastructure

- E3 Infrastructure – The Community is provided with the essential and resilient infrastructure it requires for daily life, and has access to a prioritised schedule of infrastructure works Environment – The unique climate, landscape and environment of the region is protected, preserved and made accessible
 - E3.1 Partnerships with all levels of government to support the provision of essential infrastructure for the region.
 - E 3.4 Provide and maintain functional, appropriate, safe and desirable community facilities.

5. Implications

5.1. Policy

No policy implications have been identified at this point as the proposed report seeks endorsement to nominate projects under the Local Roads and Community Infrastructure (LRCI) Program – Extension pending approvals from the funding body.

5.2. Risk

The main area that Council could have a risk implication on submitting projects' nomination to the Department of Infrastructure, Transport, Regional Development under the Local Roads and Community Infrastructure (LRCI) Program – Extension would be the reputational risk.

If Council is unsuccessful in the project nominations application under this program and therefore is unable to deliver the projects, this could have negative impact with the community.

The way to mitigate that risk is to acknowledge to the community that Council is working exhaustively to obtain funding for those projects and, if unsuccessful, it will re-submit the

applications on the next round of the program (if available) and/or another program that is announced in the future.

5.3. Sustainability

If Council endorse the submission of projects' nomination to the Department of Infrastructure, Transport, Regional Development under the Local Roads and Community Infrastructure (LRCI) Program – Extension and the submission is successful, Council will work closely with suppliers, consultants and constructors to ensure more efficient service delivery through new and improved technologies to provide best cost benefit to Council and the community in the long term.

The use of sustainable materials and practices during development, delivery and evaluation of projects will be highly recommended and adopted wherever and whenever is possible.

5.4. Financial

If successful in the application for the proposed project nominations, Council would be able to reduce the local roads and other assets maintenance backlog.

The Local Roads and Community Infrastructure (LRCI) Program is a non competitive program and the \$1,762,217 has already been allocated to Armidale Regional Council pending allocation of projects, therefore, co-contribution is not required.

6. Consultation and Communication

There has been consultation with internal stakeholders from the leadership and the asset teams to identify and confirm potential projects for the proposed project nominations.

7. Conclusion

The funding to be provided by the Department of Infrastructure, Transport, Regional Development and Communications will have a direct impact on our community, bringing jobs for the Region and helping Council to provide infrastructure improvements.

The Local Roads and Community Infrastructure Program is critical for the Armidale Region recovery phase, which has been facing evolving challenges for the past few years, being impacted by Section 44 wildfires, on-going severe drought and now COVID-19.

Item:	10.6	Ref: AINT/2020/40282
Title:	Adoption of Acceptance and Assessment of Applications Policy	Container: ARC16/0392
Responsible Officer	Director Businesses and Services	
Author:	Ambrose Hallman, Manager Development and Regulatory Services	
Attachments:	1. Acceptance and Assessment of Applications	

1. Purpose

The purpose of this report is for Council to consider any submissions received during public exhibition of the Acceptance and Assessment Applications Policy before adoption.

2. OFFICERS' RECOMMENDATION:

That Council adopt the Acceptance and Assessment of Applications Policy.

3. Background

On 23 September 2020 at its Ordinary Council meeting Council resolved (Minute No.227/20) the following:

"That Council:

- a) *Endorse the public exhibition of the draft Acceptance and Assessment of Applications Policy from 24 September 2020 to 26 October 2020.*
- b) *Be presented with a further report after the exhibition period closes, including any submissions, for final adoption of the policy."*

4. Discussion

The Acceptance and Assessment of Applications Policy contained within the attachments aims to:

- Detail the expectations of the Minister of Planning in relation to the lodgement of all applications via the NSW Planning Portal.
- Ensure applicants understand, in the interest of faster processing time Council will be utilising the review functionality available via the NSW Planning Portal and only accepting applications that have provided the required information for lodgement as listed under Schedule 1 of the Environmental Planning and Assessment Regulations 2000.
- Provide applicants with guidance on how Council deals with amended plans and the requests for additional information.

5. Implications

5.1. Policy

This is a new policy for Council to address the general advice provided to Council by Mr Kerr on 4 September 2020

5.2. Risk

Not Applicable to the adoption of this policy.

5.3. Sustainability

This new policy provides clear guidelines for developers and members of the public on the development proposed which should result in improved transparency and assessment times for the community.

5.4. Financial

This policy should not have a negative financial impact on either the construction industry or Council's budget position. The policy may have a positive impact combined with the acceleration of assessment of applications that should allow developers to commence construction sooner.

The planning acceleration program should not impact on the assessment of applications, in particular the consideration of submissions received, during the exhibition of applications.

Allowing applicants to lodge applications online via the Planning Portal 24/7 should reduce the cost to developers.

Council is integrated with the Planning Alerts website (<https://www.planningalerts.org.au/>) that allows registered members of the public to be alerted via email when Council places an application on public notification. Council's website is also configured to allow members of the public to review submitted plans and make submissions online.

6. Consultation and Communication

The Draft Policy was placed on public exhibition between the 24 September 2020 and 26 October 2020. During this time no submissions were received.

7. Conclusion

Now that the required public consultation period has been completed, during which no submission were received the policy can be formally adopted by Council.

Item:	10.7	Ref: AINT/2020/40292
Title:	Revoke POL109 Electric Fence Policy	Container: ARC16/0392
Responsible Officer	Director Businesses and Services	
Author:	Ambrose Hallman, Manager Development and Regulatory Services	
Attachments:	Nil	

1. Purpose

This report is seeking to revoke Council Policy 109 Electric Fence Policy (POL109).

2. OFFICERS' RECOMMENDATION:

That Council

- a. Revoke the existing electric fence policy (POL109).**
- b. Place a notification on Councils website advising the community of this revocation.**

3. Background

Council is currently undertaking a review of existing policies and during the review it identified the existing Policy 109 electric fence policy, can be repealed as the provisions of State Environmental Planning Policy (Exempt and Complying Development) covers electric fences across the state.

4. Discussion

POL109 is no longer required as the provisions of the State Environmental Planning Policy (Exempt and Complying Development) provide the guidelines and controls relating to electric fences.

5. Implications

5.1. Policy

POL109 can be repealed as Section 163 of the Local Government Act 1993 states

"A local policy adopted under this Part by a council, to the extent to which it is inconsistent with this Act or the regulations, is void."

As State Environmental Planning Policy (Exempt and Complying Development) contains controls relating to electric fences POL109 would void in relation to inconsistencies.

5.2. Risk

There is considered to be minimal risk in revoking this policy

5.3. Sustainability

Revoking this policy removes a layer of redtape which should assist in sustainability

5.4. Financial

There is considered no financial impact of repealing this policy

6. Consultation and Communication

Section 165(3) of the Local Government Act 1993 states:

“A council may at any time revoke a local policy adopted under this Part.”

This does not require any consultation with the Community, however it is recommended that a notification be placed on Council website advise the community the policy has been revoked.

7. Conclusion

This report seek to revoke the POL109 electric fence policy and advise the community of the revocation.

Item:	10.8	Ref: AINT/2020/39433
Title:	Fixing Local Roads Program - Grant Application	Container:
	ARC17/2177-6	
Responsible Officer	Acting Director Organisational and Corporate Services	
Author:	Lilian Colmanetti, Project Officer - Strategic Infrastructure Planning	
Attachments:	1. Fixing Local Roads Round 2 - Program guidelines	

1. Purpose

The purpose of this report is to request that Council endorse the submission of a funding application under the Fixing Local Roads Program and delegate authority to the General Manager to enter into the funding agreement if application is successful.

2. OFFICERS' RECOMMENDATION:

That Council:

- a. **Endorse the submission of a funding application to Transport for NSW under the Fixing Country Roads Program with total cost of \$37,000,000 for the following projects:**
 1. **Sealed Local Roads (Preparation for Bitumen Resealing and Bitumen Resealing): \$5,000,000**
 2. **Sealed Local Roads (Pavement rehabilitation): \$5,000,000**
 3. **Unsealed Local Roads (Prepare road, table drains and gravel re-sheet): \$5,000,000**
 4. **Kerb, Gutter and Footpath Renewals: \$2,000,000**
 5. **Kempsey Road Project 1: \$5,000,000**
 6. **Kempsey Road Project 2: \$5,000,000**
 7. **Kempsey Road Project 3: \$5,000,000**
 8. **Kempsey Road Project 4: \$5,000,000**
- b. **Delegate authority to the General Manager to enter into the funding agreement subject to an offer being received and the General Manager being satisfied that the terms and conditions of the agreement are to the net benefit of Council.**

3. Background

The Fixing Local Roads Program aims to provide funding to councils to assist in reducing the local roads maintenance backlog and applications can be done for funding to assist in repairing, patching, maintaining or sealing existing priority council roads. Application for Round 2 is open and closes on December 11.

4. Discussion

The proposed projects that Armidale Regional Council is seeking endorsement from Council, if successful on the Fixing Local Roads Program submission, will allow Council to support growth and development of the region, stimulate the economy and promote social wellbeing of our community.

A meeting has been held with Council staff and the Regional Director for Transport for NSW on November 10 and it has been advised that applications for Kempsey Road works under the

Fixing Local Roads Program would be recommended. Further details on the projects locations and scope of works will be completed as part of the application process.

The proposed projects align with the Community Strategic Plan specifically in relation to:

Environment and Infrastructure

- E3 Infrastructure – The Community is provided with the essential and resilient infrastructure it requires for daily life, and has access to a prioritised schedule of infrastructure works
 - E3.1 Partnerships with all levels of government to support the provision of essential infrastructure for the region

5. Implications

5.1. Policy

No policy implications have been identified at this point as the proposed report seeks endorsement for a funding application pending approvals from the funding body.

5.2. Risk

The main area that Council could have a risk implication on submitting a funding application to Transport for NSW under the Fixing Local Roads Program would be the reputational risk.

If Council is unsuccessful in securing funding for the proposed projects under this program and therefore is unable to deliver the projects, this could have negative impact with the community.

The way to mitigate that risk is to acknowledge to the community that Council is working exhaustively to obtain funding for those projects and, if unsuccessful, it will re-submit the applications on the next round of the Fixing Local Roads Program (if available) and/or another program that is announced in the future.

5.3. Sustainability

If Council endorse the submission of a funding application to Transport for NSW under the Fixing Local Roads Program and the submission is successful, Council will work closely with suppliers, consultants and constructors to ensure more efficient service delivery through new and improved technologies to provide best cost benefit to Council and the community in the long term.

The use of sustainable materials and practices during development, delivery and evaluation of projects will be highly recommended and adopted wherever and whenever is possible.

5.4. Financial

If Council were to be successful in the grant application, \$17m would be received to assist in reducing the local roads maintenance backlog.

Co-contribution is not mandatory for this grant application and Council can apply for up to 100 per cent of the value of the projects.

6. Consultation and Communication

There has been consultation with internal stakeholder from the assets and roads team in conjunction with analysis of Council's current asset register to identify and confirm potential projects for the grant application.

7. Conclusion

The application for The Fixing Local Roads Program, if endorsed by Council, will allow Armidale Regional Council to seek funding for projects that support growth and development of the region, stimulating employment opportunities, economic growth and enabling a safer regional road network.

Item:	10.9	Ref: AINT/2020/40302
Title:	Revoke POL176 Strategic Companion Animals Management Plan	Container: ARC16/0392
Responsible Officer	Director Businesses and Services	
Author:	Ambrose Hallman, Manager Development and Regulatory Services	
Attachments:	Nil	

1. Purpose

This report is seeking to revoke Council Policy 176 Strategic Companion Animals Management Plan (POL176).

2. OFFICERS' RECOMMENDATION:

That Council:

- a. Revoke the Strategic Companion Animals Management Plan (POL176).**
- b. Place a notification on Council's website advising the community of this revocation.**

3. Background

Council is currently undertaking a review of existing policies and during the review it identified the existing Policy 176 Strategic Companion Animals Management Plan can be repealed as it is not required under the Companion Animals Act 1998.

4. Discussion

POL176 is no longer required under the Companion Animals Act 1998.

4.1. Policy

POL109 can be repealed as Section 163 of the Local Government Act 1993 states

"A local policy adopted under this Part by a council, to the extent to which it is inconsistent with this Act or the regulations, is void."

The provisions of the Companion Animals Act 1998 contains the relevant matters relating to companion Animals.

4.2. Risk

There is considered to be minimal risk in revoking this policy.

4.3. Sustainability

Revoking this policy removes a layer of redtape which should assist in sustainability.

4.4. Financial

There is considered no financial impact of repealing this policy.

5. Consultation and Communication

Section 165(3) of the Local Government Act 1993 states:

“A council may at any time revoke a local policy adopted under this Part.”

This does not require any consultation with the Community, however it is recommended that a notification be placed on Council website advising the community the policy has been revoked.

6. Conclusion

This report seeks to revoke the POL176 Strategic Companion Animals Management Plan and advise the community of the revocation.

Item:	10.10	Ref: AINT/2020/40489
Title:	Approval of DA-77-2020: Intensive Animal Husbandry - Construction and Operation of 999 SCU Feedlot	Container: DA-77-2020
Responsible Officer	Director Businesses and Services	
Author:	Kate Blackwood, Development Assessment Planner	
Attachments:	1. DA-77-2020 4.15 Assessment Report 2. DA-77-2020 Addendum Report for November Council Meeting 3. DA-77-2020 Revised Recommended Conditions of Approval	

1. Purpose

This report provides advice for Determination of DA-77-2020.

2. OFFICERS' RECOMMENDATION:

That Council:

- a. Approve Development Application DA-77-2020 subject to the conditions, as detailed in the conditions documented in Attachment 2 to this report.**
- b. Notify all those who made a submission on the Application of the determination.**

3. Background

Council is in receipt of a Development Application (DA-77-2020) for *Intensive Livestock Agriculture* (cattle and sheep feedlot) at Lot 51 DP 1075332, land also known as 1075 Tenterden Road, Tenterden.

During the exhibition period eight (8) submissions were received from surrounding land holders. Each of the eight (8) submissions either objected or raised concerns with the proposal. Subsequently, the Development Application was referred to the October Ordinary Council Meeting for determination.

On 26 October 2020, prior to the Ordinary Council meeting, Council received a late submission in objection to the Project and raising concerns for the proposed activities. Key issues raised in the late submission include: -

- Notification;
- Odour impacts;
- Potential impact of diseases and methods to minimise these;
- Management of effluent;
- Amenity impact and quality of country living;
- Traffic impact, including noise and safety associated with increased truck movements; and
- Insufficient information in SoEE, including incorrect BOM data (including rainfall).

Following receipt of this late submission and matters raised during the 'Have your say' at Council's meeting of 28 October 2020, Council resolved to defer determination of the application to the November Council meeting.

Whilst this late submission on the DA was received after the statutory notification/submission period had closed, and as such does not need to be taken into consideration during the assessment of DA-77-2020, the matters raised have nonetheless been addressed both within the Section 4.15 assessment of the application and addendum report attached.

4. Discussion

A detailed assessment of the proposal together with consideration of relevant matters under section 4.15 of the Environmental Planning and Assessment Act 1979 is included in the attachments.

The assessment determines that the proposal is permissible with consent, and is acceptable with regards Council's GLEP 2012 (in particular Clause 5.18 which relates to intensive animal husbandry), DCP 2015 and State Environmental Planning Policy (Primary Production and Rural Development) 2019.

The application has been referred to Council's Environmental Health Officer and Development Engineer. Following revisions and submission of further information, no objection is raised from these referrals, subject to the recommended conditions (attached).

5. Implications

5.1. Policy

Nil

5.2. Risk

Nil

5.3. Sustainability

Nil

5.4. Financial

Nil

6. Consultation and Communication

The Development Application was notified to adjoining landholders in accordance with Council's Community Participation Plan. During the notification period eight (8) submissions were received. It is noted one submission is a petition style submission containing six (6) individual signatures. The grounds of objection and responses are discussed separately in an attachment to this report.

7. Conclusion

The application is permissible with consent and compliant with the Guyra Local Environmental Plan 2012. The proposal is also compliant with State Planning Policy (Primary Production and Rural Development) 2019. The subject location is not affected by site constraints which would preclude the development, and the application adequately demonstrates that the proposal is acceptable regarding environmental impacts. On balance, the proposal is considered acceptable and therefore recommended for approval, subject to conditions.

Item:	10.11	Ref: AINT/2020/40924
Title:	Policy for Burning of Vegetation within the Local Government Area Container: ARC16/0392	
Responsible Officer	Director Businesses and Services	
Author:	Ambrose Hallman, Manager Development and Regulatory Services	
Attachments:	1. Burning of vegetation within the Local Government Area 2020	

1. Purpose

The purpose of report is the place the existing Burning of Vegetation within the Local Government Area Policy (POL229) on public exhibition. The Policy aims to improve ambient air quality in Armidale's urban area.

- To implement this Policy in a manner which is fair to our community, balancing consideration of local Climate, environment sustainability and community health.
- To encourage the re-use of green waste at Council's waste transfer station and recycling facilities.
- To address Council's statutory responsibilities in relation to pile burning.
- To allow burning where there is no reasonable alternative to dispose of dead and dry vegetation on the premises from which the vegetation grew.

2. OFFICERS' RECOMMENDATION:

That Council:

- Endorse the draft Burning of Vegetation within the Local Government Area Policy for public exhibition for a period of 28 days.**
- Receive a further report should any submissions be received as a result of the exhibition period, however should no submission be received the policy be adopted.**

3. Background

This Policy was originally adopted by Council on 22 October 2012 in response to Council legislative requirements under the *Protection of the Environmental Operations (Clean Air) Regulation 2010* and *Rural Fires Act 1997* regulate the burning of materials in New South Wales.

Under cl.13 of the *Protection of the Environmental Operations (Clean Air) Regulation 2010*, approvals to burn may be granted by Armidale Regional Council for the '*burning of dead and dry vegetation on the premises from which the vegetation grew*'. All other approvals to burn can only be granted by the Environment Protection Authority (EPA).

4. Discussion

This policy has now been updated to replace Armidale Dumaresq Council with Armidale Regional Council, reformat the document into the new format and remove the reference to POL134 Sustainable Domestic Energy Use and local Air Quality (Incorporating Local Approvals Policy).

This policy provides guidance to the community on burning vegetation and the approval pathway where there is no reasonable alternative to dispose of dead and dry vegetation on the premises from which the vegetation grew. The policy also outlines Council's statutory responsibilities in relation to pile burning.

5. Implications

5.1. Policy

Adoption of this draft policy will support adherence to legislative requirements for Council and the community.

5.2. Risk

This policy is considered to not present a significant risk for Council or the community.

5.3. Sustainability

No sustainability implications are evident with the adoption of this Policy.

5.4. Financial

No financial implications have been identified with the adoption of this Policy.

6. Consultation and Communication

The policy will be placed on Public Exhibition for a period not less than 28 days seeking input from the Community.

7. Conclusion

The public exhibition of this policy will enable community input into the revision of the existing policy and should no submission be received during the exhibition period the policy will be adopted.

Item:	10.12	Ref: AINT/2020/40935
Title:	Dumaresq Dam Wall Upgrading Tender Acceptance ARC19/3456	Container:
Responsible Officer	Director Businesses and Services	
Author:	Mike Brooks, Senior Engineer	
Attachments:	<ol style="list-style-type: none">1. Dumaresq Dam wall tender evaluation- <i>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.</i>2. Dumaresq Dam wall upgrading project costs	

1. Purpose

Dam Safety NSW has determined that the Dumaresq Dam wall does not meet the modern standards, regulations and guidelines that apply to its structural stability. The recommended tender is for the construction work required to bring the wall up to currently acceptable safety standards.

2. OFFICERS' RECOMMENDATION:

That Council accepts the tender from Leed Engineering and Construction Pty Ltd for the upgrading of the Dumaresq Dam wall for the sum of \$5,606,517.62 including GST.

3. Background

Dumaresq Dam was constructed in 1897 to supply water to the town of Armidale. The design featured a "plum" concrete gravity wall whereby large granite rocks or boulders were added to the concrete to bulk up the volume. The design allowed for a slender wall with no pressure relieving drainage which would normally assist in maintaining the stability of the dam wall by reducing hydrostatic pressures.

In 1971, when Malpas Dam was constructed, the dam ceased to be used as water supply to Armidale. The dam is in relatively poor condition with the concrete wall suffering from degraded concrete and the outlets are beyond repair and need to be replaced.

A review by Dam Safety NSW of all of the studies into the structural stability of Dumaresq Dam concluded that the dam did not meet the current standards, regulations and guidelines for dams as determined by the Australian National Committee on Large Dams (ANCOLD). In addition several dambreak studies undertaken for Council showed that there was risk of loss of life along Dumaresq Creek and property damage in the millions of dollars should the dam fail during a major flooding event.

Because of this Dumaresq Dam was placed on the high risk register for dams in NSW and Dam Safety NSW has advised Council penalties could apply if the dam wall was not upgraded to current structural standards.

4. Discussion

In 2014 Council undertook a review of the dam and after consultation with the community undertook to keep the dam wall at its original height and develop the recreational aspects of the Dumaresq Reservoir.

Strengthening the dam wall would maintain the Dumaresq Dam reservoir at its current level providing a basis for upgrading the existing recreational facilities and the construction of new amenities to enhance the area's status as a desirable destination for residents and visitors.

The detailed design of the proposed upgrading has been through a number of iterations with the original designer's proposal to strengthen the wall with mass concrete buttresses being rejected by the mandated Dam Safety NSW's peer reviewer due to his opinion that the underlying data on which the design was based was inherently flawed. In April 2019, Council engaged GHD to review the previous design and then undertake a further detailed design based on additional investigation into the foundation plus a detailed survey of the dam site.

In September 2019, through an expression of interest process, Council selected three knowledgeable and experienced contractors to tender for the upgrading work.

In late December 2019, GHD submitted a mass buttress solution requiring approximately 10,000m³ of concrete which was estimated to cost around \$15 million. Following a review of this design it was decided to change to a post tensioned solution, utilising anchor bars, in order to bring the final cost to a more affordable level. GHD provided a detailed design based on this concept. However, the peer reviewer concluded that there was room for a further reduction in the total cost of the work if tenderers submitted an alternative design that incorporated more efficient anchoring layouts.

Tenders were posted on Tenderlink August 2020 on this basis and they closed on the 29 September 2020.

5. Implications

Accepting this tender will enable Council to meet its statutory obligations to protect the public and property.

5.1. Policy

Council's Water Supply policy identifies the Dam Safety Act 1978 as legislation that must be complied with.

5.2. Risk

As noted above the risk to the downstream population from a failure of the dam has been determined to be higher than the parameters acceptable to the community at large.

The risk during construction will be managed using processes normally applied to major engineering projects in NSW.

5.3. Sustainability

During community consultation in 2014, the Armidale public prioritised an artificial dam and recreational area over an opportunity to return Dumaresq Creek to natural flows and adjoining landscape. .

5.4. Financial

Tenderers were encouraged to submit two tenders, the mandatory compliant tender and a lower cost alternative tender based on the tenderer proposing a revised compliant design that

incorporated savings in construction whilst still maintaining the structural strength required by Dam Safety NSW.

The alternative tender received for the dam wall upgrading from Leed was priced at \$5.606 million including GST. This included provisional sums for the design of the alternative proposal plus the installation of measuring equipment on the anchor bars inserted from the crest of the dam.

On the 9th July 2020 a funding deed for 50% of the estimated \$8.1 million cost of the upgrading work was signed between Armidale Regional Council and the Water Group of the NSW Department of Planning, Industry and Environment (DPIE). This included \$6.23 million for the cost of construction, plus ongoing consultant and project management costs. The project cost table attached to this report updates those costs using post tender prices. Council's contribution will be funded from the water reserves.

The tender includes risk assessment and contingency. The engineering approach selected and endorsed by Dam Safety NSW minimises project variation.

No undertakings have been made regarding the life of the stabilisation works and the ratepayers of Armidale Regional Council could be burdened with on-going safety measures.

6. Consultation and Communication

The option to strengthen of the dam wall in order to maintain the existing reservoir levels was arrived at following consultation with the community in 2014. The former Armidale Dumaresq Council did not adequately appraise the community of the financial consequences of the options presented.

In 2016, Council engaged an engineer experienced in dam construction to project manage the design and construction phases of the Dumaresq Dam Wall upgrading. In conjunction with the mandatory peer reviewer a lower cost solution has been arrived at. The contractor has been made aware that the site is an active recreational area and the safety of the general public should be their paramount concern.

7. Conclusion

In order to maintain current reservoir water levels at preferred by the community, Council is required by Dam Safety NSW to upgrade the dam wall to ensure that there is no risk to the downstream community. The cost of the revised design proposed by Leed is the most economic means of achieving this objective and the contractor's tender document plus their previous experience show that they are capable of providing an acceptable solution. The cost Leed submitted is within the estimate previously provided to DPIE.

Item:	10.13	Ref: AINT/2020/41032
Title:	Local Strategic Planning Statement - Population Projections Update Container: ARC19/3364	
Responsible Officer	Acting Director Organisational and Corporate Services	
Author:	Stewart McRae, Project Officer	
Attachments:	Nil	

1. Purpose

The purpose of this report is to provide further information in relation to the population projections for the Armidale Regional Council Local Government Area as endorsed at the Ordinary Meeting of Council held on 28 October 2020. It also outlines associated actions proposed to be undertaken as a result of Local Strategic Planning Statement adoption.

2. OFFICERS' RECOMMENDATION:

That Council receive and note the report in relation to Local Strategic Planning Statement – Population Projections Update.

3. Background

Council Resolution

At the Ordinary Meeting of Council held on 28 October 2020, Council considered a report on Adoption of the Local Strategic Planning Statement and resolved (277/20) in part that Council:

- b) Adopt the final Local Strategic Planning Statement ... ;
- c) Endorse the NSW Government Population Projections as the basis for all Council strategic planning activities;
- e) Receive a further report on the resources (including both staff and budget) required to implement the short and medium term planning and administrative actions identified in the final Local Strategic Planning Statement; and
- f) Prepare a short discussion paper noting the advice of the Manager of Development on population growth in the Armidale Regional Council local Government area acknowledging the Armidale Plan 2040 resident input of 2 - 3% and the assumptions in the Statement and comparison with NSW regional areas of relevance with a view of informing future planning activities and studies.

Item f) above is the primary focus of this report.

Introduction

The 0.9% long term population growth projection endorsed in the Local Strategic Planning Statement (LSPS) is in line with the NSW Government population projections. This projection sits within a projected growth range (low and high) and is used by the State Government in planning for delivery of services to our community. During the exhibition of the LSPS Council received submissions requesting a lower population projection be adopted, due to the environmental sustainability impact, in particular the need for new and upgraded infrastructure (Roads, Water, Sewer) required to support a 1% growth rate. Likewise other submissions requested that Council adopt a higher population target as the region needs to grow to attract new businesses, facilities, support services and the like.

The endorsement of the NSW Population Projections for Armidale, while not the ambitious target some members of the community desire, was considered to be a precautionary approach in line with the Section 8.3.3 of Armidale Plan 2040.

ARMIDALE PLAN 2040

Development of the Armidale 2040 plan included a robust community engagement process that explored three potential growth scenarios for the Armidale LGA:

- Low Growth as per the current situation 1-2%,
- Aspirational Growth of 2-3%, and
- High Growth, greater than 3%.

There was a strong preference for Council to work towards an Aspirational Growth scenario of 2%-to3%. While the Panel realised this may be ambitious and would require additional effort from Council, they wanted to see Council working toward an aspirational growth scenario, rather than being exposed to the perceived threat and risk of under-performance, that the current Low Growth trajectory represented.

After consideration of the key factors in development and growth of the Armidale LGA and the economic, social / cultural and environmental implications of the growth trajectory the report recommended that a 1% growth rate is pursued; in line with the DPIE projections, as an interim precautionary measure, until a full economic evaluation can be made as to the feasibility to fund the potentially significant costs involved in delivering the infrastructure that would be required to grow at a rate of between 2% and 3%.

In addition to the above, consideration must also be given to a range of other factors including the suitability and availability of land to accommodate future growth.

Community Strategic Plan

Community Outcomes within the Council's current Community Strategic Plan (CSP) 2017-2027 include that: "The community experiences the benefits of an increasing population" (p.11). Relevant supporting strategies are identified in the CSP (p.18) as:

- Develop a strategy to promote the region as a destination for new residents and workers;
- Develop an Economic Development Strategy for the region with the objective of supporting existing businesses, attracting new industries and businesses and creating more employment opportunities; and
- Continue to update and review legislated planning documents to ensure a variety of appropriate dwellings and housing affordability across the region.

Delivery Program

Council's current Delivery Program 2018-2021 includes Actions relating to the above-mentioned Community Outcome (p.6). Action G1.3 Population is to: "Support sustainable population growth and develop infrastructure to meet the needs of this regional growth". The relevant Measure of Success factors / outcomes include that: "The region experiences population growth of at least 1% per annum".

Figures presented below (refer Tables 1 and 2) identify that the above target and measure of success are consistent with the NSW Government Population Projections for the Armidale Regional Council (ARC) LGA as referenced in the adopted Local Strategic Planning Statement (LSPS).

4. Discussion

NSW Population Projections

The NSW Population Projections are available online. The projections form part of the NSW Government's Common Planning Assumptions (CPA) which are used across agencies as a baseline for making decisions about the future.

A summary of projections for neighbouring council areas plus other selected local government areas, over the next 25 years are included in Tables 1a and 1b. Projected growth in the ARC LGA is well above that for all surrounding LGAs and numerically similar to that for the Tamworth Regional Council LGA.

Table 1a: Neighbouring Area Projections - Common Planning Assumptions

Region	2016	2041	Change	Annual %
Armidale Regional	30,300	38,100	7,800	0.92
Uralla	6,150	5,450	-700	-0.48
Gwydir	5,350	4,800	-550	-0.43
Inverell	16,800	16,950	150	0.04
Glen Innes Severn	8,950	6,600	-2,350	-1.21
Clarence Valley*	51,600	50,400	-1,200	-0.09
Bellingen	12,950	12,950	0	0
Nambucca	19,600	20,700	1,100	0.22
Kempsey	29,450	28,500	-950	-0.13
Walcha	3,150	2,650	-500	-0.69

Source: <https://www.planningportal.nsw.gov.au/population/>

Table 1b: Selected Area Projections - Common Planning Assumptions

Region	2016	2041	Change	Annual %
NSW	7,732,850	10,572,700	2,839,850	1.26
Armidale Regional	30,300	38,100	7,800	0.92
Tamworth Regional	61,000	68,900	7,900	0.49
Richmond Valley	23,250	23,700	450	0.08
Clarence Valley*	51,600	50,400	-1,200	-0.09
Bathurst Regional	42,250	50,050	7,800	0.68
Mid-Western Regional	24,550	26,900	2,350	0.37
Dubbo Regional	51,400	58,800	7,400	0.54

Source: <https://www.planningportal.nsw.gov.au/population/>

Note: Selected Areas as identified by DPIE to inform draft LSPS preparation; they are "regional LGAs which comprise a major centre and a number of smaller towns and villages". Their LSPS also contains "actions and priorities in relation to matters relevant to the Armidale LGA such as heritage, education and health, renewable energy, bushfire recovery, agriculture/agribusiness and smart cities".

Additional information associated with the population projections, including dwelling projections, is contained in Tables 2 and 3 following.

Table 2: Key Indicators: Projected Population, Households and Dwellings

Indicator	2016	2021	2041	Change ('16-'41)
Total Population	30,300	32,750	38,100	7,800
2016 Population Projection	31,500	33,400	-	-
Total Households	11,750	13,050	15,800	4,050
Household Size*	2.38	2.32	2.24	-0.14
Implied Dwelling Projection	13,450	14,900	18,050	4,600

Source: 2019 NSW Population Projections: Armidale Regional Council Factsheet

Note:

All data at 30th June

* Average persons resident per occupied private dwelling

** Dwellings required if the population forms households in the same ways as in 2016

Table 3: Population Change

Indicator	2016-21	Change ('16-'41)
Population Change	2,450	7,800
Av Annual Growth Rate	1.6%	0.9%
Births	1,750	10,450
Deaths	1,250	7,250
Natural Change	500	3,200
Net Migration (all)	1,900	4,600

Source: 2019 NSW Population Projections: Armidale Regional Council Factsheet

The State Government also prepares Low and High Series projection scenarios. Table 4 following summarises the projection scenarios (without rounding) for the ARC LGA relative to the Common Planning Assumptions shown in Table 1a above. The low and high series projection scenarios represent a significant range including potential growth well above the Common Planning Assumption scenario.

Table 4: ARC LGA Population Projection Scenarios

Scenario	2011	2016	2021	2041	Change ('16-'41)
Low	29,678	30,313	32,703	36,500	6,187
CPA	29,678	30,313	32,736	38,123	7,810
High	29,678	30,313	32,861	42,483	12,170

Source: Department of Planning, Industry & Environment

LSPS Planning Priorities

Planning Priority 1a) Population Growth within the adopted LSPS is to:

“Utilise State Government population projections when planning for growth and associated development.”

Relevant LSPS Planning Actions are to:

- i) Endorse the NSW Population Projections as the basis for all Council strategic planning activities; and
- ii) Use the current version of the NSW Population Projections as the basis for all Council strategic planning activities.

LSPS Planning Priority 1b) Settlement Network is to:

“Undertake integrated strategic planning to facilitate preferred development of each settlement”.

Related Regional Plan Action 7.1 is to

“Develop local growth management strategies and use local plans to reinforce regional cities (e.g. Armidale City) and centres (e.g. Guyra) as the primary locations for commerce, housing, tourism, social activity and regional services”.

Other related LSPS Planning Priorities are:

- 1c) Land for Housing – Facilitate the development of land required and suitable for residential and related purposes;
- 1d) Housing Options – Facilitate the provision of housing options; and
- 3a) Infrastructure Delivery – Plan for and facilitate the delivery of infrastructure.

A report is to be prepared for Council’s consideration to address the resourcing of actions associated with each Planning Priority.

5. Implications

5.1. Policy

Any policy implications arising from the matters addressed in this report will be considered as part of the further report on resourcing of LSPS actions as required in response to Council resolution 277/20 (item e) or when undertaking the relevant LSPS actions.

Endorsement of the NSW Population Projections as the basis for all Council strategic planning activities has effectively established a Council policy position on future population growth which is consistent with State Government Common Planning Assumptions.

5.2. Risk

Any legal and/or risk implications arising from the matters addressed in this report will be considered as part of the further report on resourcing of LSPS actions as required in response to Council resolution 277/20 (item e)) or when undertaking the relevant LSPS actions.

5.3. Sustainability

Any sustainability implications arising from the matters addressed in this report will be considered when undertaking the relevant LSPS planning actions, for example those actions

under LSPS Planning Priority 1b) Settlement Network, which is to “Undertake integrated strategic planning to facilitate preferred development of each settlement”.

It is noted that the “objects” of the Environmental Planning and Assessment Act 1979 include: to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment (s.1.3(b)).

5.4. Financial

Any financial implications arising from the matters addressed in this report will be considered as part of the further report on resourcing of LSPS actions as required in response to Council resolution 277/20 (item e)).

Consultation and Communication

Matters addressed in this report were the subject of community consultation during the recent public exhibition period (31/08-28/09/2020) for the draft Local Strategic Planning Statement and the current public exhibition period (03/11-14/12/2020) for the ARMIDALE PLAN 2040 Final Report.

6. Conclusion

This report provides further information in relation to the population projections for the Armidale Regional Council Local Government Area as endorsed at the Ordinary Meeting of Council held on 28 October 2020 and outlines actions proposed to be undertaken as a result of LSPS adoption.

Item:	10.14	Ref: AINT/2020/41186
Title:	Bushfire Recovery for Wildlife and Habitat: Community Grants Application	Container: ARC17/2304
Responsible Officer	Acting Director Organisational and Corporate Services	
Author:	Mandy McLeod, Sustainability Officer	
Attachments:	Nil	

1. Purpose

The purpose of this report is to request that Council endorse the submission of a funding application under the Federal Department of Agriculture, Industry, Science, Energy and Resources, Bushfire Recovery for Wildlife and Habitat Community Grants Program and delegate authority to the General Manager to enter into the funding agreement should the application be successful.

2. OFFICERS' RECOMMENDATION:

That Council:

- a. Endorse the submission of a funding application to the Federal Department of Industry, Science, Energy and Resources under the Bushfire Recovery for Wildlife and Habitat Community Grants with a total cost of up to \$150,000 in partnership with Northern Tablelands Local Land Services and New England Weeds Authority.**
- b. Note that the area this funding is being applied for is in the Jeogla through to Carrai Plateau area via Kempsey Road for feral animal control and weed control in the bushfire affected areas.**
- c. Develop a Memorandum of Understanding with the project partners if the grant is successful whereby:**
 - I. Northern Tablelands Local Land Services will be responsible for the feral animal control work; and**
 - II. New England Weeds Authority will be responsible for the weed control works.**
- d. That Council delegate authority to the General Manager to enter into the funding agreement subject to an offer being received and the General Manager being satisfied that the terms and conditions of the agreement are to the net benefit of Council and the landowners in the area of the project.**

3. Background

The bushfires season of 2019/2020 was regarded as an extreme event. The Federal Department of Agriculture, Industry, Science, Energy and Resources have provided a grant program, the Bushfire Recovery for Wildlife and Habitat Community Grants. The grant program is confined to bushfire affected areas within the eastern and southern parts of Australia where analysis has identified areas impacted on an unprecedented scale.

A number of areas within the Armidale Local Government Area were severely affected by the 2019/2020 bushfires.

The Jeogla through to Carrai Plateau area via Kempsey Road was severely impacted by the Carrai Creek fire in October/November 2019, with wildlife and habitat being severely affected. The fire

burnt out an area exceeding 238,000 hectares in size. This followed an extreme drought from 2016 to early 2020. Heavy rainfall in early 2020 exacerbated ground stability and erosion issues from the drought and bushfires causing landslips and ground instability in certain areas.

Application is open and closes on Friday 27 November 2020.

4. Discussion

This project aligns to the Community Strategic Plan 2017- 2027 specifically in relation to:

Environment and Infrastructure

- E1 Environment – The unique climate, landscape and environment of the region is protected, preserved and made accessible
 - E1.4 Protect and enhance the natural environment to promote and support biodiversity

The project also aligns to the 2020/2021 Operational Plan specifically in relation to:

Environment and Infrastructure

- E3 Infrastructure - The Community is provided with the essential and resilient infrastructure it requires for daily life, and has access to a prioritised schedule of infrastructure works
 - Other council operations and activities: Natural disaster recovery

Following bushfires, feral animal populations become more problematic as they tend to travel and congregate in areas where scant feed exists. In addition, feral grazing animals such as deer impact the recovery process through grazing of new vegetation shoots, and trampling regenerating vegetation. Due to the lack of habitat and vegetation cover from normal vegetation post fires, native animals are more prone to predation by feral animals.

Very high levels of weed seeds can germinate and grow following bushfires, especially when good rains are experienced as in this case. Weed infestations restrict regeneration of endemic species and revegetation within the bushfire affected areas. This becomes especially problematic for land stability and management in steeper areas.

The Kempsey Road which runs through the area of this program can act as a conduit for both weed and feral animal movement, with potential travel occurring both ways. Roadside vegetation in addition is often habitat or a stepping stone for threatened or vulnerable species including Koalas and quolls. This program aims to reduce the amount of weeds and feral animals in the area and reduce the spread of both. In addition this project will serve to protect the Gondwana World Heritage Area.

Northern Tablelands Local Land Services and New England Weed Authority have been approached to run a project in partnership with Council to address feral animals and pest weed species within the Carrai Creek fire area in Armidale Local Government Area to provide for protection of existing wildlife and habitat, and to allow for natural regeneration processes to occur.

This will also assist private landowners in reducing:

- feral animals, deer, pigs, wild dogs and foxes all which may affect stocking numbers and stock safety; and

- weed species, and total weed numbers which can prove problematic following fire and disturbed ground and which can affect productivity and stock safety in agricultural lands.

BackTracks have also been approached about working in with New England Weeds Authority on this project to involve up to ten young people to obtain experience in weed control and obtain their Chemical certification. An amount of the grant money would need to be allocated to them to provide for transport to and from the worksites, uniforms and supervision of trainees. This amount would be an allotted \$20,000 from the total grant if we were awarded the total grant amount. However with extra people on board the area covered by the weed control would increase in size.

The program would be run in conjunction with regular weed control and baiting programs to deliver increased outcomes.

5. Implications

5.1. Policy

Proposed project aligns with strategic direction. No policy implications have been identified at this point as this report seeks endorsement for a funding application pending approval from the Federal Department of Agriculture, Industry, Science, Energy and Resources.

5.2. Risk

Council is bound by regulatory requirements for weed control measures regardless of funding provision. With heavy weed infestations in certain areas, often with seed blown by the air, ongoing control measure could be problematic and costly. Additional funding would need to be sought at a later date.

The financial risk of working with other parties would be negated by the development and signing of a Memorandum of Understanding and clear Project plans with Northern Tablelands Local Land Services, New England Weed Authority and Back Track. This risk is outweighed by the benefits of partnering with agencies that provide expertise and staff resources in the target program.

If Council is unsuccessful in obtaining funding for the project proposal for feral animal and weed control in bushfire affected areas, it will have a negative impact on the community in this area.

5.3. Sustainability

Following severe large bushfires, feral animal and weed control are regarded as essential in encouraging landscape level regeneration. The Carrai Creek bushfire was over 238,000 hectares in size, with widespread native vegetation and agricultural land damage.

If Council endorse the submission of this grant application to the Federal Department of Agriculture, Industry, Science, Energy and Resources and the grant application is successful, Council will work in partnership with Northern Tablelands Local Land Services and New England Weed Authority to ensure that project outcomes provide sustainable benefits to the local environment.

The control of feral animals and weed species will create long term benefits to the area of the project and to the larger area by reducing the potential for spread of either feral animals or weed species.

6. Consultation and Communication

Consultation has occurred with Northern Tablelands Local Land Services, New England Weed Authority and Back Track as well as internal stakeholders for the development and scope of the grant application.

7. Conclusion

The application for a Department of Agriculture, Industry, Science, Energy and Resources, Bushfire Recovery for Wildlife and Habitat Community Grant, if endorsed by Council will allow Armidale Regional Council to work in partnership with Northern Tablelands Local Land Services and New England Weed Authority to address environmental risks of feral animals and weeds in the area from Jeogla through to Carrai Plateau area via Kempsey Road, following the severe Carrai Creek bushfires.

Item:	10.15	Ref: AINT/2020/41060
Title:	Armidale Regional Airport New Runway Design and Construction Container: ARC20/4105	
Responsible Officer	Acting Director Organisational and Corporate Services	
Author:	Nilantha Sandaruwan Wijewarna Arachchige, Project Manager - Civil Infrastructure	
Attachments:	1. Proposed Work plan	

1. Purpose

This report is to inform Council of the current status of the Airport Runway Expansion Project and to seek approval to pursue funding opportunities for the construction of the same.

2. OFFICERS' RECOMMENDATION:

That Council:

- a. Note the work undertaken to date on the Airport Runway Expansion Project and the current status of the preliminary design documentation.**
- b. Determine that further work on the design phase not be pursued.**
- c. Authorise the General Manager to seek funding for the construction and delivery of the project based on existing design documentation.**

3. Background

The Project Design of Airport Runway Expansion – Armidale Regional Airport under Major Infrastructure Preparation aligns with Community Strategic Plan 2017-2027 Community outcome - Environment and Infrastructure – specifically in relation to:

E3 of the Community Strategic Plan – Infrastructure

E3.1 of the Delivery Program - Partnerships with all levels of government to support the provision of essential infrastructure for the region

E3.4 of the Delivery Program - Provide and maintain functional, appropriate, safe and desirable community facilities

Airport Consultancy Group Pty Ltd (ACG) was engaged on 04th June 2020 under the CEO delegated procurement exemption for investigation and design for the new runway and addresses the existing CASA non compliances of the RPT parking bays.

Design cost: \$448,396.30 (GST inclusive)

- Airport Consultancy group were previously engaged to undertake the concept design for the airport runway, they have the specialist knowledge and skill to undertake this body of work.
- ACG are specialists in the Airport design space and are familiar with our precinct existing works and the requirements needed.

The scope of the design of new runway includes 2100 x 45 m new runway and associated infrastructure, including 3 connecting taxiways, a parallel taxiway adjacent the proposed industrial precinct, upgrade of existing taxiway, Airfield Ground Lighting, storm water and management of the approval pathway for CASA certification.

Current status of the design phase is as follows:

Project Phases and Status

A brief summary of the project phases/program/status are listed in the following table:

<i>Project Phase</i>	<i>Original Program Date/Timeline</i>	<i>Current Status</i>
Investigation	June 2020	Completed July 2020
Concept Design/Estimate	July 2020	Completed 7 August 2020
Detail Design (for tender)	Aug 2020	Currently at approx. 80% (on hold)
Detail Design (post tender comments and issue for construction status)	Oct 2020	Not Commenced
Tender Phase	Sept 2020	Not Commenced
Aerodrome Certification / Procedure Design	Oct 2020 – May 2021	Currently at approx. 20%
Construction	Oct 2020 – June 2021	Not Commenced

4. Discussion

The preliminary design and estimation of the new runway development has been completed as per the original scope. There are suggestions to develop this project as a key drive to significantly improve the fire fighting capabilities of the airport by building the new runway to cater for large air tankers (C-130 or similar) and by adding further parking bays dedicated to fire fighting aircraft. If this is decided, additional investigation and design has to be undertaken.

5. Implications

5.1. Risk

- It has been identified during the preliminary design that the high ground in the adjacent property North West infringes the Obstacle Limitation Surface (OLS) and is not under Council ownership. The design philosophy is to excavate the high ground to achieve CASA compliance. The negotiations with the property owner are yet to be undertaken.
- Current runway is not designed for larger aircrafts. Therefore the risk of pavement failure and CASA restrictions on the airport operations are high when operating larger aircrafts.

5.2. Sustainability

- Economic benefit to the region by attracting businesses requiring larger aircraft landing facilities
- Economic and social benefits to the region through improved aerial fire fighting capabilities.

5.3. Financial

Design Phase

- Preliminary Design development and Detail Design = \$448,396.30(incl. GST)
- Further investigation and design for boosting aerial fire fighting = TBC
- Current expenditure to date = \$237,002.70(incl. GST)

Construction and Delivery

- Cost of construction (preliminary estimate) = \$65.47 million (including GST)
- Improvements to the aerial fire fighting capabilities = circa \$5.0 million on top of above amount

6. Conclusion

This report recommends to authorise the General Manager to continue to carry out necessary negotiations and finalise the design phase of the new runway development project, and also recommends to authorise the General Manager to seek funding for construction and delivery of the project.

Item:	10.16	Ref: AINT/2020/41167
Title:	Malpas Dam Options Progress Report	Container: ARC18/2622
Responsible Officer	Director Businesses and Services	
Author:	Mark Byrne, Utilities Technical Officer	
Attachments:	Nil	

1. Purpose

To provide an update on the progress of the Integrated Water Cycle Management (IWCN) Strategy and the Secure Yield assessment including options to upgrade Malpas Dam.

2. OFFICERS' RECOMMENDATION:

That Council approve the update on the progress of the Integrated Water Cycle Management (IWCN) Strategy and The Secure Yield assessment including options to upgrade Malpas Dam.

3. Background

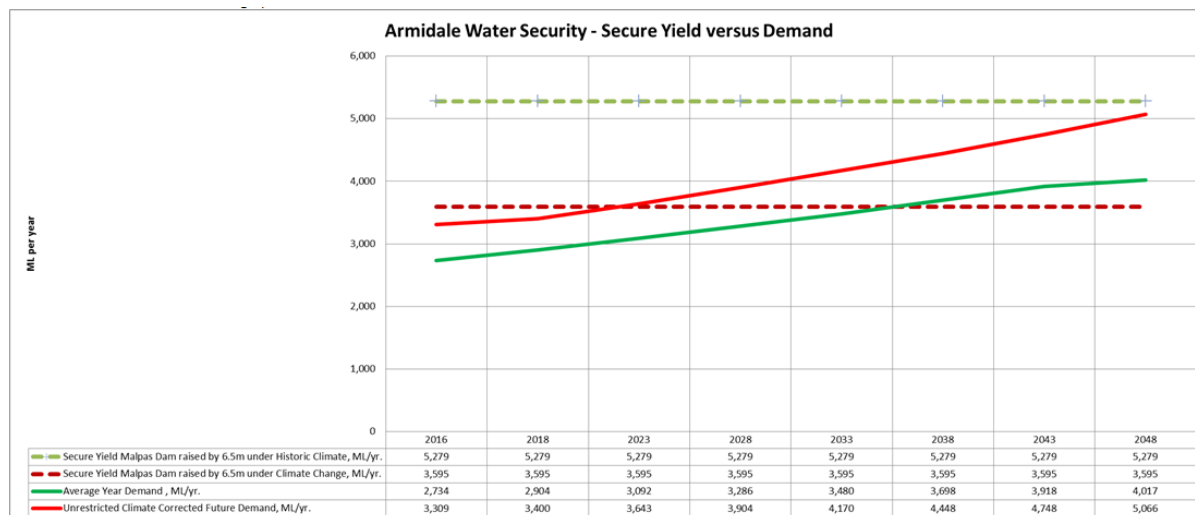
Council engaged NSW Public Works to undertake its Integrated Water Cycle Management (IWCN) Strategy in June 2018. The Secure Yield undertaken prior to the commencement of IWCN process informed Council that the Guyra dam was not big enough to maintain supply to Guyra township in case of severe drought whereas Malpas Dam is big enough to maintain supply to Armidale.

In response to the recent drought and in consultation with Department of Planning Industry and Environment (DPIE) , Council engaged a consultant to update the Secure Yield of its water supply by extending the climate data to include the recent drought. Council was also successful in securing co-funding under Safe and Secure Funding Programmed (SSWP) for the update of the Secure Yield assessment, feasibility of Malpas Dam upgrade options and identification of alternative dam sites.

4. Discussion

Progress – Water Security Projects

1. Secure Yield: DPIE Water staff in consultation with NRAR proposed to undertake the Secure Yield assessment in different stages. Now the consultant has completed the Secure Yield assessment of water supply dams with existing Malpas Dam wall height , Malpas Dam wall height raised by 3m and Malpas Dam wall height raised by 6.5m. The finding of the Secure Yield assessment is that the increase in Malpas Dam height by 6.5m provides water security under historical climate for the planning period of 30 years. However, the secure yield is not enough to meet the future unrestricted demand under climate change conditions as shown in the graph.



Note: Secure yield assessment include Malpas, Puddledock and Guyra dams and Environment Release being stopped when Malpas gets to 6746ML (equivalent of 55% of existing), ML/year.

2. Malpas Upgrade Options: The NSW Public Works has recommenced the feasibility study of the Malpas Dam upgrade options. The flood modelling option proposed by the consultant is being reviewed by a peer review consultant to check whether the flood modelling option proposed by Public Works will meet Dam Safety NSW requirements. The flood modelling dictates the required dam height and the spillway capacity. The report will inform Council the risks associated with various options and estimated cost for each option. The upgrade options should be finalised in the next 6 months.
3. Alternative Sites for Dams: The NSW Public Works is also undertaking a desk top assessment for alternative dam sites in the region. Malpas Dam upgrade options and the investigation of the alternative dam sites once finalised will be presented to Council with strategies to provide water security in the region.
4. Groundwater bores: Council is applying for Special Purpose Access Licences (SPALs) for the bores in Guyra which have potential to maintain supply in Guyra in case of severe drought. The potential availability of groundwater is now being considered in the calculation of the region's Secure Yield.

5. Implications

5.1. Policy

- Water Supply Policy
- Dam Safety Policy

5.2. Risk

5.3. Sustainability

The IWCM is a local water utility's (LWU's) resourcing strategy for the provision of appropriate, affordable, cost-effective and sustainable urban water services that meet community needs and protect public health and the environment. A LWU's IWCM Strategy:

- Sets the objectives, performance standards and associated performance indicators for the water & sewer business;
- Identifies the needs and issues based on evidence and sound analysis;

- 'Right sizes' infrastructure;
- Determines the investment priority in consultation with the community and stakeholders; and
- Identifies the 'best value 30-year' IWCM scenario on a triple bottom line (TBL) basis.

Secure Yield as defined by the DPIE guidelines, is the maximum possible average annual demand that can be extracted from the water system with 5% duration of restrictions, 10% frequency of restrictions and 10% severity of restrictions, generally known as the 5/10/10 rule.

5.4. Financial

Costs incurred with NSW Public Works in formulating the IWCM but are co-funded under Safe & Secure Funding Program (SSWP).

6. Consultation and Communication

NSW Public Works in consultation with DPIE officers and the Natural Resources Access Regulator (NRAR) have provided the information and options above for council's consideration. Community consultation will be required in the future.

7. Conclusion

This is an update on a project finalising the region's IWCM and Secure Yield study for town water supply. It is anticipated the studies will be completed by mid 2021. The impact of 2019 drought required a recalculation of the modelling used to inform these studies. An upgrade of the Malpas Dam wall height remains a likely proposal to enhance water security.

Item:	10.17	Ref: AINT/2020/41451
Title:	Kempsey Road - Removal of Hazardous Trees Container: ARC20/4415	
Responsible Officer	Director Businesses and Services	
Author:	Sreejan Tarafder, Project Manager	
Attachments:	1. Tree Assessment Report Section 1 2. Tree Assessment Report Section 2	

1. Purpose

Hazardous trees adjacent to Kempsey Road are required to be removed for public safety and road remediation. To eliminate risk to road users an exemption is sought under the Tender provision of the Local Government Act.

2. OFFICERS' RECOMMENDATION:

That Council:

- a. Acknowledges the instability of trees on Kempsey as a result of fires and storms and the risk to road users and the urgency to remove the unstable trees.**
- b. Invokes Section 55 (3)(i) of the Local Government Act.**

3. Background

Armidale Regional Council (ARC) is responsible for Kempsey Road (classified as a Local Road), linking Waterfall Way (Main Road76) and Kempsey. Council's jurisdiction finishes at the boundary of Armidale Regional Council and Kempsey Shire Council at Bellbrook.

Bushfires in the last quarter of 2019 followed by heavy storms at the start of 2020 caused significant damage to the road and the ARC area was included in Natural Disaster Declarations on the 7/9/2019 (fires) and 25/2/2020 (storms and floods).

The fires and storms killed vegetation; undermined the stability of trees; destabilised topsoil and subsoil on slopes near the road. Unstable trees are a hazard to road users, the public and are a constraint on road remediation.

4. Discussion

Several hundred trees have been identified by an Arborist as high risk. The Arborist recommends the hazardous trees be removed as soon as possible.

5. Implications

5.1. Policy

Under Section 55 of the Local Government Act Councils must invite tenders before entering a contract for an amount exceeding \$250,000. This requirement does not apply to circumstances listed in Section 55 (3) including Section 55 (3)(k), "a contract made in the case of emergency". Whilst it is proposed that tenders not be invited, Council will only engage a contractor after a specification is prepared and quotes are obtained. This will result in a considerable time saving and a reduction in risk.

5.2. Risk

Failure to remove high risk trees is an unacceptable hazard to road users and the public. Any injury or death arising from a high risk tree would expose Council to financial and reputational harm.

Delays in removing the hazardous trees will impact planned road remediation works.

Council staff have conducted a REF (Review of Environmental Factors) for the vegetation removal. The tree coordinates are mapped and Council continues to liaise with the National Parks and Wildlife Service where concurrence of that Agency is required.

5.3. Financial

It is anticipated the works will cost \$300,000. Council has been advised by Transport for NSW the full cost of the vegetation removal will be refunded under Natural Disaster Declaration AGRN 898.

6. Consultation and Communication

The community of Lower Creek has been advised Council will be undertaking natural disaster recovery works.

7. Conclusion

Council is faced with extenuating circumstances to expeditiously award a contract to commence hazardous tree removal to protect the public and start Kempsey Road recovery works. This report seeks approval for exemption to not seek tenders for these works.

The Local Government Act provides for exemption in a case of emergency.

Item:	11.1	Ref: AINT/2020/40485
Title:	Kolora Aged Care - Rescission of Council Policies ARC16/0617	Container:
Responsible Officer	Acting Director Organisational and Corporate Services	
Author:	Stacey Drew, Executive Policy Advisor	
Attachments:	Nil	

1. Purpose

The purpose of this report is to facilitate the rescission of several Council policies as a result of the sale of Kolora Aged Care Facility in 2018. As Council no longer owns the facility these policies are considered obsolete and as such should be rescinded.

2. OFFICERS' RECOMMENDATION:

That Council rescind the policies POL211 to POL221 as detailed in this report.

3. Background

Council is undergoing a review of all Council policies and has identified several policies that relate to the management of the Kolora Aged Care Facility. Council sold the facility in 2018 and as such the policies listed below are considered obsolete and no longer considered a Council Policy. Due to an oversight at the time these policies were never formally rescinded by Council.

The policies being recommended for rescission are:

POL211	Aged Care Community Care Standards - Effective Management – TRIM REF: INT/2012/05287
POL212	Aged Care Service Access - TRIM REF: INT/2012/05282
POL213	Aged Care Services Eligibility and Assessment – TRIM REF: INT/2012/05279
POL214	Aged Care Plan Development and Delivery – TRIM REF: INT/2012/05274
POL215	Aged Care Service User Reassessment – TRIM REF: INT/2012/05204
POL216	Aged Care Services User Referral – TRIM REF: INT/2020/02932
POL217	Access to Information for Aged Care Services – TRIM REF: INT/2012/05196
POL218	Aged Care Privacy and Confidentiality – TRIM REF: INT/2012/05195
POL219	Aged Care Services Complaints and Services User Feedback – TRIM REF: INT/2020/02935
POL220	Advocacy for Aged Care Services – TRIM REF: INT/2012/05160
POL221	Independent Living for Aged care Services – TRIM REF: INT/2013/02974

4. Discussion

When Council considers a policy no longer holds value the policy should be made obsolete. As Council no longer is responsible for the management of Kolora Aged Care Facility the policies are no longer required.

5. Implications

5.1. Policy

The relevant policies mentioned will be made obsolete and removed from Council's Policy Register.

5.2. Risk

No risk implications have been identified through the recommended rescission actions.

5.3. Sustainability

No sustainability implications have been identified as a result of the recommended rescission actions.

5.4. Financial

No financial implications have been identified as a result of the recommended rescission actions.

6. Consultation and Communication

No consultation or communication of the actions to rescind these now obsolete policies relating to the operational management of Kolora Aged Care Facility is considered. The facility was sold in 2018. This report is a formality to ensure Council maintains a Policy Register that holds only current policies.

7. Conclusion

Council is undertaking a review of its Council Policy Register. This report provides Council with opportunity to formally rescind obsolete policies.

Item:	11.2	Ref: AINT/2020/41121
Title:	Council Committees - Review	Container: ARC20/4323
Responsible Officer	Interim General Manager	
Author:	John Rayner, Interim General Manager	
Attachments:	1. ARC Council Committee Review - Report final - David Ackroyd - 17 November 2020	

1. Purpose

A review of Council Committees has been undertaken and recommends a number of changes and improvements to Council's committee structure.

2. OFFICERS' RECOMMENDATION:

That Council:

- a. Receive and note the report "Review of Council Committees" by David Ackroyd.**
- b. Exhibit the report "Review of Council Committees" until 26 January 2021.**

3. Background

After receiving a report in June 2020 "Advisory Committee Review" by Ian Reynolds, Council resolved on 24 July 2020:

- a) That Council notes:
 - i. that suspended former Councillors will not form part of the Advisory Committees of which they were previously members, in any capacity;
 - ii. that the external members of each Advisory Committee remain members;
 - iii. that each Advisory Committee elect a Chairperson from its members;
 - iv. that the Interim Administrator attends the meetings of each Advisory Committee when available.
- b) That Council receives the Review of Council Committees report ("Reynolds Report") prepared March 2019.
- c) That Council retain the following Advisory Committees:
 - i. the Environmental Sustainability Advisory Committee ("ESAC");
 - ii. the Traffic Advisory Committee;
 - iii. the Arts, Cultural & Heritage Advisory Committee ("ACHC");
 - iv. the Sports Council Committee;
 - v. Regional Growth and Place Activation Advisory Committee; and
 - vi. review the Terms of Reference of each considering the recommendations of the Reynolds Report.
- d) That Council:
 - i. undertake a review of the Charter of the Audit, Risk and Improvement Committee ("ARIC") in light of changes to the Local Government Act relating to ARIC Committee functions;

- ii. review and if necessary refresh the membership of the ARIC Committee to address expertise shortfalls in light of the new requirements.

Sensing and being advised that there concerns amongst committee members engagement with residents involved was seen to be a sensible approach to improving the committee system and approach.

4. Discussion

David Ackroyd was engaged by Council to consult with committees focussed on the environmental, social and economic themes aligned to the Community Strategic Plan (CSP), village based advisory groups and local business groups.

Mr Ackroyd reports:

"Whilst there was some variation in the overall perceptions of the work undertaken by the Advisory Committees, common themes tended to focus negatively on their operations and outcomes:

Listening

- *Council has its own agenda*
- *Council doesn't listen – 'We are advised committees not advisory'*
- *Committees are a 'tick box' exercise, not genuine engagement*
- *Little commitment from Council to embrace anything but their own ideas*
- *'Having a committee that you take no notice of is worse than having no committees at all'*

Communication

- *Poor communication around the roles and expectations of the committees*
- *Feedback is rarely provided to close the loop in the engagement process*

Volunteers

- *Volunteers are not valued or respected*
- *Council fails to harness the potential that volunteers bring to the committees*

Management

- *Top down approach*
- *Inconsistencies in management styles across the committees*
- *Administration can be overly bureaucratic*
- *Poor / disruptive chairing of the committees by Councillors*

Community Strategic Plan (CSP)

- *Vision is very generic and does not inspire*
- *The translation of the goals of the CSP to the Advisory Committees' Terms of Reference (ToR) is not outcome focussed, resulting in a lack of accountability and achievement*
- *There is a need for clearer links between the work of the Advisory Committees and the operational budget streams that are linked to the CSP"..*

Local Area Committees (LAC)

"The Local Area Committees did see significant value in their role of providing advice to ARC and fostering a greater understanding of the opportunities and challenges that present themselves in the village communities. Themes around listening, feedback and harnessing the capacity of volunteers to make a real difference in people's lives were common. There was a feeling that, until recent visits by the Interim Administrator, there had been a sustained absence of a 'face' from council at meetings for several months, which had impacted on their perception of connection to the broader region".

Business Groups

"Consultations focussed on 4 business groups that have had a strong relationship with ARC over many years

- *The Armidale and Guyra Business Chambers*
- *Locals 4 Locals*
- *Renew Armidale*

These groups expressed some frustration with changes in direction relating to them joining together as a single voice, and concerns relating to the focus and management of the Regional Growth and Place Activation Committee. The lack of feedback and/or the failure to demonstrate progress with projects that volunteers had devoted significant time to were also raised".

From Committees to Partnerships - A Refreshed Approach

"This report proposes a new approach to engagement, that seeks to develop genuine partnerships with the local community, together with significantly improved communication and feedback from Council that values the commitment of volunteers."

Mr Ackroyd has suggested a structure as outlined in the following table:

1. Community Strategic Panels	
Purpose	<i>Broad Community Involvement in shaping the social cultural and economic life of the Armidale Region</i>
Structure and Membership	<i>2 X Panels of approximately 20 people meeting immediately after the next election, open to residents from Armidale, Guyra and the villages, together with business / community / cultural / recreation groups</i>
	<i>Members should be selected through an expression of interest process (EOI) which is widely promoted throughout the community. Members of existing community panels and previous advisory committees should be encouraged to apply and invited to submit an EOI</i>
2. Partnership Panels	
Purpose	<i>Panels providing advice and input on areas required by legislation or of ongoing strategic and operational importance</i>
Structure and Membership	<i>Partnership Panels covering region:</i> <ul style="list-style-type: none"> • <i>Partnership Panel – Economic Development & Tourism</i> • <i>Partnership Panel – Environment</i> • <i>Partnership Panel – Sports</i> • <i>Partnership Panel – Arts, Culture & Heritage</i> • <i>Specialist Partnership Panel – Aboriginal Community</i>

	<ul style="list-style-type: none"> • <i>Specialist Partnership Panel – Access and Inclusion</i> • <i>Specialist Partnership Panel – Youth</i> <p><i>The roles, membership and meeting structure of each panel should be clearly set out in a charter adopted by ARC at the beginning of each Council term, and published on ARC's Website. On formation, the Panels should identify 3 agreed SMART (Specific, Measurable, Achievable, Relevant and Time-bound) priorities to focus the work of the group in the first 12 months.</i></p> <p><i>9 X Local Advisory Panels</i></p> <p><i>Membership should be drawn from the local villages. The charter and membership of the panels should be published on ARC's website</i></p>
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Recommendations

Community Strategic Plan Review

1. *Subsequent to the election of a new council in 2021, invite participation in 2 Community Strategic Planning Panels of 20 people that bring local community leaders (from community, business, education and the region's villages) together to work on developing a refreshed and inspiring Community Strategic Plan, that clearly articulates the needs and aspirations of the Armidale Region*

A Refreshed Approach – Partnership Panels

2. *Move away from 'Committee' terminology to the concept of Partnership Panels*
3. *Implement a 'back to basics' name for each of the Partnership Panels*
4. *Create refreshed charters to reflect the key priorities of the new Panels*
5. *Aim to create Panels with a minimum of 8 and no greater than 12 members*
6. *Seek to recruit members who represent professional groups with a significant interest a Panel's topic area (members of the Access Partnership Panel may be an exception to this rule)*
7. *A council staff member should chair the Partnership Panels' meetings*
8. *Provide opportunities for leadership training to staff who will chair or support the chair of the Partnership Panels*
9. *Move administrative matters from the Panel Charters to a separate manual that applies to all panels, to ensure greater consistency in their management*
10. *In partnership with the newly formed Panels, set three goals to be achieved in the first 12 months*
11. *Resist the creation of working groups that potentially raise expectations that cannot be delivered, and divert resources away from a core Partnership Panel's prioritised work plan*
12. *Celebrate the successes with the Panels' members and the broader community as they occur, and provide ongoing feedback on progress towards goals*

13. *Include as a mandatory or desirable qualification, skills and/or experience in working with Partnership Panels, in the position descriptions of staff who will undertake the role of chairing or supporting their chair*
14. *Introduce performance measures in annual appraisals so that staff can be supported to improve their skills in engagement and leadership if necessary*

Local Advisory Panels – Currently LACs

15. *Partnership structure.*
16. *Retain the existing structure of the LAC's, however, change their title to Local Advisory Panel (LAP) to bring consistency across the refreshed Advisory Panel structure*
17. *Promote the use of the electronic logging of customer requests (Report It and Snap, Send, Solve), so that they can be easily tracked on-line, and escalated to responsible managers when standards are not met*
18. *Provide information and data on works programs to the LAPs where it is available, so that they can advocate for Council and better demonstrate the equity in funding to village residents*
19. *Consider creating a roster for senior council staff to visit 1 - 2 of the LAP meetings each year*
20. *Consider an Engineer being allocated to visit each LAPs on an annual basis to listen to and explain responses to road / grading issues*
21. *Create a single point of contact within Council for the LAPs (see also recommendations 24 & 25).*
22. *Consider including a member drawn from the LAPs on the Environment & Economic Development and Tourism Partnership Panels*
23. *Where LAPs have transactional relationship with Council, LAPs should be required to be Incorporated Not For Profit Associations*
24. *Annual acquittals of the funds supplied by Council to the LAPs should be made to Council together with copies of the LAPs' Annual Reports (including financial reports) supplied to the NSW Department of Fair Trading*

Business Groups

25. *Create a single point of contact within Council for the Business Groups (see also Recommendation 20 & 25)*

Community Engagement

26. *Consider centralising accountability for community engagement activities under the auspices of a single team where advanced skills and the application of differing approaches to engagement can be nurtured (see also recommendations 20 and 24)*

Audit Review and Improvement Committee

27. *The Audit Review and Improvement Committee (ARIC) be expanded to include membership of an experienced and skilled community engagement professional*

Volunteers

28. *Celebrate the achievements of the volunteer Partnership Panels wherever possible*

29. *Ensure feedback is provided to volunteers on how their input has influenced decision making and, if not, provide background for reasons why, thus ensuring that members are better informed of constraints they may need to consider when providing further advice*

Section 355 / 356 Delegation

30. *Subject to the adoption of the proposed new model, the Partnership Panel - Sports be provided with a Section 355 / 356 delegation enabling the group to levy a charge on behalf of Council*

Financial Support

That a review of the financial support provided to the former Advisory Committees be undertaken with a view to standardising governance procedures in grant making, ensuring transparency in its allocation, accountability in its application and greater recognition of Council's support under the new Partnership structure".

5. Implications

5.1. Policy

The review proposes changes to the way community advice is provided to the Council. If adopted there will be a change of approach and policy changes as outlined in the recommendations.

5.2. Risk

Council is currently experiencing reputational risk. The proposed arrangements and support structure should, if the feedback from the community is embraced, create a more cooperative working relationship between Council and community advisors.

5.3. Sustainability

The proposed arrangements will have little impact on Council's financial position, however it needs to be recognised that Council is only resourced to meet its Operational Plan and diversions from committees/panels will put pressure on the organisation to adequately respond.

5.4. Financial

The recommendation to review the financial support provided to the former Advisory Committees will merge with the review of Council's grant, donations and contributions review. There may be some resourcing implications for Council, depending on the adoption of the recommendations.

6. Consultation and Communication

The report has been prepared following consultation with Advisory Committees, Local Area Committees, Business Groups and others.

It is proposed that Mr Ackroyd's report be placed on public exhibition until 26 January 2021 to ensure the community can have its say on the proposals.

7. Conclusion

The consultation with the individuals and committees that provide advice to Council has been comprehensive. It has resulted in a report which will bring change to the process and support for the proposed panels which will assist Council in pursuing its charter.

Item:	14.1	Ref: AINT/2020/40030
Title:	Community Health and Wellbeing Record of Meeting	Container:
	ARC16/1052	
Responsible Officer	Acting Director Organisational and Corporate Services	
Author:	Darren Schaefer, Manager Strategic Communications and Marketing	
Attachments:	1. Record of Meeting - COMMUNITY WELLBEING COMMITTEE - 24 SEPTEMBER 2020	

OFFICERS' RECOMMENDATION:

That Council note the Record of Meeting for the Community Health and Wellbeing Committee held on 24th September 2020.