



BUSINESS PAPER

ORDINARY MEETING OF COUNCIL

To be held on

Wednesday, 28 October 2020
4pm

at

Armidale Council Chamber

Members

Viv May PSM - Interim Administrator

AGENDA

INDEX

1	Civic Affirmation and Acknowledgement of Country	
2	Statement in relation to live streaming of Council Meeting	
3	Apologies	
4	Disclosures of Interests	
5	Public Forum (Have Your Say)	
6	Confirmation of Minutes <i>Ordinary Council - 23 September 2020</i>	
7	Interim Administrator Minute	
7.1	Interim Administrator Minute - ARMIDALE PLAN 2040 Final Report	5
8	Notices of Motion	
9	Reports for Decision - Leadership for the Region	
9.1	Approval of Membership Fee FY20/21 to New England Joint Organisation	7
9.2	Amendments to the Model Code of Conduct.....	9
9.3	Adoption of Revised Policy POL205 Pathway Name & Address (NAR).....	11
9.4	2020 Christmas and New Year Closure Dates.....	12
9.5	Independent Review of Governance Arrangements	13
9.6	Adoption for Public Exhibition: Draft Risk Management Policy	20
9.7	Adoption of draft Policy Framework.....	22
9.8	Review of Council's Committee Structure	23
9.9	Tabling of Disclosure of Pecuniary Interests and Other Matters for the period 1 July 2019 – 30 June 2020.....	26
9.10	Regional City Living and Working Campaign.....	27
9.11	New England Joint Organisation - Meeting 29 September 2020.....	28
9.12	Appointment of Acting Organisational and Corporate Director	
10	Reports for Decision - Growth, Prosperity and Economic Development	
10.1	Local Roads and Community Infrastructure successful funding programs including CBD/Mall Vibrancy Enhancement Project.....	29
10.2	Bushfire Community Recovery and Resilience Fund (Phase 2) - Stream 1 - Funding application.....	31
10.3	Special Rate Variation and Rates Harmonisation	33
10.4	Adoption of amendments to Interim Hardship Policy	43
10.5	Loan Waiver Request from New England Regional Indoor Sports Complex (NERISC)	44
10.6	Payment Deferral Request RAMS Rugby League Football Club.....	46
10.7	Proposal to Deploy Smart Water Metering	48
10.8	Armidale Airside Business Park Street Naming.....	50
10.9	Armidale Beer and BBQ Festival 2021 - Request for Armidale Regional Council to access a Limited Liquor Licence	52
10.10	Tender for Provision of Professional Engineering and Project Management Services	55

11	Reports for Decision - Environment and Infrastructure	
11.1	Creeklands Master Plan - Adoption of Plan and stage 1 implementation.....	57
11.2	Adoption of the Local Strategic Planning Statement.....	62
11.3	Adoption of Redevelopment of Dumaresq Dam Recreation Facility Design.....	66
11.4	Managing environmental risks at former Guyra landfill (Everett St, Guyra).....	69
11.5	Air Quality Working Group Formation.....	71
11.6	Adoption of Planning Proposal No 11 - Madgwick Drive Rezoning.....	74
11.7	Response to Aboriginal Land Claim No's 8895, 47027 & 49456.....	77
11.8	Stronger Country Communities Fund Project - The Hub at Guyra additional funds to complete Stage 1.....	79
11.9	Notice to Provide Information and Records to NRAR- Council's Groundwater program.....	81
11.10	Park Furniture Style and Design Guide.....	83
11.11	Support for a Guyra Spring Flower Festival 2021 proposal.....	85
11.12	Planning Proposal No 9 - Airport Rezoning.....	87
11.13	Proposal to acquire land for a Community Hall at Lower Creek.....	90
11.14	Approval of DA-70-2020: Construction of 50 ML Surface Water Storage Dam and 40 ML Bore Water Storage Dam.....	91
11.15	Approval of DA-77-2020: Intensive Animal Husbandry - Construction and Operation of 999 SCU feedlot.....	93
11.16	Request for tender - provision of bulk materials 2020 - 2021.....	95
12	Reports for Decision - Our People and Community	
12.1	Policy update - Use of Public Space by Personal and Group Trainers.....	98
12.2	Everyone Can Play Program Round 3 - Grant Application.....	99
12.3	Recreational Fishing Trusts funding - Grant application.....	102
13	Reports for Information	
13.1	Update on Koala Management Strategy.....	104
13.2	Guyra Early Childhood Learning Centre Development - Budget, Funding Sources and Principal Design Consultant.....	106
13.3	Cash and Investment Report September 2020.....	110
13.4	Saving our Species Iconic Koala Project 2018 – 2021: Northern Tablelands Koala Partnership.....	112
13.5	Fixing Country Bridges - Grant Application Amendment to Amount Submitted.....	114
13.6	Road Reclassification Application for Kempsey Road.....	116
14	Requests for Leave of Absence	
15	Authority to Affix Council Seal	
16	Committee Reports	
16.1	Minutes - Sports Council Committee Meeting held on 1 September 2020.....	119
16.2	Minutes - Environmental Sustainability Advisory Committee Meeting 6th October 2020.....	120
16.3	Minutes - Regional Growth and Place Activation Peak Advisory Committee.....	122
16.4	Minutes - Traffic Advisory Committee held 6th October 2020.....	123
17	Matters of an Urgent Nature	

18 Questions on Notice

19 Confidential Matters (Closed Session)

20 Close of Ordinary Meeting

Item:	7.1	Ref: AINT/2020/36169
Title:	Interim Administrator Minute - ARMIDALE PLAN 2040 Final Report	Container: ARC20/4191
Author:	Viv May, Interim Administrator	
Attachments:	Nil	

MOTION:

That notwithstanding the fact that ARMIDALE PLAN 2040 has been used to inform Council's response to the Local Strategic Planning Statement the Acting General Manager arrange for ARMIDALE PLAN 2040 Final Report June 2020 to be placed on public exhibition for 42 days for community consultation to inform staff in the preparation of the report on the actions that deliver the objectives of the Community Strategic Plan.

At the August 2020 Council Meeting it was resolved that the draft Local Strategic Planning Statement (LSPS) be placed on public exhibition and the outcome is reported elsewhere in this agenda.

The Acting General Manager at the time Mr David Kerr noted that the history of Council's approach to the preparation of the Statement had been unnecessarily complex...

"The Statement is a legislated requirement for all NSW Councils to produce and to date the majority of Councils have an adopted LSPS. Armidale has fallen behind in the development of its LSPS as previously there was a focus on an Armidale Masterplan known as "Masterplan 2040". The intentions and directions of the "Masterplan 2040" Plan were, and still are, laudable however this document was resolved by Council to be of greater importance than the Local Strategic Planning Statement. In essence both the Masterplan 2040 and the Local Strategic Planning Statement seek to develop long term visions for Armidale but the Masterplan 2040 has added a layer of unnecessary complexity to the current process. In the preparation of the Local Strategic Planning Statement, Council officers have taken the relevant sections of the Masterplan 2040 Plan and incorporated them into the LSPS.

Council must place the Local Strategic Planning Statement as its priority as the NSW Government mandated completion deadline passed in July 2020 and Council has yet to exhibit a draft plan. To ensure clarity in this matter it is recommended that all work on the Masterplan 2040 be placed in abeyance until the Local Strategic Planning Statement has been adopted by Council and is published by the Department of Planning, Infrastructure and the Environment..."

In relation to the preparation of ARMIDALE PLAN 2040 Council resolved that no further action be taken and following submission of the Local Strategic Planning Statement to the Department of Planning, infrastructure and the Environment a report be provided to Council identifying any remaining actions of ARMIDALE PLAN 2040 that deliver the objectives of the Community Strategic Plan.

When the above decision was taken I was not aware that the document ARMIDALE PLAN 2040 – Final Report had just been received. The original intention was apparently that the "Final" report would be presented to Council by the Consultant, prior to being exhibited for community review and comment.

Council staff commissioned Conybeare Morrison International at a cost of \$172,000 to undertake the work that started in August 2019 and from a reading of the Final Report includes considerable community engagement.

ARMIDALE PLAN 2040 in my view is a substantial and well intentioned document that appears to have been generally prepared in isolation of the governing body of the Council.

I can find no reference in the Council minutes to it calling for tenders/quotation to undertake the work even though they were called in July 2019, other than a resolution of 28 August 2019...

- a) That the Planning Proposal to merge the Armidale Dumaresq Local Environmental Plan 2012 and Guyra Local Environmental Plan 2012 into one merged Local Environmental Plan be placed on hold until the completion of the State mandated Local Strategic Planning Statement.
- b) That Council commence the process of preparing the Local Strategic Planning Statement for the whole Armidale Regional Council Local Government Area in conjunction and with the Masterplan.

An audit of Councillor workshops/briefings is underway and there is a reference to the development of a city/region wide masterplan on 15 November 2018 and the only other reference I can find is on 4 December 2019 when there was a meeting with the "Master Plan Consultants".

Additionally there is no adoption by the Council of a Project Brief.

The meeting of Council in April 2020 was provided with an update on the Report that noted that the plan would be put on exhibition in May/June 2020. I have viewed the video recording of this meeting and the report was simply adopted in globo with a number of other recommendations.

On the recommendation of the then Acting General Manager Mr David Kerr it was resolved, inter alia, that a report be provided to Council identifying any remaining actions of ARMIDALE PLAN 2040 that deliver the objectives of the Community Strategic Plan.

I agree with Mr Kerr that the preparation of ARMIDALE PLAN 2040 has added a layer of unnecessary complexity to the Council's current processes and I am of the view that it has also confused Councillors and staff on their statutory obligations.

The considerable financial and community investment in the ARMIDALE PLAN 2040 document in my view demands that it be placed on public exhibition for comment prior to the report requested in the August 2020 Council decision.

Accordingly I move the above.

(Viv May PSM)
Interim Administrator

Item: 9.1 **Ref:** AINT/2020/30890
Title: Approval of Membership Fee FY20/21 to New England Joint Organisation **Container:** ARC18/2713
Author: Scot MacDonald, Director Businesses and Services
Attachments: 1. NEJO Operational Plan 2020-21
2. Draft Minutes - New England Joint Organisation NEJO Meeting - 28 September 2020

OFFICER RECOMMENDATION:

That Council endorse payment of the annual membership contribution to the New England Joint Organisation (NEJO) per NEJO's Operational Plan 2020/21.

Context

In December 2017 Council endorsed formation of the New England Joint Organisation (NEJO) and approved Council's joining membership.

At the meeting of the NEJO on 28 September 2020 the attached Operational Plan 2020/21 was adopted containing the following membership charges including Armidale's contribution which is now payable:

PRICING PRINCIPLES

The following principles will be utilised when establishing a price for services:

- A flat fee for 50% plus a 50% per capita fee for all member Councils in order for the Organisation to perform the principle functions of delivering on strategic regional priorities, regional leadership and intergovernmental cooperation.
- Member contributions will increase each year by the maximum permissible amount for general rate increases as determined by the Independent Pricing and Regulatory Tribunal (IPART).
- A 'User Pays' pricing model for the provision of works associated with special projects/activities approved by the Board.
- Should the organisation seek to compete in a market, where private business is a competitor, the notion of competitive neutrality will be observed – the organisation will not seek to gain a net competitive advantage simply by virtue of its public sector membership.

CONTRIBUTION AND CHARGES

The following contributions and charges shall be applied in 2020/21:

- a) Member council contributions

	2016 Census	Flat Fee	Per Capital Contribution	Total	2.7% Rate Peg	Total \$
Armidale	31,500	8,500	19,080	27,580	740	28,320
Glen Innes	8,800	8,500	5,330	13,830	370	14,200
Inverell	17,300	8,500	10,480	18,980	510	19,490
Moree	13,750	8,500	8,330	16,830	450	17,280
Narrabri	13,400	8,500	8,120	16,620	450	17,070
Tenterfield	7,150	8,500	4,330	12,830	350	13,180
Uralla	6,350	8,500	3,850	12,350	330	12,680
	98,250	59,500	59,520	119,020	3200	122,220

Purpose

NEJO was established as a more structured, permanent way for local councils, State agencies and other interested groups to collaborate. Each region decides its own priorities, working on short and long term projects such as attracting a new industry to the region or improving the health of a river system. By putting their resources together and focusing on the unique challenges and strengths of their whole region, NEJO members can drive better outcomes for local residents.

Summary

Council is required by law to be part of a Joint Organisation and benefits from a combined approach to projects, advocacy and support.

Item:	9.2	Ref: AINT/2020/33759
Title:	Amendments to the Model Code of Conduct	Container: ARC16/0617
Author:	Stacey Drew, Executive Policy Advisor	
Attachments:	1. Attachment 1 - ARC Model Code of Conduct - Proposed Additions for Council consideration	

OFFICER RECOMMENDATION

That Council:

- a) Adopt the updated Code of Conduct attached as Attachment 1 to this report.**
- b) Revoke the Social Media Policy (POL222) as provisions are now incorporated in the Code of Conduct.**

Context

The proposed additions to the Model Code of Conduct intend to add strength to the current General Fraud and Corruption Prevention Policy (POL197), and the Child Protection Policy (POL113). The addition of the social media clause allows for the Social Media Policy be revoked as it is more significantly positioned in the Code of Conduct.

Purpose

To enhance the Model Code of Conduct and strengthen relevant policies.

Proposal, Research and Analysis

- **Child Protection Clause:** This section is recommended to address the requirements out of the Royal Commission into Institutional Responses to Child Sexual Abuse. Council is committed to the safety and wellbeing of children and young people. This Code of Conduct clause aims to protect children and reduce any opportunities for child abuse or harm to occur. It is intended to complement child protection legislation, the Child Protection Policy, procedures and professional standards as these apply to Council staff and Councillors.
- **Social Media Clause:** The Social Media clause provides specific guidance on best practice behaviour when working and operating within social media and in online communities. It is important that employees & Councillors understand the difference between making representations on social media platforms on behalf of Council and the personal use of social media.
- **Fraud and Corruption Clause:** The Council recognises that fraud and corruption in Public Administration have the potential to cause significant financial and non-financial harm and therefore, the prevention and control of fraud and corruption should feature predominantly within the systems and procedures of a responsible Council. This section gives strength to the General Fraud and Corruption Prevention Policy and complies with the requirements of the Independent Commissioner Against Corruption Act 2012 (ICAC Act).

Impact

Council's consideration of this report ensures good governance, continuous improvement and risk minimisation.

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.

Summary

Continuous review and enhancements of Code of Conduct gently shapes Council into the kind of place that is not only compliant but that is close to its roots, the community, and the people it serves. The Code of Conduct should clearly state Council's core values, guidelines, and expectations.

Item:	9.3	Ref: AINT/2020/33808
Title:	Adoption of Revised Policy POL205 Pathway Name & Address (NAR)	Container: ARC16/0022-5
Author:	Kylie Steel, Support Officer	
Attachments:	1. Attachment 1 -Draft POL205 Pathway Name Address (NAR) - Changes to Name Postal Address Communication Information Details - August 2020	

OFFICER RECOMMENDATION

That Council:

- a) Endorse the draft policy (POL205) Pathway Name and Address (NAR) - Changes to Name, Postal Address, Communication and Information Details, attached as Attachment 1 and place on Public Exhibition for 28 days.**
- b) Receive a further report following the conclusion of the exhibition period.**

Context

The updated Policy includes the amalgamated Council, ePathway and eNotices and will enable Council to continue supporting and maintaining the integrity of information stored within Council's Pathway Name and Address (NAR) database.

Purpose

The Policy provides staff and customers with clear guidelines of the minimum requirements for the collection of data to ensure the consistent update of Pathway NAR to comply with Council's Operation Plan - L3.3 for Data Management Systems for Leadership of the Region - Organisational Health.

Proposal, Research and Analysis

The revised Policy outlines the collection, use and security of data/information; how to update information and change a person's name; use of Power of Attorney and the service of notices.

Impact

The information provided to Council is used to perform Council functions and activities, provide services requested by individual and to comply with legal and legislative requirements. There are repercussions for customers and staff if the data is incorrect.

Summary

Once adopted, this Policy will replace current POL205 - Changes to Name and Postal Address Details and communicated to Customer Service, Revenue and Information Technology staff.

Item: 9.4 **Ref:** AINT/2020/33855
Title: 2020 Christmas and New Year Closure Dates **Container:** ARC17/2389
Author: Stacey Drew, Executive Policy Advisor
Attachments: Nil

OFFICER RECOMMENDATION

That Council endorse the 2020 Christmas and New Year close down period from Friday, 25 December 2020 until the re-opening on Monday, 4 January 2021.

Context

This report advises Council of the closure of the administration offices and depots between Christmas and New Year and the essential service operations that will operate over this time.

Conventionally, Council has closed its normal business operations during the Christmas and New Year period. The 2020 Christmas and New Year proclaimed public holidays that fall during the close down period are as follows:

Friday	25 December	Public Holiday
Saturday	26 December	Close down
Sunday	27 December	Close down
Monday	28 December	Public Holiday
Tuesday	29 December	Close down
Wednesday	30 December	Close down
Thursday	31 December	Close down
Friday	1 January 2021	Public Holiday
Saturday	2 January 2021	Close down
Sunday	3 January 2021	Close down

The Christmas and New Year period is a time of low business activity for the Council and a time when many staff normally take leave.

A roster will be prepared for all staff required to work through this period where facilities remain open and to respond to emergencies and other critical and unforeseen break downs that may arise.

Staff that will not be required to work will be required to take leave on the working days during this period.

Council's on-line payment facilities allows registered users to make payments, lodge certificates, access Council's property and application registers, all of which are available 24 hours a day, seven days a week.

Item:	9.5	Ref: AINT/2020/33902
Title:	Independent Review of Governance Arrangements ARC16/0001-5	Container:
Author:	John Rayner, Interim General Manager	
Attachments:	Nil	

OFFICER RECOMMENDATION:

That Council:

- a) **Receive and note the report.**
- b) **Formally acknowledge and thank Mr Todd Hopwood and Ms Samantha Charlton for their assistance and the support of their respective Councils.**
- c) **Note that work has commenced on implementing the recommendations contained in the report.**
- d) **Direct that the Audit, Risk and Improvement Committee receive regular reports and monitor progress on the implementation of the recommendations.**

BACKGROUND:

Over time, mainly through people leaving Council and not being replaced, there has been a lack of focus and inadequate knowledge of local government governance requirements throughout the organisation.

Two local government specialists, Todd Hopwood, Manager Governance and Customer Service, Wollongong City Council and Samantha Charlton, Manager Governance, Risk and Corporate Planning, Willoughby Council were seconded to undertake a general review of and make recommendations on Council's governance policies, procedures and systems.

There is no blame attributed to Council's current Governance staff. They are new to local government, have had no relevant governance experience and were pleased to receive the support provided by Mr Hopwood and Ms Charlton. They have embraced the recommendations and are implementing them with enthusiasm.

REPORT PURPOSE

The Report provides a position statement on Council's governance capacity following an independent review. Of importance is the way staff have embraced the recommendations and are working towards ensuring Governance arrangements are of the highest order.

DISCUSSION

This report from Mr Hopwood and Ms Charlton provides a summary of findings and recommended actions. The document and the recommendations contained within will be used as a roadmap to guide the evolution of Council's governance framework. Solutions, projects or frameworks put in place must be tailored to the context of the Council operating environment.

The report covers:

- Policy Framework

- Risk Management
- Internal Audit & Audit Risk and Improvement Committee
- Statutory Reporting and Compliance
- Disclosures of Interest
- Delegations and Approval Process
- Council Meetings and Business Papers
- Corporate Governance Framework

Policy Framework

The report states:

“There is lack of clarity around the status, appropriateness and currency of all policy and practice note documents as there has been no completed comprehensive policy review process implemented since the merger of the two councils. The Executive Policy Advisor has proactively commenced such a review.

To guide the policy review project and the future drafting and approval of policies and procedures the Council should adopt a formal Policy Framework that will inform good policy development and management going forward.

The lack of clarity around policy and procedure documents is further compounded by the lack of a single source of truth in relation to policy documents. Some documents are stored in Pathway, some in TRIM, some are accessible on the Council website and Intranet which makes it difficult for staff to identify and follow correct policy and procedure. There is a need for a system or process to be defined to guide the management of the policy framework and ensure there is a single source for storing/publishing policy documents as well as to oversight the regular review of policy documents.”

It is now more than 4 years since the merger. The process of reviewing and creating policies for the new Council should have been completed some years ago. Council’s website contains only 21 policies depriving the community of knowledge and understanding of the policies under which Council operates.

The author is encouraged by the enthusiasm of staff to now review policies.

There will be a series of reports coming to the Council over coming months recommending the adoption of policies and updating codes.

Risk Management

The report states:

“In the structure of Council the responsibility for risk management has generally sat with the Coordinator level position in the Governance and Risk area with duties generally split between governance and risk. This level of resourcing both in terms of hours and seniority seems appropriate. However this particular role has not been filled by a staff member competent in both disciplines and experience in local government for quite some time.

This is a key role that needs to drive a significant amount of current and future initiatives to improve risk management in general but in particular the overall risk culture and

knowledge of appropriate risk management practices in the council staff. Current recruitment action is underway for the role of Coordinator of Governance and Risk.

Risk Management Policy and Framework

Council has an existing Enterprise Wide Risk Management Policy and Enterprise Wide Risk Management Framework. Both documents are based on the Australian/New Zealand Standard for Risk Management (AS/NZS 31000:2009), however this standard has been updated and replaced by the Australian Risk Management Standard (AS ISO 31000:2018 Risk Management). Both documents were appropriately drafted as at the time of adoption (Policy last adopted in mid-2017). However since that time the updated standards and the NSW Office of Local Government has released its Discussion Paper 'A new internal audit and risk management framework for local council in NSW', which proposes a mandatory risk management framework for Councils.

A requirement of the Discussion Paper is the development of a Risk Management Plan. This document will replace Council's current Enterprise Wide Risk Management Framework, however will incorporate much of the same content but will need to reflect the additional requirements of the proposed OLG Risk Management Framework."

Completing the Register, which will identify the highest level risks to Council, needs to be completed as a matter of urgency.

The report also highlights the risks to Council in not having a dedicated permanent and ongoing resource in the procurement function. An objective of the QI Budget Review is to identify savings which will enable Council to proceed with this appointment.

The report identifies a significant number of risk exposures for the Council.

Internal Audit and Audit Risk and Improvement Committee

The report states:

"The Internal Audit function operates under the auspices of a well documented and recently adopted Internal Audit charters. The Internal Audit function is resourced via a shared Internal Audit Service with Uralla and Glen Innes Councils, with the Internal Auditor spending about 40% of their time on Armidale Internal Audits. The Internal Audit function appears to be operating well under the above arrangements.

Whilst the Internal Audit function is working well, there is an opportunity to develop a framework around the implementation by staff of the recommendations arising out of internal audit reports. In order to derive their intended benefit, audit recommendations should be effectively implemented in a timely manner and the development of a Procedure for Monitoring and Closing of Audit Recommendations including standard timeframes for implementation and approval process for extensions can ensure this occurs.

An updated ARIC Charter has been adopted by Council in July 2020. This Charter has been drafted in line with the OLG Discussion Paper, however at this time the new Charter has not been endorsed by the ARIC, despite having held meetings since the adoption by Council. This should be rectified at the next available ARIC meeting, pending any further updates to be made."

Statutory Reporting and Compliance

The report states:

“Public Registers

According to the Government Information Public Access Act 2009 all public registers of a Council should be made available on their website. A review of 11 registers required to be held under various pieces of legislation showed that only 2 registers were available and accessible on the Council website, 1 register was available but incomplete and 8 registers were not available on the Council website.

Appointment of Statutory Officers

The significant staff shortages and high rate of turnover of governance staff has led to the omission of the appointments under various pieces of legislation. The Acting Director Organisational and Corporate Services has recently been appointed to the role of Public Officer, however there are a number of other statutory appointments that do not appear to have been made following the departure of relevant staff.

The Coordinator Governance and Risk, once appointed, will fulfil the following statutory roles:

- *Child Protection Officer*
- *Code of Conduct Complaints Coordinator*
- *Privacy Officer*
- *Public Interest Disclosures Officer*

Legislative Compliance Framework

Legislative Compliance is a key governance risk area often highlighted by the NSW Audit Office. The need for Council to establish a legislative compliance framework was highlighted in the NSW Audit Office Management Letter for the year ended 30 June 2017. “

It is of serious concern that a recommendation from an Audit has remained outstanding for more than 3 years.

Crown Lands that are classified as community land require a compliant Plan of Management under the Crown Lands Management Act. Even though Council has been granted funds as a contribution toward the cost of this work little, if any, progress has been made in the 2 years since the commencement of the Act.

These are serious omissions and management failures and are now being addressed.

Disclosures of Interest

The report states:

“Conflicts of Interest

A review of conflicts of interests made over recent years by Councillors has shown that there was a very low rate of declaration of conflicts as evidenced by the declarations that are held on file by Council. The relevant hard copy file (ARC16/0010) contained six declarations for the period 2017-to present. The electronic TRIM file (ARC16/0010) held an additional three forms that were not contained in the hard copy file. No central register of conflicts of interest has been identified. A total of 9 forms over a three year period is very low rate and is an indication of under reporting of conflicts of interests.”

Council has not complied with the requirement to publish the annual returns of designated officers on the Council website.

There is a need to educate staff on the requirements of the Code of Conduct in relation to conflicts of interest and to review the list of designated officers.

Delegations and Approval Processes

The report states:

“Our review in this areas identified that existing governance staff do not know how to use the delegations system, nor have experience in determining appropriate delegations for staff. There does not appear to be a centralised location form which staff can view their own, or delegations of others. In addition the format of instruments of delegation that are generated by the system are convoluted and difficult to interpret and understand for the end user.”

The recommendations in the report include reviews of the delegation database and the format of the delegation instrument.

From the author’s point of view there have been many decisions taken, contrary to the Code of Meeting Practice and acted upon without a formal Council decision. A number of these actions rose from Councillor Briefings or Workshops. This culture flowed through the organisation with decision-making and commitments not having the necessary endorsement of Council.

Council Meeting sand Business Papers

The report puts forward ways of establishing best practice arrangements for meeting preparation and management. A number of administrative tools and spreadsheets have been provided to staff to assist in managing business papers.

The report states:

“Staff in general seem to have little understanding of the reasons for writing council reports and it appears that large numbers of staff in decision making positions have had very little experience in drafting reports to Council. This is indicative of the approach the previous executive had towards Council reports as there appears to have been a definite limitation of the number and type of reports sent to Council for consideration as compared to other Councils.”

There will be a marked improvement in report presentation over the coming months. Also, matters which were previously decided by management not to go to Council will appear on the Business Paper as we move to be more transparent and accountable in our decisions and actions.

Corporate Governance Framework

The report states:

“..... over time, through people leaving Council there is a lack of sufficient knowledge of local government requirements, particularly in the governance area of council. Since the time of the most recent merger of Council there has been an insufficient level of focus placed on the importance of strong corporate governance. Strong governance frameworks and principles underpin any successful organisation but are especially important in public entities as we must demonstrate rigour and purpose to our efforts and endeavours so as to be open and transparent and maintain the trust of our communities.

Resourcing Issues

The single risk factor to the success of the corporate governance of council and indeed achieving the objectives of the entire council is the ability to attract and retain to key roles in the organisation. Regional areas are often at a disadvantage in the local government sector when it comes to recruitment, however if key roles can be filled on a steady and ongoing basis with knowledgeable staff, it is possible to still achieve goals by using those key staff to empower, educate and develop others.

Many staff have indicated that over recent years there have been two significant contributors impacting on the success of staff. Firstly an almost continuous level of structural reorganisation, leading to staff being unable to settle in roles, understand their objectives and deliver successful outcomes. The time churn that comes with reorganisation of staff is a significant detractor from staff efficiency and confidence. The second factor is the lack of ability to fill key roles, and when filled, the ability to retain staff in those roles.

In the governance area there has been more than 5 people fill the lead governance area role over the past 2 years. In general these staff have lacked sufficient knowledge of local government governance and have not stayed in the role for any significant time period. If council is to maintain any momentum on its governance and risk maturity journey this is an issue that must be resolved.

In addition to the lead governance role there are long term vacancies in procurement and management roles in customer service and information management. All of these areas are critical to embedding a strong base from which to implement a sound corporate governance framework moving forward."

The report highlights:

- Little focus on engaging a programmed business improvement initiative.
- Difficulty staff face in finding accurate and up to date information.
- There is no single course of storage of information.
- There is general lack of understanding of the processes to allowing public access to information.

Action taken during the review period

Even though Mr Hopwood and Ms Charlton were only with the organisation for 2 weeks, in addition to preparing the report they also:

- Held workshops
- Gave practical advice to staff
- Developed draft policies
- Guided a desktop review of all policies and practice notes
- Participated in the recruitment of the Coordinator Governance and Risk
- Assistance provided to assist with the preparation of reports to Council
- Disclosure and Declarations of Interest of Meetings Register prepared
- Delegations for the General Manager prepared
- Documents developed to improve Council Business Papers and Meeting Minutes
- Provided assistance with a review of Legal Services Panel in preparation for inviting Expressions of Interest to service on a new panel

There were many instances of day to day assistance to staff who have benefited from having expertise available to assist them.

Recommendations

A series of recommendations have been provided and these are being actioned. It is important to the operation, probity and reputation of Council that these be implemented.

IMPLICATIONS

Policy

Whilst part of the report highlights the need to review and adopt policies the overall emphasis is to properly resource and improve Council's governance role and framework and ensure compliance with the various Acts under which Council operates.

Risk

Currently Council is exposed on many fronts. Pursuit of the recommendations will identify and limit the risk to Council.

Sustainability

From a reputational and legal point of view Council's sustainability is at risk if it does not progress the recommendations. Through the commitment of staff, services are being delivered and the environment of the Local Government Area is being maintained.

Financial

The importance of good governance has been ignored for a number of years. There is a cost, not calculated, in training and resourcing and ensuring there is good governance across the organisation. The September Budget Review will be in depth and will identify the level of resources that can be re-allocated to address the shortcomings identified in the report.

Consultation and Communication

Throughout the secondment Mr Hopwood and Ms Charlton have consulted and worked with staff. Many of the policies will go on public exhibition as part of the review process.

Communication of the focus on governance will be essential as part of the welcome change that is occurring within the organisation.

Conclusion

The secondment of Mr Hopwood and Ms Charlton from Wollongong City and Willoughby Councils is an excellent example of larger Councils supporting a regional Council and could be the forerunner to more formal arrangements.

The report on governance arrangement is timely; it recognises the failure to adequately focus on and resource good governance. It is also a catalyst to improve the many elements of governance.

Staff responsible have been enthused and have received good guidance. Senior management will now implement; monitoring of progress will be referred to the Audit, Risk and Improvement Committee.

Item:	9.6	Ref: AINT/2020/33907
Title:	Adoption for Public Exhibition: Draft Risk Management Policy	Container: ARC16/0692
Author:	Stacey Drew, Executive Policy Advisor	
Attachments:	1. Draft Risk Management Policy	

OFFICER RECOMMENDATION

That Council:

- a) Endorse the draft Risk Management Policy being placed on public exhibition for a period of 28 days, commencing 4 November 2020 concluding 1 December 2020.**
- b) Receives a further report at the conclusion of the exhibition period.**

Context

The Draft Risk Management Policy is provided for endorsement to place on public exhibition. The *Local Government Act 1993* requires all councils to appropriately manage its risks. The NSW Government's *Internal Audit Guidelines* encourage all councils in NSW to have a structured risk management framework in place to identify any known and emerging risks they face and implement controls to manage these risks.

The Draft Risk Management Policy has been circulated for comment to Council's Audit Risk and Improvement Committee (ARIC) and Executive. ARIC have provided their feedback on the content of the document as well as the risk settings defined in the policy. The ARIC have endorsed the draft Risk Management Framework, which is a requirement of the proposed OLG risk management framework, prior to adoption by Council.

Purpose

Risk management is a fundamental component of decision making in all Council activities. All decisions made by Council and its Officers need to consider the risks involved in taking those decisions and the impact those decisions will have on the achievement of Council's objectives. Successful implementation of the risk management framework will enhance the delivery of The Vision, Strategic Directions and Community Outcomes.

Proposal, Research and Analysis

Council is reviewing its risk management arrangements and processes to ensure that they are best practice and framework that allows decisions to be made with an understanding of Council's risk environment and to facilitate the taking of risks and capitalising on opportunities, within Council's risk appetite, to assist Council meet its strategic objectives.

Impact

There are no additional financial implications from the development and implementation of the Risk Management Policy.

Summary

Council operates in uncertain and changing economic, social, political, legal and business environments. Risk management is not about being risk averse and it is not a guaranteed way to eliminate all the risks Council faces altogether. The Risk Management Policy and Risk

Management Framework provide direction and guidance to the management of Council in a way that allows the reduction of negative impacts of risks to a level that is acceptable and allows the decision to take calculated and appropriate risks that will help Council achieve its strategic goals and deal positively with opportunities.

Item:	9.7	Ref: AINT/2020/34348
Title:	Adoption of draft Policy Framework	Container: ARC18/2518
Author:	Stacey Drew, Executive Policy Advisor	
Attachments:	1. Draft Policy Framework 2020	

OFFICER RECOMMENDATION

That Council adopt the draft Policy Framework.

Context

Council administration are currently undertaking considerable work to ensure Council policies are updated and the correct versions of policies are uploaded to the Council website and placed in appropriate organisational management system. This will ensure the ongoing improved management of Council policies including the timely review of policies.

Purpose

Policies are fundamental components of Council's ability to provide good governance. They are used to articulate Council's position on matters, guide decision making by the elected Council and administration, and inform the public about how Council is supported by policy to make good decisions that will create positive outcomes for the local communities.

Proposal, Research and Analysis

The draft framework provides a structure for the development of all policies and associated procedure documents and also references the principles and key considerations for development of all Council policy and procedure documents. The draft framework also defines the approval mechanisms and review requirements for each category of document.

Impact

There is no immediate financial implication as a result of the review of Council policies. However, implementing an effective policy framework will inform and strengthen the quality of policy development and management going forward.

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.

Summary

This proposed framework will contribute to Council's ability to be innovative, agile and responsive to change in decision making while being soundly guided by good governance.

Item:		Ref: AINT/2020/34570
Title:	Review of Council's Committee Structure	Container: ARC16/0759
Author:	John Rayner, Interim General Manager	
Attachments:	Nil	

OFFICER RECOMMENDATION:

That Council:

- a) **Note the community based Advisory Committees of Council are currently under review and that a number of consultative forums have been scheduled as part of this process. In addition, a number of personal interviews are currently being conducted with a range of external stakeholders and Council staff.**
- b) **Defer meetings of the Community Wellbeing Committee, The Environmental Sustainability Advisory Committee, the Arts Cultural and Heritage Advisory Committee, the Sports Council Committee, the Community Wellbeing Committee, the Armidale Regional Aboriginal Advisory Committee, the Regional Growth and Place Activation Advisory Committee pending the Council's consideration of the recommendations from the current review of committees.**
- c) **Committee members be thanked for their valuable contribution to Council and the community.**
- d) **Defer meetings of all Working Groups, attached to committees, pending Council's consideration of the recommendations from the current review of committees.**
- e) **Working group members be thanked for their valuable contribution to Council and the community.**

Purpose

The purpose of this report is to propose the suspension of a number of advisory committees pending the Council's consideration of its recommendation from the current review of committees.

Background

A report undertaken by Ian Reynolds on the Advisory Committees was received by Council in June 2020. The report recommended a review of the Terms of References for each Committee. In addition, the report also recommended a review of the functions of the Audit, Risk and Improvement Committee (ARIC) in light of recent changes to the Local Government Act and, if necessary, recruitment of new members to fill any skills / knowledge gaps.

A further report was presented to Council in July 2020, adopting a new template for the Terms of Reference for the Environmental Sustainability Committee, Arts Culture & Heritage Advisory Committee, Traffic Advisory Committee, Sports Council Committee, Regional Growth and Place Activation Committee, and the Community Wellbeing Advisory Committee.

Upon further investigation it was determined that additional analysis and community engagement was required with a view to ensuring that the number of Advisory Committees, their roles and responsibilities, are more clearly defined. The increased scope of the project will

provide the community with additional opportunities for input. Consultation will ensure the value of local knowledge and expertise with the aim of focusing valuable volunteer efforts to better align with the Community Strategic Plan and operational decision making.

The review currently under way will engage current committee members and residents not on current committees. Face to face meetings are taking place and a public forum will be held. It is expected that the report following the review will be presented to Council by February 2021.

Council has the following committees, some of which have scheduled meeting between now and Council's December meeting.

- Community Wellbeing Committee (26 November 2020)
- Sports Council Advisory Committee (1 December 2020)
- Regional Growth and Place Activation Committee (date to be confirmed)
- Arts, Cultural and Heritage Advisory Committee (committee not meeting until advised by Council on committee review outcome)
- Environmental Sustainability Advisory Committee (23 November 2020)
- Armidale Regional Aboriginal Advisory Committee (28 October 2020)

Discussion

The purpose of the review is to ensure the number, structure and roles of Committees:

- Meet statutory and governance requirements and accounting standards.
- Considers operational costs and efficiencies.
- Consider best practice approaches to engagement being used in the public sector.
- Inform and align with Council's Community Strategic Plan, Delivery Program and Operational Plans.
- Ensure that the Council obtains the best advice from the community volunteers.

The review of the Advisory Committees will include:

- The documentation of existing committees, including their governance and membership.
- Interviews with Council Officers who have responsibilities for organising, supporting and managing committees.
- Extensive consultation through a number of forums with key stakeholders, including Committee members, local residents from across the region and business representatives.
- A review of relevant legislation, plans, policies and other documentation.

It should be noted that the statutory committees Audit, Risk and Improvement Committee and Traffic Committee will continue.

Impact

Policy

There needs to be a close alignment between the Community Strategic Plan and the workings and recommendations from committees recognising the capacity of the organisation to fulfil the actions in the annual operational plan.

Risk

There are no legal or risk implications with the recommendations in fact in the longer term risk to Council and the community should be reduced under a new committee system and terms of reference.

Sustainability

The recommendations will have no impact on the sustainability of the Council or the environment.

Financial

Resources which would be applied to the committees over coming months will be applied to pursuing related or backlog work.

Consultation and Communication

The review will include extensive consultation with the current and prior committee members and the community generally.

Conclusion

Without detracting from the value of the contributions from the community members the current review will produce a better outcome for the community.

The review of the Advisory Committees is currently underway and will be completed before the end of the year. In the interim period it is recommended that the Advisory Committees and their working groups be put on hold pending the presentation of the review and its findings to Council for consideration.

Item:	9.9	Ref: AINT/2020/34900
Title:	Tabling of Disclosure of Pecuniary Interests and Other Matters for the period 1 July 2019 – 30 June 2020	Container: ARC19/3543
Author:	Stacey Drew, Executive Policy Advisor	
Attachments:	Nil	

OFFICER RECOMMENDATION:

That Council note the tabling of Disclosures of Pecuniary Interest and Other Matters by designated persons lodged for the 12 months ending 30 June 2020.

Context

The completion by designated persons and tabling of Disclosures of Pecuniary Interests and Other Matters is required under clause 4.21 of the *Model Code of Conduct for Local Councils in NSW 2020* (the Model Code).

Purpose

To table the Disclosures of Pecuniary Interests and Other Matters returns for the period 1 July 2019 – 30 June 2020.

Proposal, Research and Analysis

Pecuniary interests and other matters are to be disclosed in returns by designated persons in accordance clause 4.21 of the Model Code. Council Officers have provided both the form and guidelines for the completion of returns to designated persons outlining their responsibilities to complete the return for the period 1 July 2019 to 30 June 2020 in order to comply with the provisions of the Model Code.

All designated persons are required to lodge their return with the General Manager by 30 September each year. Council has identified 33 designated persons, as at the 30 September 2020 all returns had been lodged.

Impact

The General Manager is required to table returns at the first available council meeting following the 30 September deadline for completion of returns, the consideration of this report satisfies this obligation.

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.

Summary

The tabling of returns at the first Council meeting following the 30 September 2020 deadline satisfies Council's obligations under the Model Code. Completed returns of designated persons have been included in Council's register of returns.

Item:	9.10	Ref: AINT/2020/34926
Title:	Regional City Living and Working Campaign	Container: ARC18/2825
Author:	John Rayner, Interim General Manager	
Attachments:	Nil	

OFFICER RECOMMENDATION:

That Council endorse the Memorandum of Understanding between Regional Cities NSW, of which Armidale Regional Council is a member, to commit to a promotion of regional city living and working.

Purpose

The purpose of this report is to seek Council's endorsement of a Memorandum of Understanding (MOU) between members of Regional Cities NSW to promote regional city living and working.

Discussion

Along with 11 other regional cities, Armidale Regional Council is a member of Regional Cities NSW.

These member cities have each signed a MOU which:

a) Reflects a joint commitment between the cities to grow regional cities in NSW through the promotion of regional city living and working. This commitment will be activated through a state-wide marketing campaign targeting, predominantly, people currently living in Sydney and other metropolitan cities.

b) Serves as a framework under which the cities will act in cooperation to facilitate the oversight and delivery of the Regional Living and Working Campaign.

The Regional Living and Working Campaign is both the development of a resident attraction / job matching platform and promotional (marketing and public relations) activation. The campaign and platform will be designed and delivered to leverage off the interest in Regional NSW from the COVID-19 pandemic to entice Sydneysiders (predominately) and other metropolitan residents to RCNSW party cities.

The campaign will meet two key RCNSW policy agendas:

- A proactive approach to better population management in NSW; and
- Addressing well documented skills shortages in member cities.

A NSW State Government investment of \$2.5 million will be allocated towards the campaign and will require an in-kind contribution from participating members to manage local activity.

The project will be managed by the Regional Cities NSW board, which consists of membership of the Mayor and Chief Executive Officer/ General Manager of each member city.

The project will be resourced through the following mechanisms:

- The NSW Government via a grant-based agreement; and
- In-kind Contribution of the MOU Parties.

Each participating party will have the responsibility for in house resourcing for the Regional Living and Working Campaign / Regional Jobs site, equivalent to an estimated 0.4 FTE/week (\$35, 000) annually.

Item: 9.11 **Ref:** AINT/2020/34966
Title: New England Joint Organisation - Meeting 29 September 2020
Container: ARC18/2713
Author: John Rayner, Interim General Manager
Attachments: 1. Draft Minutes - New England Joint Organisation NEJO Meeting - 28 September 2020

OFFICER RECOMMENDATION:

That Council receive and note the Minutes of the Meeting of the New England Joint Organisation held on 29 September 2020.

Context

Council is a member of the New England Joint Organisation (NEJO) and was represented by the Interim Administrator and the Acting General Manager at its meeting held on 29 September 2020 at Inverell.

Purpose

To inform Council of the decisions of the New England Joint Organisation meeting held on 29 September 2020.

Discussion

Like other Joint Organisations across the state, the NEJO is facing financial difficulties. Subscriptions have been increased for the Financial Year 20/21 and some councils are questioning the benefits of membership. The Armidale Regional Council fees have increased from \$5,500 to \$28,320.

There was discussion about priorities and sustainability of the NEJO and it was decided that a workshop be conducted prior to the next Board to look at projects that may be delivered by the Board.

The minutes don't record this but that can be corrected at the next meeting.

Item: 10.1 **Ref:** AINT/2020/34154
Title: Local Roads and Community Infrastructure successful funding programs including CBD/Mall Vibrancy Enhancement Project
Container: ARC17/2177-6
Author: Lilian Colmanetti, Project Officer - Strategic Infrastructure Planning
Attachments: 1. Armidale Regional Council Mall Vibrancy Plan 2017-2021

OFFICER RECOMMENDATION

That Council:

- a) **Note that the Local Roads and Community Infrastructure Program funding application has been successful in obtaining funding \$1,429,701 for:**
- i. **Guyra Community Precinct (complimentary to the Guyra Early Learning Childhood Centre Stage 1) \$985,000**
 - ii. **Central Business District Revitalisation Project \$423,100**
 - iii. **Council Owned Community Facility Renewal \$6,601**
 - iv. **Ebor Local Area Committee – Community Initiatives \$15,000**
- b) **Endorse the work schedule attached for the Central Business District Revitalisation project, which aligns with the adopted Mall Vibrancy Plan 2017 – 2021.**

Context

The Armidale City Mall Vibrancy Plan 2017-2021 has been adopted by Council in the 22 March 2017 meeting, resolution 79/17.

Total funding available for the CBD Vibrancy Enhancement in the Mall project is \$423,100.

As per resolution 237/20, this project and the Streets as Shared Spaces funding project teams will consolidate current and proposed Armidale Mall and CBD revitalisation activities to ensure the work aligns with the adopted Mall Vibrancy Plan 2017 – 2021.

Purpose

The main purpose of this project is to stimulate growth and create jobs in our local community following the impacts of COVID-19.

Through this project, Council will be able to deliver benefits to communities as per adopted Mall Vibrancy Plan, attracting more people to the Mall, supporting local business, improving security and lighting, and carrying out greatly general maintenance works.

Proposal, Research and Analysis

The table below provides an overview of the project alignment with the Armidale City Mall Vibrancy Plan 2017-2021 – Infrastructure – Key focus area 3 and the Community Strategic Plan – Community Outcome 3 – Growth, Prosperity & Economic Development.

A full communications plan will be developed prior to this project to start.

Central Business District Revitalisation Project - LRCI Program				
Work schedule		Mall Vibrancy Plan	Community Strategic Plan	\$
Laneway rejuvenation (note that the lane way refers to the walk way of the mall and little lane behind the bus shelter. No paving is planned for the laneway between the Boobooks and Tatts)	Lane way rejuvenation through improved paving	3.1 Placemaking I 3.1.1 Accessways, wayfindings and murals I Define clearly signed access ways and undertake laneway rejuvenation	i. Develop a marketing program of attractions, combined with effective signage, to encourage people to stop and visit the region's centres as they commute between other destinations (G3.3 Delivery Program 2018-21)	260,100
	Upgrade of playground			
	Removal of concrete structures that are under utilised	3.3 De-clutter the Mall I 3.3.3 Review obstacles within the Mall I Review the number and positioning of 'obstacles' within the Mall (electricity boxes, telephone boxes and booths), to reduce, eliminated or to disguise with murals and other artwork		
	Removal of two high risk Liquid Amber trees and replace them with new ones			
Improved signage	New and improved signage	3.1 Placemaking I 3.1.1 Accessways, wayfindings and murals I Define clearly signed access ways and undertake laneway rejuvenation I 3.1.8 Signage and wayfinding I Review signage and wayfinding in the mall and surrounding precinct	ii. Implement elements of the Mall Vibrancy Plan iii. Provide Central Business District (CBD) infrastructure that supports a more vibrant and varied offering of shopping experience for tourists (G3.4 Delivery Program 2018-21)	16,000
Clean up and reinitiate water fountain	Clean up and re-initiate water fountain	3.2 Upgraded Infrastructure I 3.2.2 Upgrade the existing fountain I Provide a modern water-feature/fountain which can be switched off during winter, when shared access way is in use or open space is in use		14,000
Lighting	New lighting equipment to improve safety and activity in town centre	3.1 Placemaking I 3.1.5 Façade enhancement and lighting I Develop a 'façade enhancement and lighting scheme' and encourage its take-up by property owners. Engage a lighting consultant to propose lighting options for the Mall facades (above the awnings) for inclusion within this scheme. 3.3 De-clutter the Mall I 3.3.1 Update lighting fixtures and banner poles I Review the number, placement and design of lighting fixtures. Implement new lighting that has consistent design, is sympathetic to other lighting, appropriately positioned and 'intelligent' offering low energy consumption. Review and replace banner and flag poles with functional and appropriately sized units.		93,000
Contingency				40,000
				423,100

Impact

The Local Roads and Community Infrastructure Program is critical for recovery phase of the Armidale Region, 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.

The FY20/21 Operational Plan will have to be increased on the next quarterly review.

Summary

The CBD Vibrancy Enhancement in the Mall project will have a direct impact on our community, bringing jobs for the Region, helping local businesses and attracting more people to the Mall.

The project is in line with the Armidale City Mall Vibrancy Plan 2017-2021 and the Community Strategic Plan.

Item:	10.2	Ref: AINT/2020/34331
Title:	Bushfire Community Recovery and Resilience Fund (Phase 2) - Stream 1 - Funding application	Container: ARC17/2177-6
Author:	Lilian Colmanetti, Project Officer - Strategic Infrastructure Planning	
Attachments:	<ol style="list-style-type: none">1. Bushfire Community Recovery and Resilience Fund Phase 2 - Program outline2. Bushfire Community Recovery Resilience Fund - Phase 2 Stream 1 - Guidelines	

OFFICER RECOMMENDATION

That Council endorse the submission of a funding application to the Department of Regional NSW - Bushfire Community Recovery and Resilience Fund (BCRRF) Phase 2 Stream 1 with total cost of \$250,000 for the following projects:

- i. **Council-led community grants program \$62,500**
- ii. **Community events and social activities in the Eastern Villages that have been affected by the bushfires \$42,500**
- iii. **Waterfall Way Tourism Recovery Campaign \$120,000**
- iv. **Review of Council Grants and Subsidies \$15,000**
- v. **Development of a plan/ document for Clubs to use when seeking Regional, State and Federal events \$10,000.**

Context

In September 2020 phase two of the Bushfire Community Recovery and Resilience Fund (BCRRF) provided through the joint Commonwealth-State Disaster Recovery Funding Arrangements has been announced. The funding will support community recovery, promoting community well-being, social and broader recovery and future disaster resilience following the bushfires.

Note that the funding announcement has been made on September 29 and applications for Stream 1 closed on the October 27 – Submission had to be made prior to Council meeting.

This funding is available in two streams.

Purpose

The main purpose of the Stream One is to support small-scale, short term community activities including a minimum of 25% of the funds to be used for a local council-led community grants program.

Armidale Regional Council will be allocated \$250,000 and project proposals application closes midday Tuesday 27 October 2020.

Proposal, Research and Analysis

The nominated projects align with the Community Strategic Plan – Our People, Or Community – specifically in relation to:

- P2 – Culture – Events and cultural activities provide the community with the opportunity to celebrate the unique culture and lifestyle of the region
 - P2.1 – Deliver and support local programs and events which meet the social and cultural needs of the community (Delivery Program 2018-2021)

- P 2.4 Support and empower the community to deliver community initiatives that improve the lives of residents and visitors to the region (Delivery Program 2018-2021)

Impact

If the project proposals application is approved, Armidale Regional Council will be able to provide the community with community grants program which will include youth events, community events and social activities in the Eastern Villages that have been affected by the bushfires, a Tourism campaign, the review of Council's current grants and subsidies and the development of a plan/ document for Clubs to use when seeking Regional, State and Federal events.

There will be impact on the FY20/21 Operation Plan.

Summary

The Bushfire Community Recovery and Resilience Fund will enable Armidale Regional Council to deliver and support community events and activities promoting community well-being, social and broader recovery and future disaster resilience following the bushfires.

Item:	10.3	Ref: AINT/2020/34374
Title:	Special Rate Variation and Rates Harmonisation ARC17/2315	Container:
Author:	Kelly Stidworthy, Manager Financial Services	
Attachments:	1. SRV Financial Assessment Report	

RECOMMENDATION:

That Council:

- a) **Commence community engagement on the following Special Rate Variation (SRV) options:**
 - 1. **A permanent SRV of 18.5% plus 2.0% rate peg (total 20.5%) commencing in 2021-22;**
 - 2. **A permanent SRV of 8.5% plus 2.0% rate peg (total 10.5%) commencing in 2021-22; and**
 - 3. **Discontinuation of the temporary SRV of 10% (above the rate peg) applied by the former Armidale Dumaresq Council and ending on 30 June 2021;**
- b) **On or before 27 November 2020, formally notify IPART that Council intends to submit a Special Rate Variation application;**
- c) **Note that the community engagement will also cover rates harmonisation impacts effective 1 July 2021; and**
- d) **Note that the Special Rate Variation and Rates Harmonisation community engagement period runs from Monday, 2 November 2020 through to Thursday, 10 December 2020.**

Context

Special Rate Variation

In 2021 a temporary Special Rate Variation (SRV) of 10% (above the rate peg) applied by the former Armidale Dumaresq Council over a seven year period will expire, reducing Council's overall rates income by \$1.5 million annually. Funding generated from the temporary SRV has paid for key asset renewal programs including the maintenance and renewal of community assets including roads, bridges, storm water drainage and facilities.

The need to, at a minimum, replace the funding generated from the temporary SRV has been known for some time and is supported by the following Council resolutions:

28 August 2019

That Council resolves to pursue the application of a Special Rate Variation effective 1 July 2021.

29 July 2020

That Council commence investigation and an analysis of options for a Special Rate Variation, with the purpose of considering an application for a Special Rate Variation effective 1 July 2021, with a minimum outcome being retention of funding provided by the current temporary Special Rate Variation.

Demonstration of the community's awareness of a proposed SRV, including the need for, extent and impact of the SRV is an essential element of the Independent Pricing and Regulatory Tribunals (IPART) consideration of a council's SRV application.

Rates Harmonisation

Since amalgamation of Armidale Dumaresq and Guyra Shire Council in 2016 Council has been required to maintain two rating systems for the local government area. This was due to a four year rate freeze imposed by the NSW Government.

Under current legislation, from 1 July 2021, Council must maintain one consistent rating structure to ensure a fairer and more equitable system across all rating categories within the Armidale Regional Local Government Area. This is known as rates harmonisation and will require adjustment to some rating categories to align them with the requirements of the Local Government Act and Regulation.

A key requirement of the SRV community engagement process is to ensure that ratepayers are aware of the impact on rates that the SRV would result in. As rates harmonisation will also have some impacts on rates it is necessary to explain these impacts to the community as part of the SRV process so that the individual impact of the two processes is understood.

Purpose

This report proposes that Council commence community engagement on the SRV scenarios that have been modelled to demonstrate the requirement for Council to apply for an SRV in order to maintain services to the community and achieve a financially sustainable outcome. The community engagement will also cover the impacts of rates harmonisation, which is a mandatory legislative requirement and will take effect from 1 July 2021.

Proposal, Research and Analysis

History of Special Rate Variations

In comparison with other NSW councils, Armidale-Dumaresq and Guyra Shire Councils used the SRV process minimally over the past decades. Compared with other NSW councils, ratepayers in this region have experienced modest rates increases over 20 years+.

The table below indicates temporary SRVs that were used to increase rates revenue for a temporary period of five to ten years. The percentage increases include the SRV and the annual rate peg. The table starts in 2005/06, and before that year the Councils had not applied for or been granted any SRV since 1997/98.

Council	2005 /06	2006 /07	2007 /08	2008 /09	2009 /10	2010 /11	2011 /12	2012 /13	2013 /14	2014 /15
Rate Peg	3.50%	3.60%	3.40%	3.20%	3.50%	2.60%	2.80%	3.60%	3.40%	2.30%
Armidale Dumaresq	5.78% (expired 2013/14)									12.30% (expires 2020/21)
Guyra Shire					8.43% (expired 2013/14)					8.00% permanent

It can be seen from the above table that temporary SRVs have been used as an additional source of funding by both the Armidale Dumaresq and Guyra Shire Councils for the last 15 years.

2014/15 SRV Background

In 2014/15 Armidale-Dumaresq Council engaged the community on the following SRV options:

1. No SRV increase;
2. An increase of 20% for 7 years; and
3. An increase of 10% for the first year and an additional 10% thereafter.

Despite apparently identifying the need for an SRV of 20% plus the rate peg the Council at that time applied for and was granted approval for the 2014/15 SRV of 10% plus the 2.3% rate peg for the purposes of funding the program of asset renewals for roads, stormwater drainage, recreation, facilities and buildings. The value of the SRV at that time was \$1,287,368.

Over the 7 year term of the SRV the following amounts were identified to be invested in asset renewal within the General Fund:

Renewals \$'000	2014 /15	2015 /16	2016 /17	2017 /18	2018 /19	2019 /20	2020 /21	Total
Road	720	722	793	366	659	819	1,055	5,134
Stormwater and drainage	147	298	248	652	427	482	416	2,670
Recreation and facilities	273	137	145	130	113	104	89	991
Buildings	120	133	142	221	211	47	145	1,019
Total	1,260	1,290	1,328	1,369	1,410	1,452	1,705	9,814

This investment in renewals has been occurring; however, the building and infrastructure renewals ratio is still low compared to the Office of Local Government benchmark of 100% or more.

The actual reported and forecast General Fund building and infrastructure renewals ratio over the same time period has been:

	2014 /15	2015 /16	2016 /17	2017 /18	2018 /19	2019 /20	2020 /21 (f)
Infrastructure Renewals Ratio	32%	74%	56%	52%	43%	27%	57%

Financial Sustainability

NSW Treasury Corporation defines financial sustainability as:

A local government will be financially sustainable over the long term when it is able to generate sufficient funds to provide the levels of service and infrastructure agreed with its community.

The Office of Local Government uses a range of performance indicators to determine local government financial sustainability. Of these, key indicators are:

KPI	Measure
Operating Performance Ratio	Indicates Council's capacity to meet ongoing operating expenditure requirements
Unrestricted Cash Expense Cover Ratio	Indicates the number of months Council can continue paying for immediate expenses without additional cash inflow excluding restricted fund
Building & Infrastructure Renewals Ratio	Measures the rate at which these assets are being renewed relative to the rate at which they are depreciating

Armidale Regional Council's Financial Position

Council's financial position had deteriorated from merger and, while it has stabilised, the outlook based on current funding levels is not sustainable.

Council's unrestricted cash level had deteriorated to \$1.49m at 30 June 2018. At 30 June 2020 this has increased to \$2.14m, however, this only represents around 2-3 weeks of expenditure.

At current funding levels Council is not able to achieve an operating surplus and, as a result, expenditure on asset renewal remains unsatisfactory. Over time this results in a growing infrastructure backlog that will become a burden on future generations.

Independent financial modelling has been undertaken on the ten year financial forecast that demonstrates that without retention of the funding provided by the temporary SRV, Council's financial position is unsustainable from 2021/22 due to a significant reduction in unrestricted cash, which worsens due to the cumulative impact of lost recurrent revenue. Even with retention of the funding provided by the temporary SRV, the financial position remains poor. Both scenarios produce unsatisfactory outcomes for the operating result, unrestricted cash position and asset renewal.

SRV Financial Modelling

Based on the independently constructed long term financial plan and modelling undertaken by Morrison Low, attached to this report, the following SRV options have been identified:

1. Base Case – no SRV
 - Under this scenario Council would fail many of the Office of Local Government performance measures
 - Revenue provided from the temporary SRV is discontinued - \$1.468m per annum
 - Significant General Fund operating deficits result, which would require significant cuts to community services
 - General Fund unrestricted cash reserves fall into an overdraft position immediately
 - Expenditure on asset renewal is \$63m less than required over ten years producing an unacceptable backlog ratio, this will lead to a deterioration of assets and a significant financial burden placed on future ratepayers
2. Retention of temporary SRV
 - Under this scenario Council would fail key Office of Local Government performance measures
 - Revenue provided from the temporary SRV is retained - \$1.468m per annum – by way of a permanent SRV application for 8.5% plus the rate peg of \$2.0% (total 10.5%)
 - Significant General Fund operating deficits are initially incurred and the position does not improve until several years into the scenario, which would require a review and reduction of services
 - General Fund unrestricted cash reserves fall into an overdraft position immediately
 - Expenditure on asset renewal is \$36m less than required over ten years producing an unacceptable backlog ratio, this will lead to a deterioration of assets and a significant financial burden placed on future ratepayers
3. Retention of temporary SRV plus additional SRV
 - Under this scenario Council would meet many of the Office of Local Government performance measures
 - Revenue provided from the temporary SRV is retained plus an additional 10% SRV is sought by way of a permanent SRV application for 18.5% plus the rate peg of \$2.0% (total 20.5%)
 - Significant General Fund operating deficits are initially incurred but the position improves to an operating surplus early in the scenario
 - General Fund unrestricted cash reserves fall into an overdraft position immediately but this improves early in the scenario

- Expenditure on asset renewal is adequate over ten years producing an acceptable backlog ratio

Base case scenarios have also been modelled for water, sewer and domestic waste management.

The modelling has demonstrated that the only scenario that will produce a financially sustainable outcome is retention of the temporary SRV plus additional SRV. Even with this scenario it would be necessary for Council to implement an improvement plan framework.

Rates Harmonisation

Under current legislation, from 1 July 2021, Council must maintain one consistent rating structure across all rating categories. Any change to existing rating categories will create volatility. The Local Government Act requires that rating categories are structure on the basis of:

Category	Subcategories may be determined:
Residential	according to a centre of population, or according to whether the land is rural residential
Business	according to a centre of activity
Farmland	according to intensity of land use, or economic factors affecting the land or irrigability of land
Mining	according to the kind of mining involved

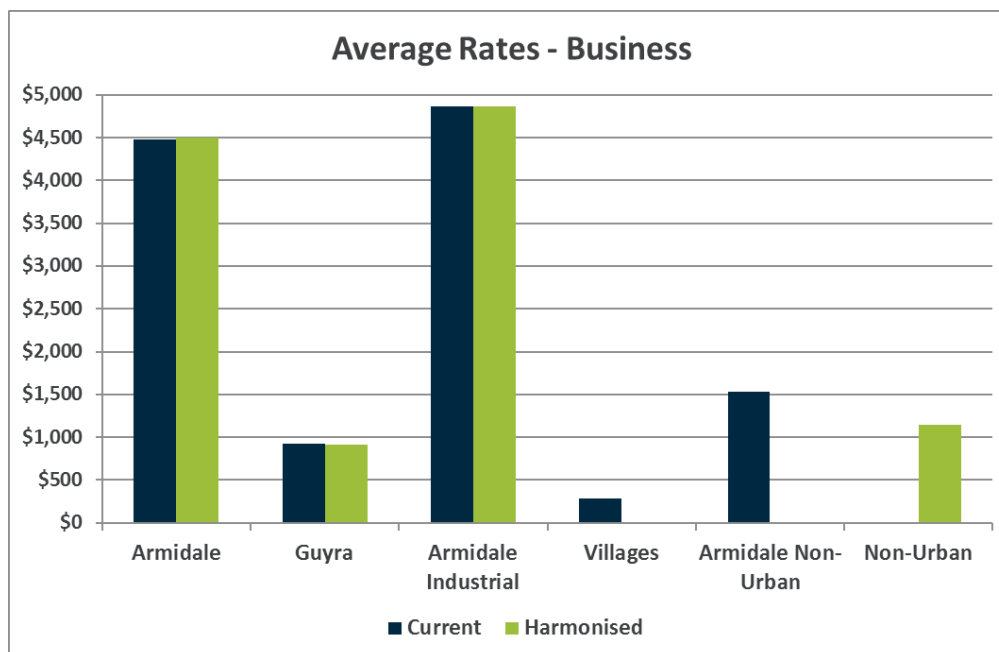
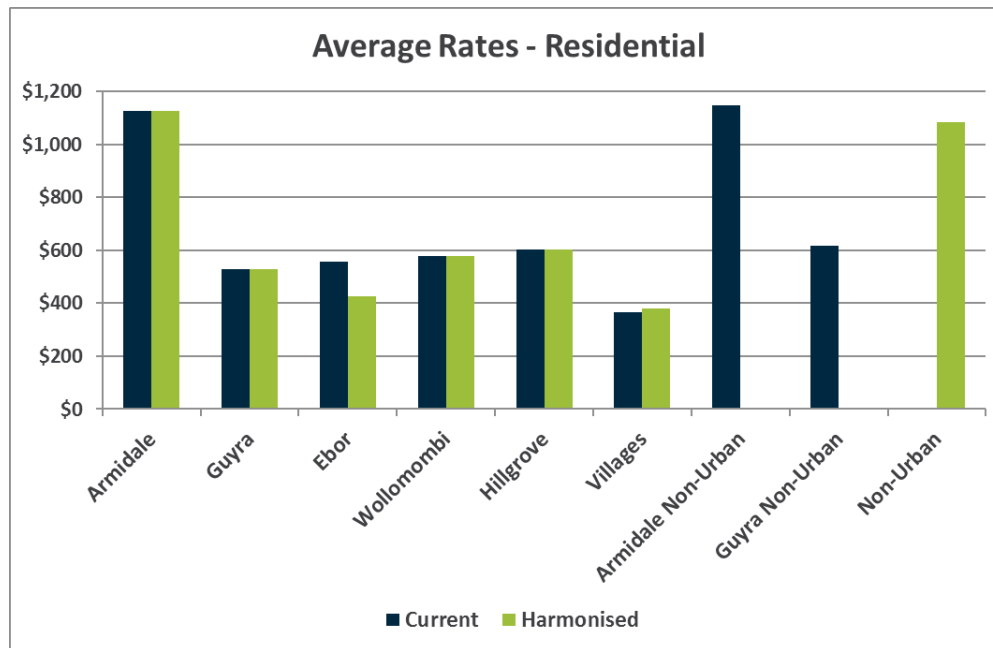
When this criteria is applied over the existing rating structures, it is identified that the rural residential, residential village and non-urban business and farmland categories have to be restructured to be compliant with the Local Government Act.

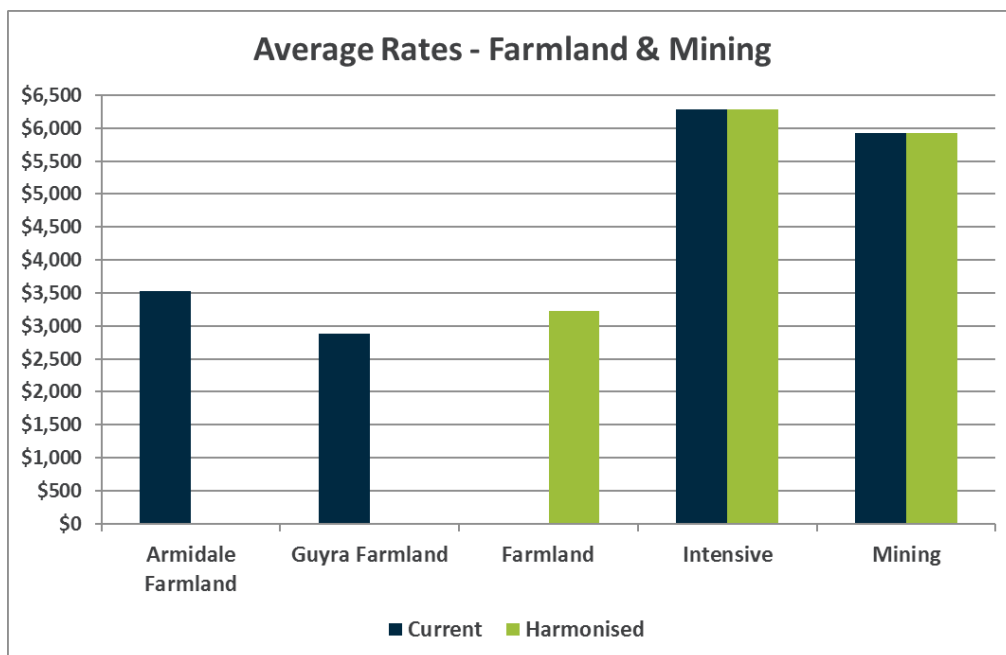
A range of scenarios have been modelled and it is proposed that the following harmonised structure be implemented at 1 July 2021:

Category	Current Structure		Harmonised Structure
	Armidale	Guyra	
Residential	Armidale, Non-Urban, Wollomombi, Ebor, Hillgrove	Guyra, Village, Non-Urban,	Armidale, Guyra, Ebor, Woollomombi, Hillgrove, Villages, Non-Urban
Business	Armidale, Industrial	Guyra, Village	Armidale, Guyra, Industrial, Non-Urban
Farmland	Armidale	Guyra, Intensive	Farmland, Intensive
Mining	Armidale		Mining

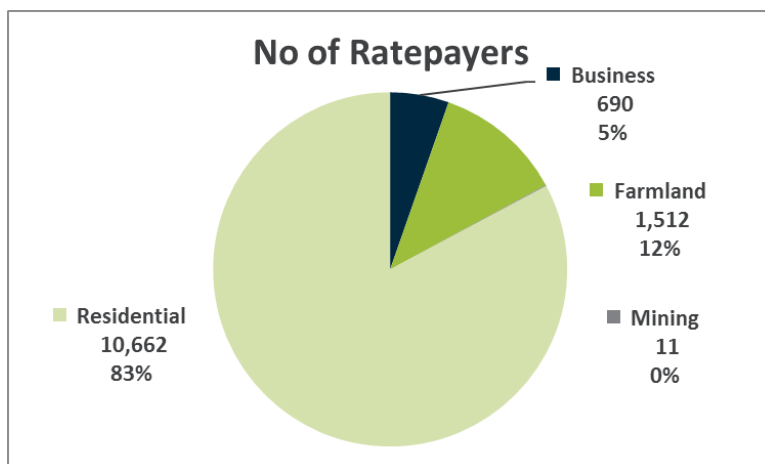
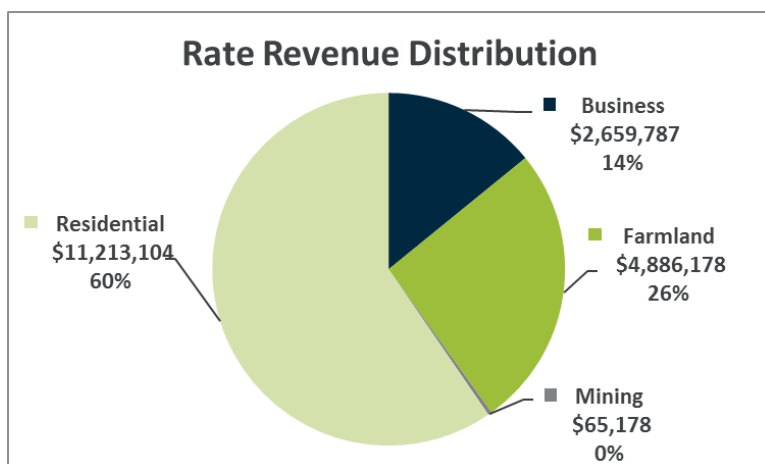
The challenge in harmonising rates is recognised by the State Government. The Minister for Local Government has committed to taking a bill to the Parliament early next year which would provide options for Council to implement rates harmonisation more gradually. There is no guarantee that the bill will be passed by Parliament so Council must proceed under the current law but would be able to review the available options once the new legislation is available.

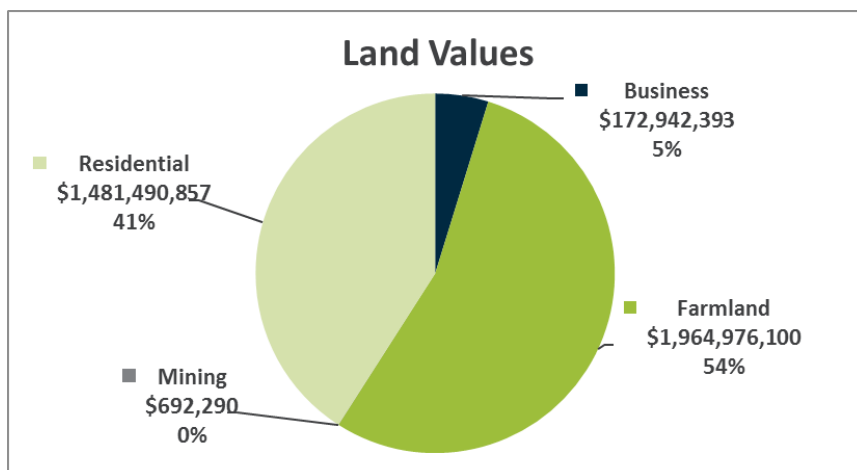
A comparison of average rates under a harmonised structure is shown below. The modelling is based on 2020/21 rating levels.





There will be no increase in total rates collected by Council as a result of harmonisation and the relative distribution of rates between categories will remain the same.





Community Engagement

Council has developed a comprehensive Communications and Engagement Plan (CEP) for Council's application for an SRV to ensure the community is informed and meaningfully engaged. IPART requires all Council's preparing an SRV application must develop an Engagement Strategy.

In preparing the CEP for consultation with the community Council's Communications and Engagement team has researched numerous Council approaches to engaging with communities on SRV applications and has also been involved in a previous consultation for an SRV by the former Armidale Dumaresq Council.

Below is a summary of the key communications and engagement tactics that Council will employ during the SRV consultation period.

1. Council will utilise all available methods of communication to inform the community of the SRV application and available opportunities to share views and opinions.
These include:
 - yoursay.armidale.nsw.gov.au online engagement hub
 - Mail out letter to all ratepayers (including DL A4 fact sheet)
 - Newspaper and radio advertising announcing consultation period and opportunities for feedback and submissions
 - Media releases – identified milestones
 - Physical displays in the customer service areas and libraries of everything available on the online yoursay.armidale hub
 - Social media (FB, Twitter and Instagram)
 - Utilise fortnightly e-news and printed Council News
2. Council will conduct a phone survey of ratepayers across the Local Government Area
3. An online forum – hosted on the yoursay.armidale engagement hub will be available for the community to ask questions and make comments
4. Village sessions (Under Covid Safe social distancing requirements)
5. Armidale and Guyra community sessions (Under Covid Safe social distancing requirements)
6. Presentation to the special interest groups
7. Pop-up sessions
8. Webinar

9. Submissions open via email through the [yoursay.armidale](https://yoursay.armidale.nsw.gov.au) page or in person at the Customer Service offices in Armidale and Guyra, or emailed to council@armidale.nsw.gov.au or mailed to PO Box 75A, Armidale 2350

IPART SRV Timeline

27 November 2020	Councils are to notify IPART that they intend to make an application for an SRV. This does <u>not</u> mean Council commits to making an application for an SRV.
8 February 2021	SRV applications to be lodged with IPART.
May 2021 (est)	IPART determinations announced.

Impact

Special Rate Variation

It is necessary to proceed with the engagement of the community on an SRV in order to meet the requirements to be able to submit an SRV application to IPART to be effective for the 2021/22 financial year.

Not proceeding with the engagement of the community now would result in the inability to, at a minimum, retain the existing temporary SRV and result in a significant detrimental impact on the 2021/22 budget and ongoing.

A considerable amount of effort and resources has been committed to this process to date.

The outcome of the SRV application is still dependent on being accepted by IPART and there are no guarantees that it will be successful. As the outcome would not be known until May 2021 it will be necessary for Council to consider what actions it would need to take for the 2021/22 budget if the funding from the temporary SRV is not continued.

The rating impacts of SRV scenarios will be communicated to the community. The following overall impacts would result under each scenario:

Continuation of the temporary SRV plus an additional SRV increase	On average, ratepayers would experience a 10% rate increase plus rate peg.
Continuation of the temporary SRV	On average, ratepayers would experience no impact from the SRV other than the rate peg. There would still be individual ratepayer impacts from rates harmonisation.
Discontinuation of the temporary SRV	On average, ratepayers would experience an 8.5% rate decrease offset by the rate peg. Even though there would be a reduction in individual rates assessments, rates harmonisation may result in an increase in some rates.

Rates Harmonisation

Rates harmonisation will also have some impacts on rates and it is necessary to explain these impacts to the community as part of the SRV process so that the individual impact of the two processes is understood.

From the modelling undertaken there will be impacts on the rural and village residential categories, rural and village business categories and farmland. This is due to the fact that under the existing rates freeze provisions these categories are structured differently than what they

would need to be under a harmonised rating structure. There will be no increase in total rates collected by Council as a result of harmonisation but there will be movement between individual ratepayers where they are impacted by being moved into a different rating category.

Summary

This report seeks approval to commence community engagement on the SRV scenarios that have been modelled to demonstrate the requirement for Council to apply for an SRV in order to maintain services to the community and achieve a financially sustainable outcome. The community engagement will also cover the impacts of rates harmonisation, which is a mandatory legislative requirement and will take effect from 1 July 2021.

Item:	10.4	Ref: AINT/2020/34397
Title:	Adoption of amendments to Interim Hardship Policy ARC19/3442	Container:
Author:	Kelly Stidworthy, Manager Financial Services	
Attachments:	1. Interim Hardship Policy - October 2020 with tracked changes	

RECOMMENDATION - Endorsed by Acting Director Organisational and Corporate Services

That Council endorse the amendments to the Interim Hardship Policy - Coronavirus (COVID-19).

Context

Council endorsed the Interim Hardship Policy – Coronavirus (COVID-19) on 22 April 2020, which contained provisions in relation to payment deferrals for rates and water charges and lease waivers for community groups. This policy was to remain in place until 30 June 2020 at which time it would be reviewed. At the 22 July meeting, recommended amendments were agreed and were to stay in place until 30 September 2020 – where a further review was to be undertaken.

Purpose

The purpose of this report is to recommend amendments to the Interim Hardship Policy – Coronavirus (COVID-19) and for this policy to remain in place until 25 March 2021.

Proposal, Research and Analysis

The sudden impact of COVID-19 shutdown impacts on ratepayers and the economy necessitated a quick response by Council with establishment of the Interim Hardship Policy – Coronavirus (COVID-19).

The Interim Hardship policy arrangements have been accessed by ratepayers and payment deferral or payment arrangements have been put in place as per the current policy. While there has been some increase, rates and water debt levels appear to have remained fairly consistent and similar pre-COVID-19 levels. For this reason, it is recommended that the suspension of any new external debt recovery action in the current policy be lifted.

At the date of this report, 21 ratepayers had accessed the hardship policy to obtain deferral of payments or establish payment arrangements.

Impact

Council will resume debt recovery processes following the usual guidelines.

The Office of Local Government has set the maximum interest rate for overdue rates and charges at 0% for the period 1 July 2020 to 31 December 2020 and 7% for the period 1 January 2021 to 30 June 2021.

Summary

This report provides a review and recommendations on amendments to the Interim Hardship Policy that has been developed in response to the impacts of the Coronavirus (COVID-19) crisis.

Item:	10.5	Ref: AINT/2020/34419
Title:	Loan Waiver Request from New England Regional Indoor Sports Complex (NERISC)	Container: ARC16/1073
Author:	Kelly Stidworthy, Manager Financial Services	
Attachments:	1. NERISC Loan Waiver Request	

OFFICER RECOMMENDATION

That Council:

- a) Note the correspondence from New England Regional Indoor Sporting Complex to The Hon. Adam Marshall, MP, regarding their request to have the loan owing to Council waived.**
- b) Advise New England Regional Indoor Sporting Complex that, in response to the request, the loan repayments will be deferred for two years and the loan term extended by two years with all other conditions remaining as per the loan agreement.**

Context

Council has received the correspondence attached to this report from The Hon. Adam Marshall MP, Member for Northern Tablelands, regarding a request from New England Regional Indoor Sporting Complex (NERISC) to have their loan owing to Council written off.

Purpose

The purpose of this report is provide background on the loan arrangements with NERISC pertaining to the request being made and to explore the available options and impacts of each option in order to determine the most appropriate recommendation.

Proposal, Research and Analysis

Background

In 2005 Armidale Dumaresq Council provided a loan of \$300,000 at 7.25% p.a. towards the construction of Stage 1 of "The Den", which is situated on the site of the Armidale High School (the site of the new Armidale Secondary Collage) and managed by the NERISC committee.

Council originally borrowed the funds from the National Australia Bank over 10 years and then entered into a loan agreement with NERISC. The process was that Council would simply become a 'middleman' and repay the loan to the bank from the funds received from NERISC. There would not be a financial impact on Council and a local community group would have a new asset. NERISC's financial circumstances however could not repay the debt in time and a report was presented to Council in 2007 extending the term of the repayment to 2020. A further report was presented to Council in 2012 informing Council that the debt would extend beyond 2020.

In 2017 a request was received from NERISC for the entire debt to be waived due to continued difficulties in meeting the original loan repayment schedule. After reviewing several options, Council agreed to write off \$49,455.91 to bring the outstanding debt of \$189,455.91 back to \$150,000 with the remaining balance to be paid as an interest free repayment of \$10,000 per year over 15 years.

A new loan agreement was established between NERISC and Armidale Regional Council (ARC) at 1 June 2017, which required the revised loan amount to be repaid by 2032 by way of a \$5,000 loan repayment due every 6 months.

NERISC has repaid \$25,000 under the current loan agreement leaving a balance of \$125,000.

Request for Loan Waiver

The NERISC committee have acknowledged that they have fallen on difficult times due to the ongoing Covid-19 pandemic, with the stadium hire income being nil due to the cancellation of the sporting activities which use the facility, whilst ongoing costs such as insurance, electricity and general upkeep of maintenance continues.

Recent information provided to NERISC, indicates that there will be no assistance received from the school rebuild which was originally expected. This leaves the committee in a difficult position and will require the committee to use all of its available funds to bring the stadium up to an acceptable standard for use by the community.

Council could consider the following options:

1. Council could write off the remaining debt. This option would have an impact on Council's current budget and end of year result. A cost of \$125,000 would be incurred as a bad debt expense, which would reduce Council's operating result for the current financial year. This would also reduce Council's cash reserves by \$125,000 over the longer term.
2. Council could suspend repayments for a period of time and extend the loan agreement. This would impact on Council's current budget and end of year result; however the impact would be less than option 1. This option would allow NERISC to free up cash flows to allow for urgent upgrades to the facility and to identify potential income once the school is relocated and Covid-19 restrictions are potentially lifted.
3. Council could maintain the current agreement. This would leave NERISC in an ongoing unsustainable position.

Impact

Council has loans with other sporting groups and there are many community groups in financial hardship due to Covid-19 impacts, so it will need to ensure that any action taken is fair and equitable and that the resulting financial impacts do not leave the Council in a financially unsustainable position.

In recognition of the support previously provided in 2017 of almost \$50,000 written off the total loan balance, option 2 is recommended for a term of 2 years due to the following:

- It will have a lower impact on the budget and end of year result than option 1;
- Council has already incurred the costs in the form of the loan repaid to the bank;
- Council establishes a repayment schedule that is achievable for NERISC; and
- The term of the loan is extended but will eventually be repaid.

Summary

This report recommends that Council agree to deferral of loan repayments for two years and extend the term of the loan by the same term for NERISC due to financial hardship caused by Covid-19.

Item:	10.6	Ref: AINT/2020/34420
Title:	Payment Deferral Request RAMS Rugby League Football Club	Container: ARC19/3442
Author:	Kelly Stidworthy, Manager Financial Services	
Attachments:	Nil	

OFFICER RECOMMENDATION

That Council approve a payment deferral until March 2021 and associated extension of time on the payment arrangement for the outstanding water debt with RAMS Rugby League Football Club (Assessment 29002-3).

Context

Council has a long term payment arrangement in place with the RAMS Rugby League Football Club (the Club) for outstanding water charges.

They have requested a deferral of the payment arrangement until March 2021:

I am writing as our hold on water repayments is due to come to an end next month, and I am hoping that there is a chance we can have this extended because our season for 2020 was cancelled entirely as was the entire group 19 senior league competition, meaning no home games or functions at all this year, so no normal operation of canteens or gate takings or fundraising events have or will take place.

We are obviously hoping that season 2021 we will be able to open back up to business as usual, but as you are well aware, it's a day by day process with COVID restrictions present.

*Club President
19 August 2020*

Purpose

The purpose of this report is to provide background on the payment arrangements for the outstanding water debt with the Club regarding a request from them to have their payment arrangements deferred until March 2021.

Proposal, Research and Analysis

Background

At its meeting of 28 March 2018, Council dealt with a request from the Club (Trim Ref AINT/2018/04165) regarding the outstanding water charges at that time amounting to \$41,695.56. This included \$7,509.43 in accrued interest charges.

At this meeting, Council resolved:

- a) That Council approve a 4 year repayment plan for the outstanding water consumption charges accrued by the Armidale Rams Rugby League Club on Water Assessment 29002-3;
- b) That Council waive outstanding interest charges, subject to the Armidale Rams Rugby League Club abiding by the repayment plan and paying for future billed water by the due dates; and
- c) That Council commence standard debt recovery actions, which include the engagement of an external collection agency to recover the outstanding debt, including accrued interest

and possible water restriction, should the Armidale Rams Rugby League Club fail to abide by the terms of the repayment plan.

A formal arrangement was completed between the Club and Council in August 2018 for the value net of interest of \$34,186.13 with monthly payments of \$709 commencing in June 2018. This would have resulted in the payment arrangement being finalised by April 2022. Interest charges of \$7,509.43 were also subsequently written off.

In December 2018 the Club requested that Council consider writing off \$20,000 of the debt owing for a range of reasons including that the repayments to Council were impacting on the Club's ability to improve grounds and facilities. Council officers met with the Club as a range of matters had been raised in their submission (Trim Ref AI/2018/29270). The request for the debt write off was subsequently refused by the Chief Executive Officer and a revised repayment arrangement was agreed to of \$500 per month. The debt remained interest free whilst the payment arrangement was adhered to.

In March 2020 the Club sought deferral of the payment arrangements for 6 months due to the impacts of Covid-19 on the Club's income sources. This was agreed to by the Chief Executive Officer under the interim hardship provisions for Covid-19.

As the timeframe for this arrangement has now ended, the Club is seeking a further 6 month payment deferral for the reasons outlined in their request.

Impact

Council has payment arrangements with other sporting groups for other types of debts and there are many community groups in financial hardship due to Covid-19 impacts, so it will need to ensure that any action taken is fair and equitable and that the resulting financial impacts do not leave the Council in a financially unsustainable position.

The request from the Club for a further payment deferral will have a minimal impact on Council's budget and, while the payment arrangement timeframe will be further extended, it will ensure the debt is eventually repaid.

Summary

This report recommends that Council agree to deferral of payments until March 2021 and associated extension of time on the payment arrangement for the outstanding water debt with the Club.

Item:	10.7	Ref: AINT/2020/34536
Title:	Proposal to Deploy Smart Water Metering	Container: ARC19/3212
Author:	Mark Byrne, Utilities Technical Officer	
Attachments:	Nil	

OFFICER RECOMMENDATION:

That Council:

- a) **Prepare a costed proposal to deploy Smart Water Metering across the ARC potable water network.**
- b) **Advise NSW DPIE Water it will be seeking funding to deploy Smart Water Metering as a strategy to enhance town water security.**

Context

In 2019/20, the Armidale Regional Council local government area experienced record low inflows into its dam storages and was confronted by emergency water security conditions. Council is undertaking a Secure Yield study and an Integrated Water Cycle Management Plan in collaboration with the NSW Government to develop evidence based strategies to secure water supplies for the LGA for the future.

The 2019/20 drought highlighted the role of demand management and non- revenue water loss management in extending town water supplies. Smart Water Metering can assist Council and the community by:

1. Removing the expense of manually water meter reading (est cost saving of \$167,000.00 per year)
2. Reducing water use by approximately 15%
3. Responding to community and industry demand for real time tools to manage their water consumption and expense.
4. Alerting Council to unplanned water network losses (non-revenue losses) eg leaks and breaks.

Purpose

Local Water Utilities and their customers are expecting technology to deliver savings and improve resource utilisation efficiencies. Council has amended its water pricing to reflect the full cost of supplying potable water and maintain reliable, fit for purpose water infrastructure in an environment of variable inflows into its storages. In Guyra, domestic water charges have risen from \$2.15 per kilolitre to \$4.20 per KL. In Armidale, the charge has risen from \$2.60 per KL to \$4.20 per KL for 2020/2021 financial year.

The purpose of developing a proposal to install Smart Water Meters across the LGA is to review benefits and costs for the project and highlight environmental and social issues associated with the technology.

Proposal, Research and Analysis

Council will seek expressions of interest from Smart Water Meter companies to scope a project and determine estimated costs and savings.

A further report will be prepared for Council outlining these concepts prior to a procurement process. This report will include proposals for financing the project.

Council will engage with NSW Department of Planning, Industry and Environment Water Division to seek funding support. DPIE Water is responsible for supporting regional Local Water Utilities and their strategies to improve water security. Smart Metering clearly has a role to play in managing water demand and empowering consumers.

Impact

Developing a project proposal; engaging Smart meter providers and preparing a business case for procurement will be funded by internal staff resources.

Summary

Council is a Local Water Utility charged with providing safe and secure water. Smart Water Metering has provided significant private and public benefits in other Local Government Areas. This Report recommends Council staff prepare a business case showing the social, environmental and economic features of Smart Water Metering and its applicability to this LGA.

Item:	10.8	Ref: AINT/2020/34546
Title:	Armidale Airside Business Park Street Naming	Container: ARC16/1405
Author:	Darren Schaefer, Manager Strategic Communications and Marketing	
Attachments:	Nil	

OFFICER RECOMMENDATION

That Council endorse the recommended street names of ‘Momentum Drive’ and ‘Aviation Avenue’ for the indicated two streets located in Armidale Airside Business Park.

Context

Council has a Local Road and Place Naming Policy which outlines the available opportunities to acknowledge significant contributions to the community and the achievements of individuals or groups associated with the LGA. On 24th May, 2017 the Council resolved to acknowledge individuals that had a contribution to the development of the Armidale Regional Airport in street names for the precinct. A list of the names of these individuals was subsequently approved, thereby granting preapproval for operational staff to assign as needed. This practice has been followed to date, with Peter Monley Drive and Shand Drive standing as current named streets in the precinct.

The NSW Geographical Names Board (GNB) is the State authority responsible for street naming. They have advised a change to their street naming convention policy in 2014. In this policy the GNB prescribe (among other things) that street names that seek to honour individuals may only be named after that individual if that person has been deceased for 12 months. They do this because opinions and attitudes toward people change over time.

There are *eight* streets proposed for Stage 1 and Stage 2 in the new business park precinct. Only *three* individuals (in addition to those already named) are classified as deceased on the pre-approved Council list. Therefore, more names are required to fulfil the street names of both stages of development.

Purpose

Restrictions around street naming from the GNB present the opportunity to include additional street names that seek to help with the positioning of the Armidale Airside Business Park. The proposed street names compliment the recent investment in the Airside Business Park brand, building its identity and assisting with its differentiation.

Combinations of visual branding cues like street names can collectively assist efforts to position the precinct as a premium business park for the Armidale Region. Such efforts are all aimed at increasing the potential to achieve positive commercial outcomes for Armidale, with respect to land sales and employment growth.

Importantly, the Council resolution to recognise individuals for their contribution to the Airport will continue in subsequent stages of the Armidale Airside Business Park development. Current suggestions are to recognise these individuals in each of the airside approach cul-de-sacs. As such, the proposed names should be considered *in addition* to the previously approved names of individual contributors to the precinct.

See diagram below. All names are subject to approval of the NSW GNB.



Street Names



Proposal, Research and Analysis

The recommendation has involved contributions from the Armidale Regional Council Marketing Department in consultation with the ARC internal Business Park Project Control Group. Relevant NSW Government bodies have been canvassed as have NSW Government policies and Armidale Regional Council Policies. These have included:

- Local Road and Place Naming Policy – Armidale Dumaresq Council 2015
- NSW Geographical Names Board
- NSW Address Policy and User Manual

Impact

This recommendation seeks to positively impact the sale of the land and enhance the ability of the Airside Business Park to attract target businesses. This approach aligns with Councils Community Strategic Plan and Operational Plan commitments as follows;

Community Strategic Plan: Section 6 - Growth, Prosperity and Economic Development

- Community Outcome # 1. The community experiences the benefits of an increasing population via support for existing businesses, attracting new industries and businesses and creating more employment opportunities.

Operational Plan: Growth, Prosperity and Economic Development

- G4.3 - To encourage new business investment in the region.

Summary

Based on the need for additional street names and the positive contribution that street names can have toward the positioning of the Airside Business Park, it is recommended that Council endorse the names of Momentum Drive and Aviation Avenue for the streets indicated above.

Item: 10.9 **Ref:** AINT/2020/34567
Title: Armidale Beer and BBQ Festival 2021 - Request for Armidale Regional Council to access a Limited Liquor Licence **Container:** ARC20/3769
Author: Jade Meddemmen, Event & Administration Coordinator
Attachments: 1. Pros and Cons of licencing options - Council report - Beer and BBQ Festival 2021.

OFFICER RECOMMENDATION

That Council:

- a) Submit an application for a Limited Liquor Licence: Special Event (or Trade Fair), for the Armidale Beer and BBQ Festival scheduled to be held on 20 and 21 March 2021.**
- b) Authorise the General Manager to appoint a member of staff to hold the licence.**

Context

The Armidale Beer and BBQ Festival is scheduled to occur 20 and 21 March 2021 and was developed to showcase the regions produce and strong connection to the agricultural sector. The event will host Australasian Barbeque Alliance (ABA) and Steak Cook-Off Association (SCA) sanctioned competitions, live music, food stalls, local produce stalls and talk shows, and a licenced bar. The New England High Country is proud to host 4 breweries, 2 distilleries, 1 cidery, 1 meadery, and 7 wineries.

The event has been designed on a similar model to other Beer & BBQ and Food & Wine community events around NSW, which have successfully increased tourism in otherwise quieter times.

Purpose

To request that Council submit an application for a Limited Liquor Licence: Special Event (or Trade Fair) to hold the Armidale Beer and BBQ Festival.

Proposal, Research and Analysis

The Tourism and Events team engaged local alcohol producers to explore a number of different licencing options. The preference for all participants is to allow each vendor to sell alcohol for on premise consumption directly from their stall. For this to be feasible there would need to be a central licence to allow all individual vendors to serve under.

For the event to legally sell alcohol Council would need access to a Limited liquor licence: Special Event or Limited liquor licence: Trade Fair (preferred licence type application to be determined by Office of Liquor, Gaming, and Racing (OLGR)). This licence would allow all alcohol vendors to sell alcohol for on premise consumption to the attendees of the festival from their own bar or stall, utilising their own staff, and maintain the profit. This option would see the most economic benefit to the local producers.

The licence would be applied for by Armidale Regional Council, with an "Approved Manager", to be the representative responsible for managing the licence on the day.

Research was conducted by reaching out to fellow Tourism and Events teams at surrounding NSW LGA's who have facilitated similar events with the following data being discovered:

- Maitland City Council; MCC has successfully facilitated “Bitter and Twisted”, a Craft Beer Festival, for over 13 years now with minimal to no issues advised of. The Events staff stated they have maintained a good record by enforcing strong Alcohol Management Plans, staff briefings, and appropriate restrictions on alcohol intake.
- Muswellbrook Shire Council; MSC facilitated “Bottom’s Up” festival in 2015, 2016, and 2017. They initially accessed their own licence and had a couple of issues with it, so accessed a mobile licence the following year. The mobile licence did not allow for local craft breweries to be involved due to pre-existing contracts with major producers so the festival eventually lost its original purpose and is no longer running.
- Lake Macquarie City Council; LMCC have hosted “Belmont Beers, BBQ & Beats” LMCC advised they preferred hosting the licence themselves as they were able to view the event in a “Council perspective” and ensure all risks associated with alcohol were mitigated appropriately.

Along with this the Tourism and Events team have received correspondence from both Local Licencing & OLGR with further information regarding steps that can be taken to ensure the event is a safe and successful festival. Factors such as the timing of completion of the event (9.00pm), alcohol serving sizes and percentages will all be taken in to consideration with appropriate correspondence and guidance from the Local Licencing Police.

Impact

- Stall Vendors: Alcohol producers would be able to sell their product for on premise consumption from their own stall allowing them to make direct contact with the consumer as well as directly taking the profits.
- Attendance & Tourism: For the consumer to have direct contact with the producer goes to the crux of the design of the purpose of the event. Armidale and surrounds are better able to showcase and market their products with stall design, branding and product education. This leads to a better customer experience and a better event overall, setting it up for success in years to come.
- Financial: Should Council choose to move ahead with hosting the Limited Liquor Licence, the organisation would be liable for any licencing fines that may occur. The fines can be up to \$11,000 per offence. A strict Alcohol Management Plan would be developed and enforced on the day to ensure no offence occurs, and contractual agreements would be enforced with all vendors stating their liability to the costs should they be associated with the offence.
- Relevant licence application fees, additional security costs and fees would be financially paid for utilising the Beer and BBQ Festival grant allocation funds.
- Community: Due to the increase in bar locations and risk of liquor service to minors, the recommendation would be to alter the event to an 18+ program. This would not necessarily be a negative impact as it would be the only event offered in the region, facilitated by Council, specifically aimed at adults. Several events are held throughout the year specifically aimed at or include youth. This would also potentially increase the opportunity for travelling tourism.
- Legal: Should Council choose to move ahead with hosting the Limited Liquor Licence, the organisation would be liable for all actions involving alcohol on the day of which would be required to be covered by Council’s current public liability insurance.

Summary

Whilst there are some risks associated with accessing a liquor licence it will maximise the events success including providing economic opportunities for the attending vendors. It will also provide Council the opportunity to develop a positive rapport with local producers and

businesses, OLGR, and Local Licencing Police for the Beer and BBQ Festival along with future events both minor and major.

Item:	10.10	Ref: AINT/2020/34378
Title:	Tender for Provision of Professional Engineering and Project Management Services	Container: ARC18/2692
Author:	Kelly Stidworthy, Manager Financial Services	
Attachments:	1. Tender Evaluation Report - Professional Engineering and Project Management Services- <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>	

OFFICER RECOMMENDATION

That Council:

- a) **Appoint the tenderers listed under each Category and sub-category as per Annexure B in the attached Tender Evaluation Report to the Professional Engineering and Project Management Services panel contract for the period 1 October 2020 to 30 September 2023.**
- b) **Allow provision for a 12 month extension based on satisfactory supplier performance, which may take this contract through to 30 September 2024.**

Context

Council has a panel contract in place for the Provision of Professional Engineering and Project Management Services, which expired as at 31 July 2020.

A tender has since been undertaken to re-establish the panel contract.

Tenders closed at 10.00am on 15 September 2020. The tender evaluation report is attached to this report.

Purpose

The purpose of this report is to obtain approval to enter into a panel contract for the Provision of Professional Engineering and Project Management Services. The recommendation is in accordance with the tender evaluation panel's recommendation.

Proposal, Research and Analysis

Council initiated a request for tender for the Provision of Professional Engineering and Project Management Services. The tender was conducted in accordance with Clause 166(a) of the *Local Government (General) Regulation 2005*.

The evaluation was conducted in accordance with the Local Government Tendering Guidelines, Regional Procurement Tendering Code of Conduct and Tendering Evaluation Principles and Process.

The tender evaluation weighting was based on:

- Tender Price 60%

- Referees 10%
- Previous Experience 10%
- Management and Technical Staff Resources 10%
- Local Supplier Preference 10%.

A significant volume of submissions were received due to the wide scope of the panel contract.

Due to the sheer volume of submissions received (94) the Panel determined that tenderers that submitted proposed contract departures (20 in total) were to be passed over as the pool of consultants remaining would more than adequately cover Council's requirements.

Impact

The Provision of Professional Engineering and Project Management Services panel contract will guarantee Council competitive pricing for project and maintenance work over the next 3 years plus an additional 1 year should the contract extension be taken up at the end of that period.

Summary

This report recommends Council award the panel contract for the Professional Engineering and Project Management Services the tenderers listed under each Category and sub-category as per Annexure B in the attached Tender Evaluation Report for the period 1 October 2020 to 30 September 2023 plus possible 1 year extension in accordance with the tender evaluation recommendation.

Item: 11.1 **Ref:** AINT/2020/33921
Title: Creeklands Master Plan - Adoption of Plan and stage 1 implementation
Container: ARC17/2184
Author: Richard Morsley, Coordinator Public and Town Spaces
Attachments: 1. Combined Community submissions Creeklands Master Plan
2. Dumaresq Creek Master Plan Implementation – Stage 1 – Proposed Works & options Indicative Costs

OFFICER RECOMMENDATION:

That Council:

- a) Receive and note the submissions contained in the report.
- b) Adopt the Creeklands Master Plan with the following amendments:
 - i. The option to retain the Civic Park pond.
 - ii. The option to retain the labyrinth in its current location.
- c) At a quarterly budget review, consider the engagement of appropriately qualified consultant to review Council's 2004, ERM Australia, 'Armidale Creeklands Environmental Management Plan', and to:
 - i. Undertake soil testing within the area covered by the Creeklands Master Plan
 - ii. Provide an updated management plan to ensure compliance with current EPA legislation.
 - iii. Provide an updated management plan that provides WHS compliant procedures to ensure environmental and human health safeguards can be effectively implemented and managed for any works that disturb these soils.
- d) Endorse the proposed stage 1 Implementation Plan.

Context

Following endorsement at the Ordinary meeting of Council 19 August 2020 the Armidale Creeklands Master Plan was placed on public exhibition for 28 days to gather community feedback.

The Armidale Creeklands Master Plan aligns with Community Strategic Plan 2017 – 2027.

Council staff noted and considered the submissions and determined if any changes are required to be made, or can reasonably be made with available resources. All 23 of the community submissions are attached to this report.

Most respondents congratulated Council and the consultants MacGregor Coxall on the ideas presented in the Creeklands Master Plan and offered support for the implementation of the plan.

Many submissions proposed refinements and/or extensions to the ideas presented in the master plan that can be accommodated in the implementation phases. Several submissions identified the retention of the Civic Park pond that is a well accepted feature of the creeklands landscape.

Soil contamination throughout the creeklands was raised as an area of concern in several submissions. The Creeklands Master Plan acknowledges the soil contamination derived from the former Armidale Gas Works facility and states that it is not an insurmountable barrier to landscape works. Previous works undertaken on the creeklands have revealed soil contamination that exceeds the general waste classification and therefore disposal can add significantly to the cost of works.

A review of the 2004 ERM Armidale Parklands Environmental Management Plan (EMP) is advisable in the light of this and to incorporate developments with regard to health effects that may have occurred since the EMP was drafted. The review should include testing current levels of contamination in the areas of proposed earthworks and landscaping identified in the plan in order to ensure more accurate costings.

Purpose

To present the submissions received following public exhibition of the Creeklands Master Plan and to seek the adoption of the Creeklands Master Plan with two minor amendments supported by the community.

It is also recommended that Council endorse the revision of the ERM Parklands EMP to update the potentially outdated document and to ensure that all environmental and human health safeguards are effectively implemented, and that sustainable procedures are adopted for any works identified in the Creeklands Master Plan that disturb these soils.

Proposal, Research and Analysis

An extensive community engagement process was undertaken during the development of the Creeklands Master Plan in early 2018. The objective was to ensure that the voice of the Armidale community was reflected within the plan. Key features were:

- A Community Advisory Group made up of key stakeholders and representatives was established to work with the consultants (MacGregor Coxall).
- A staff advisory group was also set up to assist in monitoring progress and reviewing drafts.
- Council's Your Say section of the website was used as the primary on-line forum for engagement.
- Council staff and the consultants co-hosted a booth at two Farmers Markets and the 2018 Armidale Autumn Festival.
- A mapping exercise and an ideas generator were presented for feedback and to fuel discussion.
- An open ended survey available on the Your Say section of the website was also used to illicit candid feedback on how the community currently use the creeklands and what they would like to see improved.
- Council's Community Engagement Centre located in the Central Mall was open throughout the engagement period and this venue was also used for the Design options open house participative workshop attended by over 50 people.
- Three Site Walk Listening tours were initiated for the advisory group and open to the public with Councillors also invited to attend. Attendance and participation at all events was high.

At the conclusion of the project, Council management in 2018 withheld the Creeklands Master Plan in order to ensure its alignment with other master planning exercises either underway or planned.

At the Ordinary meeting of Council 19 August 2020, Council resolved to immediately commence Community engagement on the 2018 Creeklands Master Plan and place the plan on public exhibition for 28 days to gather community feedback.

There were 23 formal submissions made by community members. These are submissions that were addressed to the Interim General Manager and/or to the Interim Administrator and were sent to the Council email address or postal address. All submitters were provided with a short response of acknowledgment of receipt.

Council staff noted and considered the submissions and determined if any changes are required to be made to the Dumaresq Creek Master Plan, or can reasonably be made with available resources. All the written submissions have been compiled and are attached to this report.

The table below lists the submissions and staff recommendations in response.

Submitter	Council staff recommendation in response to submission
<i>Submission 1</i> Susie Dunn	Staff recommends no changes to Master Plan. Comments noted and passed on to officers for information and future planning and consideration.
<i>Submission 2</i> Maryann Krug	Staff recommends no changes to Master Plan. Comments noted and passed on to officers for information and future planning and consideration.
<i>Submission 3</i> Cathy Clare, Armidale Neighbourhood Watch	Staff recommends no changes to Master Plan. Comments noted and passed on to officers for information and future planning and consideration.
<i>Submission 4</i> Think Tank Team New England Visions 2030 Institute	<ul style="list-style-type: none"> • Soil contamination concerns need to be addressed urgently • Stage implementation proposed • Active family precinct priority
<i>Submission 5</i> John Lemon	Staff recommends no changes to Master Plan. Comments noted and passed on to officers for information and future planning and consideration.
<i>Submission 6</i> David Carr	<ul style="list-style-type: none"> • The retention of the Civic Park pond to be considered. • Re-development of the Family Precinct priority to be considered during implementation planning
<i>Submission 7</i> Barbara Finch	<ul style="list-style-type: none"> • Implementation priorities to be drafted and made public
<i>Submission 8</i> Angus Adair	<ul style="list-style-type: none"> • Error in report 'Armidale Creeklands Committee' referenced in the report is in fact Visions for Armidale Creeklands to be rectified • Prioritise Family Precinct redevelopment
<i>Submission 9</i> John and Wendy Wearne	Staff recommends no changes to Master Plan. Comments noted and passed on to officers for information and future planning and consideration.
<i>Submission 10</i> Joy Bowles	<ul style="list-style-type: none"> • Meditative precinct and labyrinth to stay at current location rather than SE portion of Civic Park. Minor alteration can be made
<i>Submission 11</i> Jim Scott, Visions for Armidale Creeklands	<ul style="list-style-type: none"> • Prioritise soil contamination investigation
<i>Submission 12</i> Neil Pullar	Staff recommends no changes to Master Plan. Comments noted and passed on to officers for information and future planning and consideration.
<i>Submission 13</i> Dr Andrew Laws	<ul style="list-style-type: none"> • labyrinth to stay at current location rather than SE portion of Civic Park. Minor alteration can be made
<i>Submission 14</i> Ben Vincent and Deborah Bower	Staff recommends no changes to Master Plan. Comments noted and passed on to officers for information and future planning and consideration.
<i>Submission 15</i>	Staff recommends no changes to Master Plan.

Pat Schultz	Comments noted and passed on to officers for information and future planning and consideration.
<i>Submission 16</i> Lynne Hosking	Staff recommends no changes to Master Plan. Comments noted and passed on to officers for information and future planning and consideration.
<i>Submission 17</i> Margaret O'Connor	Staff recommends no changes to Master Plan. Comments noted and passed on to officers for information and future planning and consideration.
<i>Submission 18</i> Frances Grindlay	Staff recommends no changes to Master Plan.
<i>Submission 19</i> Dorothy Robinson	<ul style="list-style-type: none"> The retention of the Civic Park pond to be considered. Soil contamination to be addressed
<i>Submission 20</i> Helen Webb	<ul style="list-style-type: none"> The retention of the Civic Park pond to be considered. Soil contamination issues to be addressed
<i>Submission 21</i> Russell Evans	Staff recommends no changes to Master Plan. Comments noted and passed on to officers for information and future planning and consideration.
<i>Submission 22</i> Wildlife Habitat Group (Liz O'Hara and Dr Sue Elliot, UNE)	<ul style="list-style-type: none"> The retention of the Civic Park pond to be considered. The development of nature play areas
<i>Submission 23</i> Sustainable Living Armidale Transport Group – Tom Fisher	Staff recommends no changes to Master Plan. Comments noted and passed on to officers for information and future planning and consideration.

A key theme in the submissions was that the Master Plan proposals be implemented in stages. Of those that identified specific areas for implementation the preference was for the redevelopment of the Family Precinct. Several submissions identified exercise stations and the Skate Park as preferences. The Skate Park is located within the Family Precinct, while exercise stations are proposed for selected areas along the John Failes Cycleway that passes through all 4 precincts.

The Family Precinct is located up stream of the gas works with the exception of the south- east bank of the creek on the 'Armidale Central' shopping Centre side. Works proposed in the Family Precinct will not be undertaken in areas of potential soil contamination.

The development of nature play areas was identified in the Creeklands Master Plan and echoed in at least two submissions. The Implementation Plan proposes an accessible nature play area to be developed as part of the almost completed 'Super Playground' proposed in the master plan for Curtis Park.

It is estimated that the implementation of the entire Creeklands Master Plan will cost approximately \$15 million. It is unlikely that funding of that magnitude would be available at one time, therefore a staged approach is not only practical but reflects community desires expressed in the submissions. An implementation plan has been proposed that outlines a range of works within the Family Precinct with some additional optional works relating to other areas of interest expressed within the submissions. Refer to Stage 1 Proposed Works and Options with Indicative Costs, attached.

Impact

The Stage 1 Priorities of the Implementation Plan will cost an estimated \$1,080,000. Several additional Stage 1 Options are proposed for an additional estimated \$288,000. Total cost estimate of stage 1 implementation is \$1,368,000.

A review of the Creeklands Environmental Management Plan addressing soil contamination is estimated at \$85,000. The works proposed in the Family Precinct will not be undertaken on contaminated soil from the former gasworks, therefore Stage 1 of the Implementation Plan is not predicated on the completion of the EMP review.

Soil testing will be required for the installation of the Exercise stations along the John Failes Cycleway; however the costs will be minor due to the small volumes of potentially contaminated soil encountered.

The implementation of the Creeklands Master Plan addresses the Community Strategic Plan by 'maintaining and improving local waterways, lagoons and creek lands in partnership with community groups and other agencies.' Volunteer groups such as the Urban Rivercare Group and Labyrinth Group are likely to contribute to the project. Expert advice will be sought from Dr Sue Elliot Senior lecturer in early Childhood Education, UNE and others with regard to the development of the accessible nature play extension to the new Curtis Playground.

In-stream works within the Family Precinct will require compliance with the Water Management Act 2000 administered by the NSW Office of Water and would also require compliance with the NSW Protection of the Environment Operations Act. 1997.

Summary

The Armidale Creeklands Master Plan has been positively accepted by the Armidale community. For the most part this was due to broad based and effective community engagement undertaken during the development of the project in 2018.

The submissions received as a result of the 2020 public exhibition period support the Creeklands Master Plan and urge Council to commence a staged implementation of the plan. Two changes to the plan have been proposed that reflect community desire and concerns raised about soil contamination is proposed for further investigation.

Item:	11.2	Ref: AINT/2020/34225
Title:	Adoption of the Local Strategic Planning Statement ARC19/3364	Container:
Author:	Ambrose Hallman, Manager Development and Regulatory Services	
Attachments:	Nil	

OFFICER Recommendation:

That Council:

- a) **Receive and note the submissions contained in the report on the draft Local Strategic Planning Statement;**
- b) **Adopt the final Local Strategic Planning Statement as detailed in Attachment 1 and forward a copy to the Department of Planning Industry and Environment for publishing on the NSW Planning Portal;**
- c) **Endorse the NSW Government Population Projections as the basis for all Council strategic planning activities;**
- d) **Reallocate the \$20,000 identified in the 2020/21 budget for the completion of the Masterplan, to the implementation of the immediate actions in the Local Strategic Planning Statement;**
- 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.**

Context

At its Ordinary Council meeting held 19 August 2020 Council resolved the following (Minute No. 187/20):

- a) *That Council endorse the draft Local Strategic Planning Statement for public exhibition, for a minimum of 28 days, commencing 31 August 2020.*
- b) *That no further action be taken on Masterplan 2040*
- c) *That upon submission of the Local Strategic Planning Statement to the Department of Planning, Industry and the Environment a report be provided to Council identifying any remaining actions of Masterplan 2040 that deliver the objectives of the Community Strategic Plan.*

The Draft Local Strategic Planning Statement (LSPS) was placed on public exhibition in accordance with the above Council resolution. During the exhibition period a number of methods of community engagement was undertaken, including village meetings, a webinar, online engagement via social media and Council's 'your say' website. Attachment 2 is a submission report which describes the engagement and provides details of submissions received during the exhibition period.

Purpose

The purpose of this report is to:

1. present the submissions received during the public exhibition of the draft Local Strategic Planning Statement;

2. adopt the final version of the Local Strategic Planning Statement;
3. resolve to forward the final adopted LSPS to the Department of Planning Industry and Environment (DPIE) for publishing on the NSW Planning Portal.

Proposal, Research and Analysis

Following endorsement at the Ordinary Council Meeting on 19 August 2020, the draft LSPS was placed on public exhibition (from 31 August 2020 to 28 September 2020) satisfying the legislated minimum 28 day period.

During the submission period, Council received:

- 18 formal submissions
- 35 attendees at 2 pop-up sessions
- 9 attendees on a webinar
- 55 attendees at 5 village engagement sessions
- 529 visitors to the Your Say page
- 4279 views on social media

Council has noted and considered both formal and informal submissions and assessed if any amendments are required to be made to the draft LSPS, or can reasonably be made with available resources. The Submissions Report details Council's response to the matters raised in the submissions and identifies where proposed amendments are required within the LSPS.

During the exhibition period the community was also asked to rank, as a minimum, the top five planning priorities identified in the draft LSPS; the ranking arising from this process is as follows:

1. Protect areas, including corridors, of high natural environmental or biodiversity value;
2. Facilitate the revitalisation of the Armidale central business district;
3. Protect important agricultural land;
4. Investigate and facilitate potential opportunities for the development of facilities that promote arts and culture; and
5. Facilitate the development of land required and suitable for commercial or industrial and related purposes.

Unfortunately, only 23 respondents undertook this ranking exercise.

A number of submissions raised that several specific sustainability actions should be added into the LSPS. Many of the suggested inclusions are not land use based actions so it would be more appropriate for these to be included in the next revision of the Council's Community Strategic Plan.

Section 1.3(b) of the Environmental Planning and Assessment Act 1979 (Act) lists the following objective:

"to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,"

This is the approach taken in drafting the LSPS relating to sustainability, due to sustainability being more than just an environmental sustainability.

Impact

The LSPS contains a number of planning (and administrative) actions that have been formulated to facilitate achievement of the LSPS planning priorities. The delivery of the planning actions requires the allocation of resources and budget, and for this reason the actions have been grouped into four implementation categories being:

- Immediate 0-2 years;
- Short term 3-5 years;
- Medium term 5-10 years; and
- Long term 10+ years.

The current adopted budget includes \$20,000 for MasterPlan 2040, this could be allocated to assist with the immediate LSPS Actions. A full list of the Planning (and Administrative) Actions and assigned timing is contained within the final LSPS.

It is important to note that the majority of the immediate actions identified in the LSPS have limited finance impact on this year's budget, for example:

Population Growth:

1ai: "endorse the NSW Population Projections as the basis for all Council strategic planning activities" (Timing – Immediate: 2020).

Comment:

The endorsement of the population projections as prepared by State Government will be completed by Council adopting the LSPS and staff will be formally advised of this endorsement.

Consultation with the community has identified two clear views that relate to population growth; the first being 'no growth' as we can not maintain existing infrastructure, the second being a 'target growth rate of between 2-3%' as Armidale and the region needs to grow. The proposal to endorse the NSW Population Projections is considered the best approach considering the two differing views.

This matter of population growth is discussed in detail within the attachment report.

Settlement Network:

1bi: "Prepare a place-based strategy to guide future growth and development of each of the following villages and immediate surrounds consistent with the desired future character of the relevant village: a) Ben Lomond; b) Black Mountain; c) Ebor; d) Hillgrove; and e) Wollomombi" (Timing – Immediate: 2020/21).

Comment:

Initial draft place reports for the five villages can be prepared within normal staff time and resources drawing on the work undertaken during the preparation of Armidale Plan 2040 (aka Masterplan 2040).

Merge Existing LEPs:

8. "Merge the current Armidale Dumaresq Local Environmental Plan 2012 and the current Guyra Local Environmental Plan 2012 to produce a single LEP for the Armidale Regional Council local government area" (Timing: 2020/21).

Comment:

Development of a merged version of the current Armidale Dumaresq and Guyra LEP documents was substantially completed last financial year as now required by the LSPS and subject to previous Council resolution 168/19 which states:

- a) *That the Planning Proposal to merge the Armidale Dumaresq Local Environmental Plan 2012 and Guyra Local Environmental Plan 2012 into one merged Local Environmental Plan be placed on hold until the completion of the State mandated Local Strategic Planning Statement.*

Council's ability to undertake the identified short, medium and long term planning actions in the LSPS is likely be limited by the financial capacity of future budgets. While the DPIE would like to see the LSPS actions implemented, the LSPS is intended to be a live policy – rather than a static document, fixed at one point-in time and is subject to Council have available funds to undertake the actions. Due to the urgency of completing the LSPS (in accordance with the revised DPIE timeline) a further report will be presented to the February 2021 Council meeting detailing the resources and budget allocation required in future financial years, to enable the delivery of the LSPS actions. The timing of this report will also assist with the Council's 21-22 budget preparation.

Summary

Following the public exhibition period, staff considered the public submissions that were received and amended the draft Local Strategic Planning Statement accordingly. The resulting document is to be formally adopted and a request made to the Department of Planning Industry and Environment to upload the document to the NSW Planning Portal.

Item:	11.3	Ref: AINT/2020/34301
Title:	Adoption of Redevelopment of Dumaresq Dam Recreation Facility Design	Container: ARC17/1491
Author:	Richard Morsley, Coordinator Public and Town Spaces	
Attachments:	<ol style="list-style-type: none">1. LGES IV2721 Issue C Approval 2019-06-212. IV2721_Dumaresq Dam Design Report Rev B 2019-06-24(2)	

OFFICER RECOMMENDATION:

That Council endorse the ‘Redevelopment of Dumaresq Dam Recreation Facility’ Design Report authored by Local Government Engineering Services currently on public exhibition. That Council engages further consultancy to design and survey the proposed upgrade.

Context

In July 2016 Council placed the draft Dumaresq Dam Master Plan on public exhibition.

Essentially a concept plan, the 2016 Master Plan identified a comprehensive upgrade to the Dumaresq Park re-instating primitive camping, BBQ and café dining facilities, limited accommodation and a range of active and passive sporting and recreational activities. The park upgrade supported council’s tourism strategy and aimed to provide a regional, environmentally sensitive recreational destination.

The Dumaresq Dam Master plan was adopted in December 2016 with minor changes following the exhibition period. An implementation Plan was subsequently drafted with some indicative costings for the proposed upgrades for the purpose of seeking a grant through the NSW Regional Growth, Environment and Tourism Fund. The funding application was unsuccessful.

Local Government Engineering Services completed a review of the plan in May 2019 that has been placed on public exhibition and is now proposed for endorsement subject to external funding.

Purpose

The ‘Detail Design and Documentation for the Redevelopment of Dumaresq Dam Recreation Facility’ drafted by Local Government Engineering Services (LGES) provides for the “shovel ready” implementation of the Dumaresq Dam upgrade concept.

Designs were provided for parking, internal roads, site drainage and electricity upgrades. Biodiversity and cultural investigations were completed. The plan included a precinct planning exercise to ensure an inclusive and workable approach to the picnic area layout.

Proposal, Research and Analysis

The conclusion reached by Council staff was that some aspects of the original master plan may require re-working. In addition, the plan did not provide any engineering designs to enable accurate costings or site assessments for compliance with engineering and/or Australian design standards. This led to the decision to seek a review of the plan in late 2017 to include the required assessments and designs.

The placement of the amenities block, car parking areas and children’s playground in the 2016 Plan was not ideal and would have led to traffic, pedestrian clashes. The plan also included a proposal for cabins for overnight stays that is not permissible under the LEP land zoning.

A proposed caretaker's cottage to manage camping was viewed as unnecessary. Council currently has an MOU with Backtrack whereby they assist Council to manage and maintain the conservation reserve as part of their youth development programs. It is envisaged that Backtrack may play a caretaker role in management the recreation area, particularly with regard to camping.

Staff considered that having a shovel ready plan would also improve the chances of receiving future external funding for the project.

Tenders were sought to review the plan and provide site specific designs for road works, drainage and car parking. In addition, a review of the potential traffic pedestrian interactions was sought. Local Government Engineering Services from Inverell were awarded the contract in 2017.

Informed changes were made to the original master plan, such as locating the camping area "upstream" of both the car parking area and the pedestrian zone, thereby diverting traffic generated by the camping area away from pedestrian activity zone. Relocating the amenities block between the day visitor area and the camping area to improve access and reduce pedestrian travel. Traffic calming devices were proposed to reduce vehicle speed and improve pedestrian safety.

The new car park design conforms to Australian Standards AS2890. Road designs and boat ramp turning loops conform to current RMS standards to accommodate long vehicles such as boat and canoe trailers, with dedicated parking spaces identified. Road pavement designs have been prepared together with site drainage.

Linking paths within the picnic area have been re-positioned to allow compliance with the disabled access standard AS1428. Pedestrian pathways are specified to be constructed in accordance with Council's engineering code. Landscaping has been specified to screen the car park from the picnic area. The location of the proposed kiosk has been shifted to improve the view to the dam from the picnic areas.

As part of the scope given to LGES, a Biodiversity assessment (Review of Environmental Factors) required under the Environmental Planning and Assessment Act, 1979 concluded that the proposals will not have a significant impact upon the koala population or koala movements. While the project will have some impact on the loss of native groundcover, no significant trees are proposed for removal; therefore the works have no significant impact on the identified Critically Endangered Ecological Community present on and surrounding the site. Cultural assessments were completed concluding that the proposed works will not impact upon Aboriginal objects.

Impact

The estimate of the implementation of the revised upgrade plan is \$4.5 million, with ongoing additional maintenance and resourcing costs to be determined.

This project will progress strategic directions within the Community Strategic Plan and Delivery Plan to "Protect and enhance the natural environment to promote and support biodiversity" and to "Maintain and improve local waterways, lagoons and creek lands in partnership with community groups and other agencies"

The Local community has been very supportive of the redevelopment of the Dumaresq Dam picnic area for many years. Implementation of this plan should be well received by the community.

Additional consultancy work will be required to develop a design, survey and costing for the upgrade. . This will require a Budget variation in 2020/21 and potentially a recommendation in the Operational Plan and Budget for 2021/22.

Summary

The revised plan is a significant improvement on the original master plan, while retaining the overall concept and key elements of the master plan.

Designs have been provided for the construction of critical infrastructure for the proposed upgrade the Dumaresq Dam recreation area. The re-working of the original concept master plan now provides a basis for accurate costings and implementation to statutory and regulatory requirements, when external funding becomes available.

Council staff will consider the submissions received at the conclusion of the public exhibition period and determine if any changes are required to be made to the plan, or can reasonably be made with available resources. Further design and project development will require funding from external grants or a budget variation.

Item:	11.4	Ref: AINT/2020/34312
Title:	Managing environmental risks at former Guyra landfill (Everett St, Guyra)	Container: ARC17/1997
Author:	Scot MacDonald, Director Businesses and Services	
Attachments:	<ol style="list-style-type: none">1. Guyra_NSW2. RA_Report_Armidale_Rehab_Draft_2009093. EPA to Council - Letter outlining concerns at old Guyra Landfill - 16 May 2018 - AR	

OFFICER RECOMMENDATION:

That Council prepare a costed option study for managing the environmental risks at the former Guyra landfill (Everett Street, Guyra) that includes options for the future of the site.

Context

The Guyra landfill is located at the end of Everett Street – Lot 461 DP755824 and Lot 446 DP755824. Both Lots are owned by NSW Crown Lands. See attached map.

The Landfill was closed over a decade ago (no records can be found to confirm the date). The site has operated as a waste transfer station since it finished operating as a landfill. Waste is sorted and either sold or transferred to the Long Swamp Road, Armidale Waste Centre.

Council has been advised by the NSW EPA, the Guyra 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. Additionally the landfill cap and batters (side walls) have not been constructed properly with steep, unmanageable landforms and waste protruding from the edges. There is a high likelihood of asbestos on site.

Purpose

Council has a responsibility to protect the environment and deliver waste services in a responsible manner. CSP Environment & Infrastructure Community Outcome 1 “The unique climate, landscape and environment of the region is protected, preserved and made accessible.” The Guyra landfill is a legacy problem from the previous Guyra Shire Council that should have been addressed.

Council has recognised the closed Guyra landfill has to be rehabilitated and any environmental risks mitigated.

Council engaged Resource Analytics to undertake an assessment (attached) of the landfill. They provided a proposed rehabilitation plan and associated costs.

Council will review the proposed rehabilitation plan. Council will also consider options for the site that may include relocating the waste transfer station to a new purpose built complex; rehabilitating the Everett Street site to a standard agreed with EPA and Crown Lands and converting the area to public, open space if suitable.

Implications

Risk

The condition of the Guyra landfill is an environmental risk. The NSW EPA has advised Council

(attached) it is responsible for risk management. One of the key risks is contamination of waterways including the Malpas catchment. The Malpas catchment is the source of drinking water for the main storage system feeding the Armidale water treatment plant (and now connected to the Guyra water treatment plant). The level of risk is not well understood, however the EPA has asked Council to manage the risk.

Any contamination of the environment and waterways would be a reputational risk for Council.

Sustainability

The proposed review will consider the sustainable use of this site for waste management.

Financial

Resource Analytics estimated their proposed rehabilitation plan of the Guyra landfill would cost \$2,401,247. This includes on-going maintenance costs.

The proposed options study will consider alternatives to the works suggested by Resource Analytics and the option to close the Transfer Station; relocate and construct a new Transfer Station and convert the site to a public space.

This legacy issue represents a significant financial burden to current and future ratepayers. The options study will make recommendations to equitably and effectively meet the cost of rehabilitating the Guyra landfill.

Further engineering studies and community engagement are estimated to cost \$80,000.00. This expenditure has not been budgeted for and will require a 2020/21 Budget variation.

Consultation and Communication

Council staff engaged waste industry professionals to scope the legacy issue and provide a preliminary proposal for rehabilitation with associated cost estimates.

Council will inform the community of the environmental risks of the Guyra landfill and options available to rehabilitate the site.

Conclusion

Council has been advised by the NSW EPA the closed Guyra landfill is an environmental risk and is required to manage the risk. Council accepts it has a responsibility to protect the environment (CSP Environment Outcome #1), not endanger human health and manage waste in accordance with State regulations.

Council seeks approval to further investigate options for landfill rehabilitation including options for the future use of the site and optimal waste transfer operations.

Item:	11.5	Ref: AINT/2020/34475
Title:	Air Quality Working Group Formation	Container: ARC16/0864
Author:	Mandy McLeod, Sustainability Officer	
Attachments:	1. Air Quality Working Group ToR and EoI	

OFFICER RECOMMENDATION

That Council:

- a) **Defer the Call for Expressions of Interest for the Environmental Sustainability Advisory Committee (ESAC) sub committee - the Air Quality Working Group.**
- b) **Advise the Environmental Advisory Sustainability Committee that the Air Quality Working Group is deferred until such time as the Advisory Committee review has been finalised.**

Context

At the Environmental Sustainability Advisory Group meeting on the 6 October the following recommendations were made:

- d) That the minor modifications to the Terms of Reference and the Expressions of Interest for the Air Quality Working Group in relation to, the end date and Environmental Sustainability Advisory Committee membership, be undertaken and then these documents be forwarded to the next Council meeting for review and approval;
- e) That once approved the Expressions of Interest for the Air Quality Working Group be advertised and a report be prepared on proposed membership for consideration at the next Environmental Sustainability Advisory Committee meeting in November 2020;

The purpose and goals of the Air Quality Working Group are to research, explore funding opportunities, make recommendations to Council and help implement initiatives in the short, medium and long term to reduce and eventually eliminate the health damage from air pollution.

The amended Terms of Reference and Expression of Interest for the Air Quality Working Group are attached to this report.

Purpose

This report provides Council with information on the formation of the Air Quality Working Group. It is proposed by the committee that Expressions of Interest for the Air Quality Working Group be advertised and that a report be prepared on proposed membership to be tabled at the next Environmental Sustainability Advisory Committee meeting.

Proposal, Research and Analysis

A Wood Smoke Advisory Group (WSAG) was formed by the Mayor on 6 December 2018 as an external advisory group to provide their advice on mechanisms and strategies to improve air quality in Armidale during the winter months (AINT/2018/26451). The Mayor tabled a report on this group at the Ordinary Council Meeting on 12th December 2018, (Resolution number 283/18). The advisory group was to complete its work and provide its advice in the form of a written report to Council.

The Wood Smoke Advisory Group report, *Cosy Home, Clean Air: A strategy for addressing wood smoke issues in Armidale*, was provided to the Mayor on 26th September 2019 and provided to the Environmental Sustainability Advisory Committee meeting on 14 October 2019. The Wood

Smoke Advisory Group report, *Cosy Home, Clean Air* strategies and recommendations, where aligned with the EcoARC Air topic, were included into EcoARC.

The first Core responsibility of the Air Quality Working Group is to:

- Review and encourage Council and other agencies to implement the recommendations of Wood Smoke Advisory Group Report and other initiatives that will generate community benefits by reducing the health damage from air polluted by domestic heating, bushfires or any other significant sources.

Information is provided below with the Meeting date and Resolution number for the formation of the Air Quality Working Group.

Date & Resolution number	Meeting (Council/ESAC) and Recommendation
ESAC Meeting 11/2/2020	ESAC Meeting Minutes Recommendation b) That the committee endorses the Draft Terms of Reference and Expression of Interest for the Air Quality working group.
Extraordinary Council Meeting 13/5/2020 Resolution number 97/20	Item c) That Council endorses the TOR and advertises the Expressions of interest for an Air Quality Working Group unanimously approved by the Environmental Sustainability Advisory Committee (ESAC), as requested in an email to the CEO on 14 February 2020 by 7 councillors. d) That Council authorises ESAC to review applications and select members for its Air Quality Working Group.
ESAC Meeting 10/8/2020	ESAC Agenda Item 7.1. Recommendations Item d) Expressions of Interest for the Air Quality Working Group be advertised and a report be prepared on proposed membership at the next ESAC Meeting. e) That a revised Terms of Reference for the Climate Emergency Working Group and Air Quality Working Group be presented at the next ESAC Meeting. Meeting Minutes Item 7.1. Note however at this meeting that the Interim Administrator requested that Item 7.1. related to the Model Terms of Reference (ToR) be deferred. Recommendation a) That the adoption of the ToR be deferred until such time that Council has investigated and endorsed a Model ToR that will ensure representation of the Committee is appropriately reflected.

It is proposed by the committee that Expressions of Interest for the Air Quality Working Group be advertised and a report be prepared on proposed membership to be tabled at the next Environmental Sustainability Advisory Committee meeting scheduled for the 23rd November 2020.

Impact

There is limited time available following the October Ordinary Council Meeting to allow Expressions of Interest to be advertised and reporting to ESAC on 23 November 2020.

Summary

It is proposed by the committee that Expressions of Interest for the Air Quality Working Group be advertised and a report be prepared on proposed membership at the next ESAC meeting on 23 November 2020 in line with recommendations from the Council Resolution 97/20 at the Extraordinary Council Meeting on 13 May 2020.

Item: 11.6 **Ref:** AINT/2020/34508
Title: Adoption of Planning Proposal No 11 - Madgwick Drive Rezoning
Container: ARC16/0484
Author: Shili Wang, Strategic Planner
Attachments: 1. Attachment 1 - FINAL Planning Proposal No. 11
2. Attachment 2 - Gateway Determination PP11

OFFICER RECOMMENDATION:

That Council:

- a) Exercise its local plan making delegations under section 3.36 of the *Environmental Planning and Assessment Act 1979 (EP&A Act 1979)*, to adopt and make Draft Amendment No 11 to *Armidale Dumaresq Local Environmental Plan 2012*, consistent with Planning Proposal No 11 as exhibited; and
- b) Advise the proponent for Planning Proposal No 11 of Council's decision.

Context

Proposal Details	
Application lodged	January 2018
Gateway Determination	26 June 2018 (to be completed 9 months following the date of the Gateway determination)
Altered Gateway determination	Granted on 25 November 2019 with new timeframe by 27 September 2020; Granted on 3 September 2020 with new timeframe by 27 December 2020.
Applicant / Proponent	Mr Matthew Fahey
Owner	Mr Matthew Fahey
Description of Land	16 Madgwick Drive, Armidale 2, 4, 6 and Part 3, 5 7 Harrison Place, Armidale (formally known as 16, part 20 and 22 Madgwick Drive, Armidale)
Property Description	7 lots of land including: Lot 2 DP 1196907 Lot 2, 3 and 5 DP 1260840 Part Lot 4, 6 and 7 DP 1260840 (formally known as Lot 1, 2 and part 3 DP 1196907)
Existing Zoning	R2 – Low Density Residential Current minimum lot size standard is 4000 square metres
Proposal Request Summary	The Planning Proposal seeks to rezone the subject land to R1 General Residential, with a minimum lot size standard of 500 square meters.

The Planning Proposal for Draft Amendment No 11 to *Armidale Dumaresq Local Environmental Plan 2012* is proposed to rezone and alter minimum lot size standard, which applies to land at 16 Madgwick Drive and 2, 4, 6 and part 3, 5, 7 Harrison Place Armidale NSW – being lot 2 DP 1196907 and Lots 2, 3, 5 and part Lot 4, 6, 7 DP 1260840 (Formally known as 16, part 20 and 22 Madgwick Drive, Armidale, NSW – Lot 1, 2 and Part Lot 3 DP 1196907). Planning Proposal No 11,

as exhibited, is in Attachment 1.

At its meeting of 23 May 2018 Council resolved (Minute no. 97/18, item 12.2):

“a) That Planning Proposal No.11 to amend Armidale Dumaresq Local Environmental Plan 2012, which proposed to:

- Zone lots 1, 2 and part 3 DP 1196907 at 16-22 Madgwick Drive, Armidale, from R2 Low Density Residential to R1 General Residential, and*
- Alter the lot size standard for Lots 1, 2, and part 3 DP 1196907 from 4,000m² to 500m²,*

be forwarded to the Department of Planning and Environment with a request for a Gateway Determination, in accordance with section 3.34 of the Environmental Planning and Assessment Act 1979.

b) That, subject to a Gateway Determination, a further report be provided to Council following public exhibition of Planning Proposal No. 11 to amend Armidale Dumaresq Local Environmental Plan 2012.

c) That the proponent be advised of Council’s resolution.”

The Planning Proposal was forwarded to the Department of Planning, Industry and Environment (DPI&E) for a Gateway Determination, which was issued on 27 June 2018 (Attachment 2) along with a written authority enabling Council to use its local plan making delegations under section 3.36 of the *EP&A Act 1979*, with an extension granted on 3 September 2020. The Gateway Determination was issued with the conditions summarised as followed :

- Consultation is required with Office of Environment and Heritage and Roads and Maritime services;
- Amend the Planning Proposal document;
- To publicly exhibit the Planning Proposal and related documents.

The Planning Proposal was updated accordingly and forwarded to relevant government agencies for further comments. It was placed on public exhibition from 15 September 2020 to 29 September 2020, with no submission received during the public exhibition period.

Purpose

This report is required under the statutory process of the *Environmental Planning and Assessment Act 1979*, to recommend that Council use its Local plan making delegation to amend *Armidale Dumaresq Local Environmental Plan 2012*, following the required public

Proposal, Research and Analysis

The Planning Proposal has been prepared with regard to Division 3.4 of the EP&A Act, *A Guide to Preparing Local Environmental Plans (August, 2016)* and PN-16-001 LEP practice note – Classification and reclassification of public land through a Local Environment Plan.

The Planning proposal has been updated in accordance with the Gateway Determination issued by the Department dated 27 June 2018.

The Planning Proposal has been publicly exhibited with no submission received during the exhibition period.

Impact

Council has received authorisation to use its delegations and exercise the Minister’s functions under section 3.36 of the *EP&A Act* to make Draft Amendment No 11. The local plan making functions under section 3.36 include:

- Following completion of community consultation, deciding:

- to make an LEP amendment (with or without variation of the Planning Proposal), or
 - not to make the proposed LEP amendment.
- Making arrangements for the drafting of an LEP amendment to give effect to the final Planning Proposal.

No variations to Planning Proposal No 11, as exhibited, are considered necessary as a result of the community consultation or otherwise. It is recommended that Council exercise its local plan making delegations to adopt and proceed to make Draft Amendment No 11, consistent with the exhibited Planning Proposal.

Amendment No 11 to *Armidale Dumaresq Local Environmental Plan 2012* will come into effect when it is published on the NSW legislation website.

Summary

The report is seeking a resolution for Council to use its plan making delegations from the Minister of Planning Industry and Environment to sign the Planning Proposal and forward to Parliamentary Counsel for gazettal.

Item: 11.7 **Ref:** AINT/2020/34523
Title: Response to Aboriginal Land Claim No's 8895, 47027 & 49456
Container: ARC16/0295
Author: Shili Wang, Strategic Planner
Attachments:
1. Attachment 1 - Response to Aboriginal Land Claim No 8895
2. Attachment 2 - Response to Aboriginal Land Claim No 47027 and 49456
3. Attachment 3 - Aboriginal Land Claims 8895 47027 49456 - Reference to Stakeholders
4. Attachment 4 - Property File review
5. Attachment 5 - Aerial photo - Lot 1 2 DP 1068131
6. Attachment 6 - Aerial Photo - Lot1166 DP 721188
7. Attachment 7 - Records of Current Leases for 10 Mann Street, Armidale

OFFICER RECOMMENDATION

That Council:

- a) **Note the letter on Aboriginal Land Claims 8895, 47027 and 49456 from the Department of Planning, Industry and Environment – Crown Lands, Aboriginal Claim Investigation Unit;**
- b) **Endorse the submission to the Department of Planning, Industry and Environment in relation to Aboriginal Land Claim Number 8895 over Lot 1 and 2 DP 1068131 known as 2-16 Mann Street Armidale advising the subject land is lawfully used; and**
- c) **Endorse the submission to the Department of Planning, Industry and Environment advising Aboriginal Land Claim Numbers 47027 and 49456 over Lot 1166 DP 721188 known as 45 Castledoye Road Armidale advising:**
 - i. **Council does not hold records for development on Crown Land sites;**
 - ii. **The land is currently vacant; and**
 - iii. **There is no Council record showing any development on the land.**

Context

Council received a letter (Attachment 3) dated 19 August 2020 from the Department of Planning, Industry & Environment requesting authorities and stakeholders to provide a response to Aboriginal Land Claims No. 8895, 47027 & 49456 by 15 September 2020 (see *Table 1* below for details). A request was sent to the Department for an extension of the response timeline and it was granted until 31 October 2020 to fit into Council's reporting timelines.

Claim No	Land Council	Land Claimed	Lodged	Reserve Status
8895	Armidale	1 & 2 /1068131	19/12/2005	Reserve 1002960 for Government purposes, urban services, rural services and community purposes
47027	Armidale	1166/721188	24/1/2019	Reserve 755808 for Future Public Requirements
49456	Armidale	1166/721188	9/8/2019	Reserve 755808 for Future Public

				Requirements
--	--	--	--	--------------

Table 1: Aboriginal Land Claim details

Aboriginal Land Claims are investigated in accordance with the provisions of Section 36(1) of the *Aboriginal Land Rights Act 1983*. As a relevant authority, Council is required to provide information at the date of claim that establishes:

- Lawful use or occupation
- Need or likely to be needed for an essential public purpose.

The investigation requires historical file searching to establish any statutory planning approvals being granted for the use of the land by Council. Any comments, assertion or statement made on the claim are to be supported by documented evidence as well as any aerial photograph for the site.

Purpose

Aboriginal Land Claims are investigated in accordance with the provisions of section 36(1) of the *Aboriginal Land Rights Act 1983*. The response Council provides will assist the Department to properly and thoroughly assess the claim application.

Proposal, Research and Analysis

The following actions have been taken to fulfil the investigation and preparing the response:

- Relevant property files have been reviewed to investigate the lawful use or occupancy of the land – P/3014 volume 1-8, DA0203/0342 (see Attachment 4 – Property File review).
- Aerial photography has been extracted from Council's Geographic Information System to provide aerial image of the site (see Attachment 5&6).
- TRIM electronic files for Tenancy Agreements have been reviewed to establish current use of the land (see Attachment 7 – Records of current leases).
- Current land zoning and planning constraints have been noted and information provided in the response.

Impact

The response will provide information on the lawful use and occupancy of the subject land for Aboriginal Land Claim No. 8895, 47027, 49456, and assist the Minister to make decision on the claim subject to appeals to the Land & Environment Court.

There is evidence of substantial infrastructure which appears to be associated with the lawful uses of the land under Aboriginal Land Claim 8895, while the subject land for Claim 47027 & 49456 remains as vacant residential land.

Summary

The recommendation within this report and the proposed responses to the Department of Planning, Industry and Environment is consistent with the previous actions in assisting the Department in conducting investigations for Aboriginal Land Claim applications.

Item:	11.8	Ref: AINT/2020/34538
Title:	Stronger Country Communities Fund Project - The Hub at Guyra additional funds to complete Stage 1	Container: ARC18/2964
Author:	Scot MacDonald, Director Businesses and Services	
Attachments:	Nil	

OFFICER RECOMMENDATION:

That Council:

- a) Approve an additional \$11,000 to enable completion of stage 1 of The Hub at Guyra.
- b) Funding for the additional expenditure be identified at the first quarter budget review.
- c) Note that a variation has been sought to the Deed of Agreement to delete *the external painting of the existing building* from the final deliverables.

Context

Council currently leases 160 Bradley Street Guyra to the Guyra Neighbourhood Centre Inc. T/A The Hub at Guyra (ABN: 56 563 914 425). In 2018, The Hub submitted a Funding Application with Council under the Stronger Country Communities Fund Round 2 for the partial demolition and expansion of the Council owned facility.

Following the successful announcement of \$400,000 in funding, Council prepared and ran the Tender for the project. The Tender price received was more than double the available funds. Following consultation with the Management of the Hub, Council split the project into two stages. The design was altered to suit a modularised construction in an attempt to reduce costs.

Prior to committing to Stage 1 it was identified that an additional \$40,000 would be required to complete stage 1 which included the demolition. Whilst a quote was provided for the demolition works and waste disposal, during the course of the demolition it was found that additional costs would be incurred due to large amount of concrete, rock and bricks that were found in and under the building. Due to the volume of this waste, the demolition waste disposal costs rose from the estimated \$5,000 to \$24,000.

The project budget included a \$20,000 contingency which was, unfortunately consumed at the demolition stage.

Following a careful review of the budget and the remaining works to be completed, an additional \$19,000 was identified to enable the building to be occupied and used. Discussions have been held with the Management of the Hub (Council's Tenant) and Council has been able to transfer some works to The Hub. However, a shortfall of approx. \$11,000 remains and Council is asked to provide these funds which will complete Stage 1 of this infrastructure project, enable the building to be used and comply with the timeline in the Funding Agreement which identifies a completion date of 31/12/2020.

It will also be necessary to seek a variation of the Scope of the project as additional maintenance works on the original building need to be undertaken which are outside the scope of this project, therefore *the external painting of the existing building* cannot be completed as outlined in the Deed of Agreement.

Purpose

The purpose of the additional \$11,000 funding is to enable the completion of Stage 1 of the Alterations and additions of Stage 1 of the Hub at Guyra.

The need for the additional funds has arisen due to additional and unforeseen costs associated with the waste disposal charges due to the unexpected volume of concrete, rock and brick waste from the demolition works, the additional costs for the new entry and disabled ramp, additional data cable installation and final site clean-up.

Proposal, Research and Analysis

This project has had to be amended to the funding amount following the initial Tender process. All avenues have been exhausted to reduce costs. The remaining tasks are critical to enable practical completion and occupation of the new additions by the Tenant – Guyra Neighbourhood Centre – The Hub at Guyra.

Impact

Financial:

Consultation with Finance has identified that the requirement for additional funding of \$11,000 may impact on Council's operating and cash result as it will likely need to be transferred from unrestricted cash or an internal reserve.

Operational Plan:

Within the Community Strategic Plan, the provision of Infrastructure and community facilities falls under Strategic Direction – Environment and Infrastructure and emphasised through the following Community Outcome:

Community Outcome 3

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

Action E3.4 in Council's Delivery Plan for Buildings and Facilities states that Council will: *Provide and maintain functional, appropriate, safe and desirable Community Facilities.*

As the Guyra Neighbourhood Centre lease The Hub building from Council. Therefore Council does have an obligation to finish Stage 1 to allow the additions to be used.

Summary

Options have been investigated to secure funds from other sources including the lessee – The Hub. The Hub have assumed some of the costs however, a shortfall of approximately \$11,000 remains.

Without the completion of the project the additions cannot be used and Council would not deliver on the outcomes identified in the Deed of Funding Agreement.

Due to the shortfall in funding and other maintenance works being required on the existing building (outside of this project), a variation has been sought to delete the external painting of the existing building from the Deed of Agreement. Council is advised of this action.

Item:	11.9	Ref: AINT/2020/34547
Title:	Notice to Provide Information and Records to NRAR- Council's Groundwater program	Container: ARC19/3333
Author:	Scot MacDonald, Director Businesses and Services	
Attachments:	<ol style="list-style-type: none">1. Signed s338A Armidale Regional Council2. Letter of Notice to provide information and records - s338A(2)	

OFFICER RECOMMENDATION:

That Council note the response provided to the Natural Resource Access Regulator (NRAR) following a Notice to provide Information and Records regarding the Guyra groundwater program.

Context

On the 10th September 2020, Armidale Regional Council received Notice to Provide Information and Records (Under Section 338A (2) of the Water Management Act 2000 NSW from the Natural Resource Access Regulator (see attached). NRAR advised they commenced their investigation following a complaint from the public.

The information requested related to use of water extracted from the bores in Guyra. NRAR requested answers to 71 questions. Many of the questions related to approval to sell extracted bore water. At the time of the Notice, no Invoices were raised for water extracted from the test bores.

The bore testing program in Guyra and Armidale was approved under Clause 39A of the Water Management (General) Regulations 2018 in response to the severe water shortages experienced in 2019. The NSW Government has encouraged and financially supported the endeavours of Council to diversify its water supply sources including the development of the bore network in Guyra.

Purpose

This report notes the information and records provided in response to the Notice from NRAR that was forwarded on the 9th October (see attached).

Proposal, Research and Analysis

As the response outlines, Council contends it acted within approvals. Specifically the Exemption Notice received from NRAR notes in relation to the bores in Guyra "Exempt a relevant public authority from section 91B (1) of the Act in relation to the construction or use (or both) of a water supply work."

Impact

The Notice from NRAR explains the maximum penalty under the Water Management Act for an offence for a corporation is \$2,002,000 and a further \$132,000 for each day the offence continues.

No provisions for penalties have been made in the 2020/2021 Budget.

Summary

Council was required to provide information and records regarding its groundwater program in Guyra. Council believes it is operating within its approvals. The groundwater program has been

supported by the NSW Government as a strategy to improve water security for Armidale and Guyra.

Item:	11.10	Ref: AINT/2020/34552
Title:	Park Furniture Style and Design Guide	Container: ARC20/4348
Author:	Richard Morsley, Coordinator Public and Town Spaces	
Attachments:	1. Park Furniture Style and Design Guide	

OFFICER RECOMMENDATION:

That Council endorse the draft Park Furniture Style and Design Guide.

Context

The draft Park Furniture Style and Design Guide aims to address the lack of uniformity of park furniture styles and design found across the local government area.

While consideration is given to the existing character and types of parks, the guide aims to unify park furniture design styles as far as possible across all parks, reserves and sports fields across the local government area as far as practicable.

The selection of park furniture for heritage listed sites will be subject to the provisions within the Local Environmental Plan, and in the case of Central Park in Armidale, approval would be required from the NSW Heritage Council.

Purpose

The draft Park Furniture Style and Design Guide aims to address the lack of uniformity of park furniture styles and design found across the local government area.

Proposal, Research and Analysis

The guide has been compiled with reference to existing styles and designs used with parks. The guide is aimed at unifying styles. A table has been included within the guide that should be developed further to assist with decision making regarding style and design.

All Council staff from Local Services, engineering design, project management and 2 strategic planning staff were provided with the first draft of the Style Guide for comment. Comments were received from only 4 Council Officers. A table below is a summary of those comments. All comments were considered and changes made to the document to reflect those comments.

Respondent	Comments	Outcome
Alesya Frost	Style selection is appropriate for Armidale, however considers that furniture should be based on site specific considerations. Prefer to integrate a process for selection, rather than a predetermined item that may not be considerate of context. Unifying selections over our diverse range of outdoor spaces may diminish the very thing we cherish about Armidale	<ul style="list-style-type: none">Remove supplier names and specifics from document.Provide a process for style selection
Richard Single	Style guide should list specific brands but could be listed as suppliers that may meet the style guide criteria. Identifying specific suppliers products breaches Council's procurement policy	<ul style="list-style-type: none">List suppliersProvided a guide for style selection
Stewart McRae	Outline the key design elements rather than specific items. Provide a list of preferred suppliers. Bushfire considerations, accessibility standards,	<ul style="list-style-type: none">Outline key desirable featuresIdentify relevant Australian standardsConsider site specific requirements
Mark Wilson	Metal seats may not suit hot/cold conditions. Anti skate devices on furniture. Jarrah stain in mall and CBD. Wheel chair access at end of picnic tables. Heritage colours may be appropriate. Cigarette trays in bins Y/N. Picnic tables with rounded corners best. Adopt a roof colour standard for picnic shelter. Footing designs required. Local suppliers.	<ul style="list-style-type: none">Incorporated relevant issues into document

Impact

No adverse impacts are expected and financial impacts should be minimal.

Summary

The identification of preferred furniture design will assist in creating a level of uniformity across furniture in parks. The guide is not definitive and should be a living document to be developed over time.

Locking in particular designs that may cease to be manufactured needs to be accounted for in some way. In addition, community's tastes change and the guide must be adaptive. Specifying broad categories within the guide, into which a range of available furniture may be included, may be the best way forward.

The guide must also consider various constraints such as heritage considerations and the desire by the community for a particular design style or statement for a particular location e.g. for a total refurbishment of the Mall and CBD.

Item: 11.11 **Ref:** AINT/2020/34562
Title: Support for a Guyra Spring Flower Festival 2021 proposal **Container:** ARC16/0891-1
Author: Richard Morsley, Coordinator Public and Town Spaces
Attachments: 1. Apex Park Guyra 1
2. Apex Park Guyra 2

OFFICER RECOMMENDATION:

That Council:

- a) **Provide in principle support for the proposal of the Guyra Garden Club's proposal of a Guyra Spring Flower Festival 2021.**
- b) **Provide a letter of support to the Guyra Garden Club for their application for external funding for the Guyra Spring Flower Festival 2021 proposal.**

Context

Council's Parks Project Officer and Horticulturist met with representatives of the Guyra Garden Club and Guyra Rotary Club at APEX and Rotary Parks 6 October 2020. The meeting was held in response to a request from David Kanaley and Wendy Mulligan for Council staff to attend a discussion for the proposal of a Guyra Spring Flower Festival in October 2021.

After the meeting staff advised that Council would support the proposed Spring Flower Festival project subject to funding and resource availability.

Purpose

The proposal for a Spring Flower Festival project to include a war memorial park and associated plantings is supported on the grounds that the project will:

- Enhance a sense of community by celebrating the passing of winter.
- Maintain local employment opportunities through the construction and on-going maintenance of a mandala garden with associated park seating and tables.
- Attract tourists to the Guyra to enjoy the spring floral display enhanced by a memorial avenue of spring flowering trees
- Provide a beautiful space to recognise the men and women from the district who served Australia in times of war.

Proposal, Research and Analysis

The proposal includes:

- The construction of a mandala garden
- The planting of the mandala garden beds
- The erection of tables and seating
- The planting of a memorial avenue of flowering ornamental trees

The Guyra Garden Club has requested support from Council for the purpose of obtaining an external grant to initiate the project. Further support may be sought from Council subject to funding being received for the project.

The war memorial project will require compliance Council's Memorials Policy POL239

Impact

The project will have a positive effect on the Guyra community and be a feature of the proposed annual Spring Garden Festival proposal. The project will assist the aims of the Guyra Garden Club and Guyra Rotary Club.

The risk that requests for financial and/or in-kind assistance may not be met.

Summary

The project supports the desires of the groups involved and will enhance a sense of community.

The recognition for those men and women who served Australia in times of war is of paramount importance.

As an initiative of the proposed annual Spring Flower Festival, The project aims to enhance the parklands and increase tourism.

In principle support from Council is sought for the purpose of securing external grant funding. If grant funding is secured, additional support may be requested.

Item:	11.12	Ref: AINT/2020/34669
Title:	Planning Proposal No 9 - Airport Rezoning	Container: A15/6879
Author:	Shili Wang, Strategic Planner	
Attachments:	<ol style="list-style-type: none">1. Council Report Attachment 1 - Signed Attachment C Gateway Determination PP_2018_AREGI_001_002. Council Report Attachment 2 - Alteration of Gateway determination3. Council Report Attachment 3 - Submission	

OFFICER RECOMMENDATION:

That Council:

- a) Forward the Planning Proposal for Draft Amendment No 9 to the *Armidale Dumaresq Local Environmental Plan 2012*, which proposes to:
- Rezone parts of the land to B7 Business Park, SP2 Infrastructure (Air Transport Facility) or IN2 Light Industrial;
 - Alter the lot size standard so that 1,000 square metres applies to land to be zoned IN2 Light Industrial and no standard applies to land to be zoned B7 Business Park or SP2 Infrastructure (Air Transport Facility); and
 - Permit additional permitted uses as follows:
 - Hotel or motel accommodation on part of the land to be zoned B7 Business Park
 - Information and education facilities on part of Lot 2 DP 1198787.
- to the Minister for Planning, Industry and Environment requesting that the Minister make the amendment to the *Armidale Dumaresq Local Environment Plan 2012*.
- b) Notify the person who made a submission during the public exhibition period for Planning Proposal No 9 of Council's decision.

Context

Proposal Details	
Application lodged	October 2017
Gateway Determination	8 February 2018 (to be completed 9 months following the date of the Gateway determination)
Altered Gateway determination	Granted on 7 February 2019 with new timeframe by 8 August 2019; Granted on 15 October 2019 with new timeframe by 8 August 2020; Granted on 7 August 2020 with new timeframe by 31 December 2020.
Applicant / Proponent	Armidale Regional Council
Owner	Armidale Regional Council
Description of Land	33-125 Saumarez Road and 10541 New England Highway, Armidale
Property Description	5 lots of land at a total area of approximately 7.384 hectares Part Lot 1 and Lot 2 DP 1196697 Part Lot 1 and Lot 2 DP 1198787 Part Lot 19 DP 817347
Existing Zoning	IN2 – Light Industrial SP2 – Infrastructure

Proposal Request Summary	The Planning Proposal seeks to rezone parts of the land to B7 Business Park, SP2 Infrastructure (Air Transport Facility) or IN2 Light Industrial. Lot size standard will be changed so that 1,000 square metres applies to land to be zoned IN2, and no standard applies to land to be zoned B7 or SP2. Additional permitted uses have also been introduced.
---------------------------------	--

At its meeting of 22 November 2017 Council resolved (Minute no. 316/17, item 11.2):

“a) That Planning Proposal No.9 to amend Armidale Dumaresq Local Environmental Plan 2012, which applies to Part Lot 1 and Lot 2 DP 1196697, Part Lot 1 and Part Lot 2 DP 1198787 and Part Lot 19 DP 817347, 33-125 Saumarez Road and 10541 New England Highway, Armidale, and proposes to:

- Rezone parts of the land to B7 Business Park, SP2 Infrastructure (Air Transport Facility) or IN2 Light Industrial,*
 - Alter the lot size standard so that 1,000 square metres applies to land to be zoned IN2 Light Industrial and no standard applies to land to be zoned B7 Business Park or SP2 Infrastructure (Air Transport Facility), and*
 - Permit additional permitted uses as follows:*
 - Hotel or motel accommodation on part of the land to be zoned B7 Business Park*
 - Information and education facilities on part of Lot 2 DP 1198787,*
- be forwarded to the Department of Planning and Environment with a request for a Gateway Determination, in accordance with section 56 of the Environmental Planning and Assessment Act 1979.*

b) That a further report be provided to Council following public exhibition of Planning Proposal No. 9 to amend Armidale Dumaresq Local Environmental Plan 2012.”

The Planning Proposal was forwarded to the Department of Planning, Industry and Environment for a Gateway Determination, which was issued on 8 February 2018 (Attachment 1). An Altered Gateway determination was received confirming the deletion of dot point 2 (requirement of ecological assessment) of condition 1 (Attachment 2), and further extensions were granted on 15 October 2019 and 7 August 2020. The Gateway Determination was issued with conditions summarised below:

- Prior to agency consultation further studies to be completed;
- Amend the Planning Proposal document accordingly; and
- To publicly exhibit the Planning Proposal and related documents.

In accordance with the Gateway determination, specialist studies were completed as follows:

- an ecological assessment for Area D; and
- a contamination assessment in accordance with the Managing Contaminated Land Planning Guidelines for Areas B and D.

The Planning Proposal was updated accordingly and forwarded to the following organisations for further comments:

- NSW Roads and Maritime Services;
- NSW Office of Environment and Heritage;
- Environmental Protection Authority;
- Civil Aviation Safety Authority;
- Lessee of Armidale Regional Airport;
- Department of Primary Industries (Agriculture); and

- the Local Aboriginal Land Council.

Council received responses from NSW Roads and Maritime Services and NSW Office of Environment and Heritage with no objections to the Planning Proposal.

The Planning Proposal was placed on public exhibition from 31 August 2020 to 14 September 2020.

One submission was received during the public exhibition period; comments are summarised below in relation to the following points:

- Suggested walking/bike track to the Airport development;
- Revegetate the farmland on the biodiversity off-set; and
- Ensure wildlife corridors are retained.

The Airport development was determined by the Northern Joint Regional Planning Panel (N-JRPP) who approved the application on 17 October 2017 subject to conditions; the approval was subsequently modified on 17 June 2019 (DA-46-2017/A). Stage 1 of the industrial subdivision includes footpaths and future stages are proposing connections between the industrial subdivision and the airport.

The Draft Vegetation Management Plan (VMP) required as a condition of DA-46-2017/A includes a requirement to undertake revegetation of the offset area. The Draft Vegetation Management Plan includes some connections between the offset area and existing vegetation in the locality.

Purpose

This report is required under the statutory process of the *Environmental Planning and Assessment Act 1979*. It is recommended that the Planning Proposal be forwarded to the Minister for Planning, Industry and Environment to make the necessary amendment of the *Armidale Dumaresq Local Environmental Plan 2012*, now the required public exhibition has finished.

Proposal, Research and Analysis

The Planning Proposal has been prepared with regard to Division 3.4 of the *EP&A Act, A Guide to Preparing Local Environmental Plans (August, 2016)* and PN-16-001 LEP practice note – Classification and reclassification of public land through a Local Environment Plan.

The Planning proposal has been updated in accordance with the Gateway Determination issued by the Department.

The Planning Proposal has been publicly exhibited with one submission received from the public (Attachment 3).

Impact

The rezoning of subject land will facilitate future development of the land consistent with the Armidale Regional Airport Masterplan and the approved subdivision plan for DA-46-2017/A, by permitting the uses for the purpose of a business park, hotel or motel accommodation, or transport museum. It will also enable reconfiguration of the land within the precinct where light industrial and airport related developments can be carried out.

Summary

The recommendation of this report to proceed with the Planning Proposal is consistent with the previous Council resolution, and will enable the progression and completion of relevant LEP amendments.

Item: 11.13 **Ref:** AINT/2020/35926
Title: Proposal to acquire land for a Community Hall at Lower Creek.
Container: ARC16/0606
Author: Scot MacDonald, Director Businesses and Services
Attachments: 1. Proposal to Acquire Land at Lower Creek

OFFICER RECOMMENDATION:

That Council commence negotiations to acquire land (Lot70 DP 655374) at Lower Creek for the purpose of supporting the Lower Creek Local Area Committee to construct a community hall.

Context

The Lower Creek community experienced severe hardship through the drought, bushfires and storms in 2019 and 2020.

In consultation with the Lower Creek Local Area Committee (LAC), the community expressed the need for a community hall and meeting site to assist them recover from natural disasters. The LAC has identified a preferred site (Lot 70 DP655374).

Council would acquire the land and have a Lease or Occupancy agreement with the Lower Creek LAC enabling them to construct a meeting hall.

The Lower Creek LAC has been allocated \$40,000 from the Australian Government Bushfire Recovery Program and \$60,000 from the NSW Government Drought Stimulus Program to assist the community recover.

Proposal, Research and Analysis

Council staff reviewed land values in this area and the indicated price is fair and reasonable. Given the low value of the land and cost to undertake an inspection, an independent valuation has not been commissioned.

The Community Strategic Plan identifies “Our People and Community: Community Outcome #2 Community services and facilities meet the needs of the community”
The Lower Creek community does not have a meeting hall.

The Lot is zoned RU1 and a community meeting hall is permissible use.

Impact

The acquisition would be funded from the NSW Government Drought Stimulus Program. The August OCM resolved the Lower Creek LAC was to receive \$60,000 for ‘Multipurpose centre and park toilet block’.

Summary

The Lower Creek community is in an extended recovery phase after consecutive natural disasters over the past 18 months. The LAC has proposed a meeting hall would assist the residents in developing resilience and greater preparedness for emergencies.

The land identified, 8908 Kempsey Road, Lower Creek would be acquired by Council enabling construction of a multi purpose meeting space.

Item:	11.14	Ref: AINT/2020/34925
Title:	Approval of DA-70-2020: Construction of 50 ML Surface Water Storage Dam and 40 ML Bore Water Storage Dam	Container: DA-70-2020
Author:	Simon Vivers, Town Planner	
Attachments:	<ol style="list-style-type: none">1. Section 4.15 Assessment2. Statement of Environmental Effects and Appendix A3. Schematic Water Source Plan4. Plans of Development5. Water Management Plan6. Groundwater Management Plan7. Recommended Conditions8. Submissions - Redacted9. Response to Submissions	

OFFICER RECOMMENDATION:

That Council:

- a) **Approve DA-70-2020 subject to the conditions, as detailed in the conditions document in Attachment 7 to this report.**
- b) **Notify all those who made a submission on the Application, of the determination.**

Context

The application submitted for Council's consideration is for the construction of 1 x 50 ML Surface Water Storage Dam and 1 x 40 ML Bore Water Storage Dam. Together the dams would increase the total storage capacity on the site from 112.1 ML to 208.5 ML.

The dams would be located in the south eastern corner of the land, adjacent to existing dams and other infrastructure. The proposal would require the removal of 5 trees to facilitate the development.

The proposal at hand is for Development Consent only, and does not extend to matters regulated under the *Water Management Act 2000*, in relation to the capture of surface water and extraction of groundwater. As conditioned, the developer would be required to obtain all necessary approvals from Water NSW in this regard prior to commencement of any works.

The application was notified 1 July 2020 adjoining landowners together with a newspaper advertisement (Guyra Gazette) in accordance with Integrated development requirements. The notification period was extended from 31 July 2020 to 24 August 2020.

A total of 9 individual written objections were received, including two from recognised community groups. The grounds of objection and responses are discussed separately in an attachment to this report.

Purpose

The purpose of the recommendation is to permit the construction of 1 x 50 ML Surface Water Storage Dam and 1 x 40 ML Bore Water Storage Dam together with associated site works and tree removal, subject to the conditions attached.

Proposal, Research and Analysis

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.

Taking into account that the proposal does not extend to matters regulated under the *Water Management Act 2000*, the assessment determines that the proposal to increase storage capacity is acceptable on balance, and would facilitate more efficient overall water usage and effective, compliant groundwater extraction.

The application has been supported by:

- Statement of Environmental Effects, prepared by Sixhills Group Pty Ltd, project ref: 15003B, dated 15 June 2020;
- Water Management Plan, prepared by Kelley Covey Group Pty Ltd, project ref: T186214, Issue A, dated 10 June 2020;
- Koala Habitat Assessment, prepared by Melaleuca Enterprises, dated 16 October 2013
- Biodiversity Assessment, prepared by Geolink, project ref: 3207-1009, 3rd Issue, dated 11 October 2018
- AHIMS search
- Groundwater Management Plan, prepared by Jacobs Australia Pty Limited, project ref: IS084400, Revision 3, dated 17 July 2015 (supplied as part of response to objections)
- Water Use Report, prepared by Macquarie Franklin, dated 29 May 2018 (supplied as part of response to objections)

The application has been referred to Council's Development Engineer, who has raised no objection to the proposal. The application has been referred to Water NSW, however at the time of preparation of this report no response has been received. Notwithstanding, this can be managed through the recommended conditions of approval.

Impact

Any impacts from the proposal have been considered in detail in the attached assessment report. It is reiterated that the application relates to the construction of the dams only, and does not extend to matters regulated under the *Water Management Act 2000*.

Summary

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 material 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:	11.15	Ref: AINT/2020/35028
Title:	Approval of DA-77-2020: Intensive Animal Husbandry - Construction and Operation of 999 SCU feedlot	Container: DA-77-2020
Author:	Kate Blackwood, Development Assessment Planner	
Attachments:	<ol style="list-style-type: none">1. Statement of Environmental Effects and Supporting Documentation2. Redacted Submissions3. Additional Information4. Revised Site Plan5. 4.15 Assessment Report6. Recommended Conditions of Approval	

OFFICER RECOMMENDATION:

That Council:

- a) **Approve Development Application DA-77-2020 subject to the conditions, as detailed in the conditions documented in Attachment 6 to this report.**
- b) **Notify all those who made a submission on the Application of the determination.**

Context

The application submitted for Councils consideration is for the Intensive Animal Husbandry – Feedlot (up to 999 cattle or 3999 sheep). The development will form part of 1075 Tenderden Road (Tenderden Station), Tenderden, which has an area of approximately 1,394 hectares. The proposed development is to be located north east of the intersection of Tenderden, Moredun Dams and Junction Roads. Access will be taken from Moredun Dams Road, which is unsealed.

The proposal constitutes Local Development, with the scale of the proposal under Designated Development thresholds prescribed under Schedule 3 of the *Environmental Planning and Assessment Regulation 2000*.

Development Consent is required given the application is for a permanent feedlot. The applicant has not sought to operate under the exempt ‘drought lot’ provisions of *State Environmental Planning Policy (Primary Production and Rural Development) 2019*.

The Development Application was notified to adjoining occupiers. 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.

Purpose

The purpose of the recommendation is to permit the proposed Intensive Animal Husbandry (Feedlot - 999 Cattle or 3999 sheep) use, subject to the recommended conditions of consent.

Proposal, Research and Analysis

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.

Impact

Any impacts from the proposal have been considered in detail in the attached assessment report. In summary, it is considered that the main impacts are in relation to:

- Traffic
- Odour/air quality
- Water Quality (ground and surface water)
- Water use
- Biodiversity
- Visual amenity
- Biosecurity
- Animal welfare

Summary

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 material 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:** 11.16 **Ref:** AINT/2020/36254
- Title:** Request for tender - provision of bulk materials 2020 - 2021 **Container:** ARC18/2692
- Author:** Sharn Woolnough, Project Officer
- Attachments:**
1. ATL - Bulk Materials - Roadbase Materials 1- *As this attachment deals with commercial information of a confidential nature which, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c) of the Local Government Act 1993). Council closes the meeting, in accordance with Council's Code of Meeting Practice, as consideration of this matter in open Council would be contrary to the public interest.*
 2. ATL - Bulk Materials - Ready Mixed Concrete 1- *As this attachment deals with commercial information of a confidential nature which, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c) of the Local Government Act 1993). Council closes the meeting, in accordance with Council's Code of Meeting Practice, as consideration of this matter in open Council would be contrary to the public interest.*
 3. ATL - Bulk Materials - Aggregates 1- *As this attachment deals with commercial information of a confidential nature which, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c) of the Local Government Act 1993). Council closes the meeting, in accordance with Council's Code of Meeting Practice, as consideration of this matter in open Council would be contrary to the public interest.*
 4. ATL - Bulk Materials - Soils & Sands 1- *As this attachment deals with commercial information of a confidential nature which, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c) of the Local Government Act 1993). Council closes the meeting, in accordance with Council's Code of Meeting Practice, as consideration of this matter in open Council would be contrary to the public interest.*

OFFICER RECOMMENDATION:

That Council accepts six tenders received for a supplier panel contract for the Provision of Bulk Materials from 1 November 2020 to 31 October 2022.

Context

Since amalgamation the contract for Provisions of Bulk Materials over a two year period has been utilised by the new Armidale Regional Council. The current contract is due to expire 31 October 2020. Therefore, there is a requirement to renew this contract via an open tender process to establish a new panel of suppliers for a two year period from 1 November 2020 to 31 October 2022, with an option for Council to extend twelve months.

The expected expenditure in this category will exceed the tender threshold over the contract

period; expenditure expected to exceed \$500,000 per annum.

The intention of the panel is to allow 'schedule of rates' tenders to be submitted by suppliers from the Local Government area, the wider region and metropolitan areas. The creation of a panel contract satisfies legislative requirements under Section 55 Local Government Act 1993.

Purpose

The tender process gives local companies equal opportunity alongside larger providers to supply Local Government under contract. The use of the schedule of rates provided and obtaining quotes for project work is encouraged to increase value for money. Competitive pricing is offered assisting Council's financial sustainability.

Proposal, Research and Analysis

After obtaining approval under delegated authority, Request for Tenders were issued via Council's Tenderlink portal on 04 August 2020 and advertised on Armidale Regional Council Website and News. The terms of the tender provide for an establishment of a panel of suppliers for the above mentioned services. Experience has shown it is not always possible to meet demands with minimal suppliers, making the appointment of a panel of vendors appropriate.

No representations are made, expressed or implied to the Contractor, as to the volume of trade that might reasonably be expected by the Contractor in the conduct of this contract. There shall be no expectation to order from the Contractor any quantity of services. The contract covers four categories, Ready Mixed Concrete, Soils and Sands, Aggregates and Roadbase Materials, as per the enclosed data.

Following advertisement requirements being met, tenders closed at 2.30pm on 25 August 2020. Council received a total of six (6) tenders as listed in the enclosed evaluation.

The evaluation process, held on 16 August, revealed all submissions were conforming and should be accepted on the panel contract for the duration being two years. All conforming tenderers lodged schedules of rates, dependent on the type of work.

A summary of the tenders received, pricing and the evaluation scores are included in the attachments.

Impact

Future expenditure under contract provides accountability, probity and transparency. Goods and services procured must be 'fit for purpose' and represent value for money.

This contract demonstrates taking a leading role in encouraging strategic procurement initiatives and utilising its purchasing power to achieve best value for money and reduce overall category costs.

Running local panel tenders to expand local business opportunities allows Council to support our economic growth and sustainability.

As a result of this consultation process, Council aims to establish a panel to allow local and out of region representation. The contract will provide a variety of services and the ability to resource specific skills at competitive prices. Risk is reduced as panel contract suppliers are channelled through processes for insurance, chain of responsibility and Work, Health and Safety.

Advertisement and notice was extended to potential suppliers in and around our Council area to supply services to Armidale Regional Council. Procurement staff engaged with relevant Service and Program Leaders to review the specification and evaluation for this request for tender.

A contract must be present in this category, as recent spend indicates. Spend is estimated going forward to be above \$500,000 over the contract period. It is expected the panel will provide financial gains due to competitive pricing by utilising the contract's variety of companies. Work is expected to be allocated in preference of value for money and availability across the categories.

Summary

The successful contractors should be accepted on the panel contract for Provision of Bulk Materials from 1/11/20 to 31/10/22. Best value for money as per LGA93 Section 55 should be obtained by utilisation of this contract as per best price, product quality, expertise, service and availability. Supplier engagement should be actively managed and documented during the contract period.

Item: 12.1 **Ref:** AINT/2020/34025
Title: Policy update - Use of Public Space by Personal and Group Trainers
Container: ARC17/1839
Author: Amy Biggs, Sports Coordinator
Attachments: 1. ARC Procedure - Use of Public Space by Personal and Group Trainers
2. ARC Policy - Use of Public Space by Personal and Group Trainers

OFFICER RECOMMENDATION:

That Council:

- a) **Adopt the updated draft Policy for use of Public Space by Personal and Group Trainers.**
- b) **Exhibit the draft policy for 28 days and be provided with a further report following the exhibition period.**

Context

POL233 – Use of Public Space by Personal and Group Trainers was adopted in July 2013 under the Armidale Dumaresq Council. Minor amendments to the policy were required to ensure the policy contained current information, including the Council name, logo and information pertaining to fees and charges.

Purpose

The updated policy now reflects Armidale Regional Councils branding and current information. The Policy is now accompanied by a procedure for internal use, streamlining the policy and providing clarification for internal staff.

Proposal, Research and Analysis

The updated policy and procedure was reviewed by Governance Officers to ensure uniformity across council policy branding and to ensure it met local government legislation and requirements.

Summary

The policy and procedure are attached to the report for notation. That Council adopt the updated policy, noting the minor amendments to the previous policy adopted in July 2013.

Item:	12.2	Ref: AINT/2020/34279
Title:	Everyone Can Play Program Round 3 - Grant Application ARC17/2177-6	Container:
Author:	Lilian Colmanetti, Project Officer - Strategic Infrastructure Planning	
Attachments:	1. Everyone Can Play - Local Government Grant Guidelines 2020-21 2. Playground Shade Development 5 year Program(2)	

OFFICER RECOMMENDATION

That Council:

- a) **Endorse the submission of a funding application to the Department of Planning, Industry and Environment - Everyone Can Play Program for Option 1 Extension of playground located at Curtis Park to incorporate a “Nature Playground” with total cost of \$150,000**
- b) **Endorse the use of \$18,750 of the \$102,000 allocated under the 2021-2022 “Shade Replacement Program” funding to be used as for shade over this new playground as a co-contribution to the grant application.**
- c) **Endorse the use of \$56,250 of the \$1,762,217 allocated under the “Local Roads and Community Infrastructure Program extension as a co-contribution to the grant application.**

Context

In September 2020 the Department of Planning, Industry and Environment has announced the third round of the Everyone Can Play Grant program for LGAs to upgrade and deliver new and inclusive playspaces. Application closes at 12pm (midday), Tuesday 3 November 2020.

The 2020-21 funding round will give special focus and consideration to applications for quality, inclusive playspaces by the Local Government Areas (LGAs) who were officially declared to be impacted by the drought and bushfires of late 2019 and early 2020.

Purpose

The main purpose of this project is to support and create playspaces that contribute to the rebuilding and recovery process of our region and provide and ensure that playspaces is available for everyone to enjoy, and being inclusive for all people to participate in a variety of play experiences.

The project will also stimulate the creation of jobs in our local community following the impacts of drought, bushfires and COVID-19.

Proposal, Research and Analysis

A draft Armidale Creeklands Masterplan was produced in collaboration with the community and key stakeholders, and it went for public exhibition for 28 days from Thursday 20 August to Thursday 17 September 2020. The proposed project for a Nature Playground aligns with the Armidale Creeklands Masterplan, which is going for adoption at the 28 October Council meeting.

As a requirement of the Program, grant funding must be matched dollar for dollar with cash funding by Council, with the exception of applicants in bushfire and drought affected LGAs who are required to match with minimum 25% cash from council plus other confirmed funding from other State and Commonwealth grants programs as part of their matched bid.

In December 2019, the “Shade Replacement Program” has been adopted by Council, resolution 269/19, and in February 2020 a proposed program has been noted, resolution 20/20, which included a 5 year development program and proposed budget estimates for the 5 years.

In October 2020, the “Local Roads and Community Infrastructure Program (extension)” has been announced and Armidale Regional Council will receive additional allocations under the program for the amount of \$1,762,217 to be used by 31 December 2021. Projects under this program must deliver benefits to the community, such as improved accessibility visual amenity, and/ or safety, and playgrounds (including all ability playgrounds) are examples of eligible works under the program.

Two options have been considered for the application:

Option 1 Extension of playground located at Curtis Park to incorporate a “Nature Playground” with total cost of \$150,000:

Everyone Can Play Program - Nature Playground		
Proposed DPIE contribution		75,000
Proposed ARC co-contribution	Shade Replacement Program FY21/22	18,750
	Local Roads and Community Infrastructure Program (extension)	56,250
Total		150,000

Council is require to co-contribute to the program and if this option were to go ahead, endorsement from Council would be sought to use \$18,750 of the “Shade Replacement Program” funding to be used as 25% of the 50% co-contribution required to the grant application, plus \$56,250 of the “Local Roads and Community Infrastructure Program (extension)” funding to be used as 75% of the 50% co-contribution required to the grant application.

Option 2 “New Nature Playground” with total cost of \$600,000:

Everyone Can Play Program - Nature Playground		
Proposed DPIE contribution		300,000
Proposed ARC co-contribution	Shade Replacement Program FY21/22	75,000
	Local Roads and Community Infrastructure Program (extension)	225,000
Total		600,000

Council is require to co-contribute to the program and if this option were to go ahead, endorsement from Council would be sought to use \$75,000 of the “Shade Replacement Program” funding to be used as 25% of the 50% co-contribution required to the grant application, plus \$225,000 of the “Local Roads and Community Infrastructure Program

(extension)” funding to be used as 75% of the 50% co-contribution required to the grant application.

The project aligns with the Community Strategic Plan 2017-2027 – Our People and Community – specifically in relation to:

- i. P2 Culture – Events and cultural activities provide the community with the opportunity to celebrate the unique culture and lifestyle of the region (P2.2 Support increased community participation in sports and recreation throughout the region - Delivery Program 2018-21)

Impact

The Everyone Can Play Program is critical for the recovery process of the Armidale Region community, 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.

Summary

The inclusive nature playground will be a possibility to deliver opportunities for play and social interaction for people of all ages, abilities and cultures, aligning with the same principles as the draft Armidale Creeklands Masterplan, integrating aspects of cultural, social, recreational, environmental and potential for tourism.

Item:	12.3	Ref: AINT/2020/34333
Title:	Recreational Fishing Trusts funding - Grant application ARC17/2177-6	Container:
Author:	Lilian Colmanetti, Project Officer - Strategic Infrastructure Planning	
Attachments:	1. Recreational Fishing Trusts - Funding guidelines September 2020	

OFFICER RECOMMENDATION

That Council endorse the submission of a funding application to the Department of Primary Industries - Recreational Fishing Trusts funding for the construction of the Dumaresq Dam Jetty at a total cost of \$228,000.

Context

In September 2020 the Department of Primary Industries announced the Recreational Fishing Trusts funding, with the aim to support projects and programs to improve and promote recreational fishing, fishing access and facilities, recreational fishing enhancement, research on fish and recreational fishing, aquatic habitat rehabilitation and protection and enforcement of fishing rules.

Purpose

The main purpose of the project Dumaresq Dam Jetty project is to support local communities, stimulating the economy and promoting the social wellbeing of our people. The Armidale region has faced many challenges for the past few years and this is an opportunity to improve and promote recreational fishing and stimulate the community to do more social activities.

Application closes on 30 October 2020.

Proposal, Research and Analysis

The proposed Dumaresq Dam Jetty project will be located on the western shoreline of the Dam within the recreational area, providing additional accessible recreational fishing opportunities, as there is currently limited access to good fishing locations at the Dam due to shallow water along the western shoreline (recreation area) and limited pedestrian access to locations on the eastern side of the Dam.



The proposed Jetty location is also close to carparks and existing facilities, which will facilitate the fishing experience to the community.

Previously consultation has been undertaken with local fishing clubs and letters of support have been received from each (St Kilda and Guyra) in addition to a letter of support from the Uralla fishing club.

The nominated projects align with the Community Strategic Plan – Our People, Or Community – specifically in relation to:

- P2 – Culture – Events and cultural activities provide the community with the opportunity to celebrate the unique culture and lifestyle of the region
 - P2.2 – Support increased community participation in sports and recreation throughout the region

Impact

If the project proposal application is approved, Council will be able to provide the community with a Jetty at the Dumaresq Dam, providing additional accessible recreational fishing opportunities to the community.

Summary

The Recreational Fishing Trusts funding will enable Armidale Regional Council to deliver and promote social wellbeing of our community, supporting recreational fishing and encouraging people to visit the Armidale region.

Item:	13.1	Ref: AINT/2020/33787
Title:	Update on Koala Management Strategy	Container: ARC16/0864
Author:	Mandy McLeod, Sustainability Officer	
Attachments:	Nil	

OFFICER RECOMMENDATION

That Council:

- a) **Note that funding of \$23,000 has been awarded to Council from the Department of Planning, Industry and Environment to develop a Koala Management Strategy.**
- b) **Undertake consultation with the Department of Planning, Industry and Environment, Northern Tablelands Local Land Services, and Southern New England Landcare as stakeholders in the strategy.**

Context

The Community Strategic Plan 2017- 2027 recognises that the unique landscape and environment across the region is a key part of our lifestyle. A supporting strategy under Environment and Infrastructure was to develop a Sustainability Strategy which includes objectives for the region as a whole, as well as Council operations. In the Delivery Program 2018-2022 under Environment and Infrastructure a major goal is that the unique climate, landscape and environment of the region is protected, preserved and made accessible. The Community Outcome under Biodiversity is to protect and enhance the natural environment to promote and support Biodiversity.

Armidale Regional Council has developed and adopted its “Green-print” strategy for environmental sustainability. Entitled EcoARC the strategy guides Council’s own operations and aims to assist groups in the community to improve sustainability in the Armidale region. EcoARC encompasses nine key areas, one of which is Biodiversity. The scope and intent of the Biodiversity key area is “*to protect and enhance biodiversity in the region*”, with the following Strategic initiatives, p.8. relating to Koalas:

- List and protect threatened species and communities, and protect and enhance wildlife corridors.
- Develop a “Flagship” Biodiversity program for the region (e.g. around the Koala).

Koalas are an iconic species and are listed as Vulnerable in NSW. A number of studies on Koalas have been undertaken in the Northern Tablelands region utilising funding from the Department of Planning, Industry and Environment (DPIE) and/or Local Land Services.

The *Saving our Species Iconic Koala Project 2018 – 2021: Securing Koalas in the wild for the next 100 years* sets out broad conservation actions for the koala across NSW and funding is provided by DPIE. Council has been awarded \$23,000 to fund a Koala Management Strategy for the area in and adjoining Armidale City, as well as areas outside this, that are known koala habitat.

Purpose

This report provides an update on the funding of the Koala Management Strategy for the Armidale Regional Council area and how this relates to Council’s commitments under EcoARC.

Proposal, Research and Analysis

Armidale Regional Council has been advised that the Northern Tablelands has been identified as an important area for the future of koalas, as it has several koala populations that are not subject to the same population and development pressures as those in coastal areas to the east or the increasing summer temperatures or length of hot days to the west.

Council has entered into a Services Contract with NSW DPIE to prepare a Koala Management Strategy. Council has received funding of \$23,000 (ex GST) which will be used to engage a specialist ecologist firm to develop the Koala Management Strategy by 30th March 2021.

The DPIE Services Contract requires that Council will:

- develop a Koala Management Strategy for a strategic planning area in and adjoining Armidale; and
- will establish a 'Koala Working Group' comprising a representative from DPIE, Northern Tablelands Local Land Services (NTLLS), Southern New England Landcare (SNEL) and local expert koala ecologists to advise council on the planning area and the development of the Koala Management Strategy.

Note that DPIE Threatened Species Officer J Turbill has suggested the latter item be incorporated as one of the main aims of the Strategy to be undertaken by the successful specialist ecologist firm. This means that Council is not required to establish the Working Group.

The Strategy will provide the planning framework in relation to koalas, where development pressures are most likely to occur, as well as identifying key issues impacting local Koala populations, and actions and recommendations to guide and aid recovery and assist in management of this iconic species.

Council has called for proposals from five consultants and assessment of these will be finalised following the Council meeting.

Impact

Financial assistance has been provided to Council from DPIE for the development of a Koala Management Strategy for the Armidale area, totalling \$23,000 (ex GST). The funding will be used to engage a specialist ecologist firm to undertake the Koala Management Strategy. Council staff time will be involved to manage the Strategy development.

Summary

Council has received funding under the *Saving our Species Iconic Koala Project 2018 – 2021: Securing Koalas in the wild for the next 100 years* from the Department of Planning, Industry and Environment to engage a specialist ecologist firm to develop a Koala Management Strategy for the Armidale area.

- Item:** 13.2 **Ref:** AINT/2020/33928
- Title:** Guyra Early Childhood Learning Centre Development – Budget, Funding Sources and Principal Design Consultant **Container:** ARC20/4291
- Author:** Scot MacDonald, Director Businesses and Services
- Attachments:**
1. Guyra Early Childhood Learning Centre estimated costs- *As this attachment deals with commercial information of a confidential nature which, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c) of the Local Government Act 1993). Council closes the meeting, in accordance with Council's Code of Meeting Practice, as consideration of this matter in open Council would be contrary to the public interest.*
 2. ARC Quotation PDC Evaluation Matrix GUYRA ECLC- *As this attachment deals with commercial information of a confidential nature which, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c) of the Local Government Act 1993). Council closes the meeting, in accordance with Council's Code of Meeting Practice, as consideration of this matter in open Council would be contrary to the public interest.*
 3. Recommendation Report for PDC_Guyra ECLC- *As this attachment deals with commercial information of a confidential nature which, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c) of the Local Government Act 1993). Council closes the meeting, in accordance with Council's Code of Meeting Practice, as consideration of this matter in open Council would be contrary to the public interest.*

OFFICER RECOMMENDATION:

That Council:

- a) Note the estimated costs of \$4,592,106 identified sources of funding of \$2,068,197 and timetable following DA approval for the Guyra Early Childhood Learning Centre project.
- b) Endorse the engagement of CKDS Architects as the Principal Design Consultant for the Guyra Early Childhood Learning Centre project.

Context

As the operator of the only Preschool and Day Care in Guyra, Council have recognised the poor condition and constraints of the current building (located at 199 Bradley Street). After identification of the potential site behind the Guyra Council Administration Building (bounded by Moredun, Bradley and Mackenzie Streets, and Leggo Park), a feasibility study by SHAC Architects for a new Early Childhood Learning Centre (ECLC) at this location was undertaken in November 2019. The new ECLC project will have a number of benefits for the Guyra community, including doubling the enrolment capacity, strengthening the centres financial viability, and allowing for civic activation on and through the site. The project consists of a new ECLC building (inclusive of an Early Learning Centre and an Out of School Hours Care), a new playground to

service the ECLC, site landscaping and new on and off street parking as required.

At the September Ordinary Council meeting, the location of project elements within the site was endorsed (Ref: ARC17/2055 AINT/2020/30139) and community consultation to date was noted. Within the same resolution, the Interim Administrator requested a detailed report for the costing and timing of the project moving forward.

Purpose

The purpose of this report is to present information regarding the estimated costs, funding sources and program for the complete ECLC project, inclusive of ECLC building, playground, site landscaping and new carpark and roadworks, as requested by the Interim Administrator at the Ordinary Council meeting of September 23, 2020 (Ref: ARC17/2055 AINT/2020/30139). Additionally, this report recommends the engagement of CKDS Architects as the Principal Design Consultant for the project so as to develop the design and provide more accurate cost predictions through their engagement of a Quantity Surveyor as a sub-consultant (included in their fee).

Proposal, Research and Analysis

The following outlines the project plan, including preliminary estimates for costs, timeframes and sources of funding:

Estimated costs

The preliminary costs estimates prepared in the below and attached are calculated by Armidale Regional Council Officers, none of whom have qualifications or experience in quantity surveying or estimating.

The total expected cost of the project is \$4,592,106 excl. GST

Assumptions for this costing are as follows:

- The Centre construction allows for a 58 capacity Early Learning Centre and a 30 capacity Out of School Hours Care.
- We engage a Principal Design Consultant, as recommended in this report
- It is necessary for us to pay for demolition or removal of all infrastructure required to be removed.
- The estimate includes the relocation of the UNE Study Hub from one of the buildings to be demolished to the rear of the CAB.

The recommendation of the engagement of the Principal Design Consultant forms part of this report. As a component of this price and design development process, each component of the project (ECLC building, landscaping and carpark) will be costed by a Quantity Surveyor. It is important to reiterate the estimated prices within this report should be considered preliminary and must be reviewed by an experienced Quantity Surveyor.

Sources of Funding

The current sources of funding for the project are:

FUNDING BODY OR SOURCE	NAME OF FUNDING (IF APPLICABLE)	\$
Federal Department of Education and Training	Community Child Care Fund	300,000
Federal Department of the Prime Minister and Cabinet	Bushfire Recovery Funding	313,197
Federal Department of Infrastructure, Transport, Regional Development and Communications	Local Roads and Community Infrastructure Program	985,000
Currently held in reserves	N/A	470,000
TOTAL		2,068,197

Project program

The current project program is as follows:

YEAR	MONTH	PROJECT TASK
2020	End of October	Engage Principal Design Consultant (PDC)
	November	Assess EOI's received for two former school building relocation
	December	Fitout for new University of New England (UNE) study hub (in existing rooms at the rear of the Civic Administration Building)
2021	January	PDC to present final documentation ready for tender packages
		Relocate UNE into the new study hub space
	February	Commence removal of two former school buildings from site.
		PDC to issue documentation for Construction
		Go to market for tender/s of construction components
		Seek all planning and certification approvals
	March	Receive & Assess Tender/s for Construction
		Demolition work
2022	April	Commence construction
	December	Complete construction, project to be Practically Complete
	January	Early Learning Centre organisation move in and commence operation from new building
	December	End of Defects Liability Period, close out of project

Principal Design Consultant

On the 7th of September a Request for Quotation (RFQ) for a Principal Design Consultant (PDC) for the project was released via VendorPanel, which required the Consultant to provide a fee proposal for design, engineering, predicted cost calculations and seeking required approvals relating to the design. Council received 2 submissions to this RFQ, and subsequently evaluated these quotations, based on a number of qualitative and quantitative criteria, with a team of 3 Council Officers from a variety of perspectives (see attached).

This report thus recommends Council engage CKDS Architects of Newcastle to undertake this work. This is a vital task in the progression of the project, to develop the design and give Council more accurate information of predicted costs.

The project aligns with the Community Strategic Plan – Community Outcome 4 – Our people and community specifically in relation to:

P4.1 Facilitate and support the delivery of high quality early childhood and out of school hours services across the region (Delivery Program 2018-21)

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 (Delivery Program 2018-21)

Impact

Budget: In order for this project to continue as per the existing scope of works, either additional funding will need to be sought or the scope of the project reduced (including proposed occupancy capacity)

Delivery: Endorsement of the Principal Design Consultant above will allow the project to progress and more accurate projected costs to be determined.

Summary

The estimated full project cost is \$2,524,000 higher than secured funding. Direction as to how the project will proceed is required from Council (either reduce scope, seek additional external funding or allocate internal funding). The engagement of the Principal Design Consultant will allow the project to progress as well and give data for informed future decisions regarding the project.

Item: 13.3 **Ref:** AINT/2020/34059
Title: Cash and Investment Report September 2020 **Container:** ARC16/0001-5
Author: Deborah Walls, Accountant
Attachments: 1. September 2020 Laminar Report Pack (extract)

OFFICER RECOMMENDATION

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

Context

As at 30 September 2020, Council held \$50,323,594 in investments and \$23,390,807 as cash. Total of \$73,714,401.

Purpose

The Cash and Investment Report provides an overview of cash and investments for the period 1 September 2020 – 30 September 2020 and certifies compliance with Council's Investment policy and the Local Government Act 1993 and Regulations.

Proposal, Research and Analysis

Cash and Investments

Balances were as follows:

Item/Account	September 2020 \$	August 2020 \$	Movement \$
<u>Cash at Bank</u>			
General Fund Bank Account	-	-	-
High Interest Cash At Call	21,948,078	15,759,445	6,188,633
Trust Fund	1,442,729	1,442,077	652
Total Cash	23,390,807	17,201,522	6,189,285
<u>Investments</u>			
T-Corp IM Cash Fund	5,303,594	5,301,734	1,860
Term Deposits	45,020,000	49,020,000	(4,000,000)
Total Investments	50,323,594	54,321,734	(3,998,140)
Total Cash & Investments	73,714,401	71,523,256	2,191,145

Summary of Investment movements for September 2020:

<u>Term Deposit Maturities</u>	
Institution	Amount
National Australia Bank	\$1,000,000
Bank Of Queensland	\$1,000,000
Regional Australia Bank	\$1,000,000
Credit Union Australia	\$2,000,000
Total	\$5,000,000

<u>New Term Deposit</u>	
Institution	Amount
Regional Australia Bank	\$1,000,000
Total	\$1,000,000

Investment Revenue Earned

	September 2020
General Cash Account	-
Term Deposits	\$41,973
T-Corp IM Cash Fund	\$1,860
High Interest Account	\$8,303
Trust Account	\$652
Total	\$52,788

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.

Actual Interest Income to Budget Interest Income Comparison

Interest Income	YTD Actual	YTD Budget	Difference
YTD September 2020	\$201,069	\$223,750	(\$22,681)
YTD August 2020	\$148,281	\$149,167	(\$886)
Movement	\$52,788	\$74,583	(\$21,795)

Yearly Budget Interest Income \$895,000.

YTD Unfavourable Budget Variance of \$22,681 to 30 September 2020.

Investment Yield

	September 2020			August 2020		
Term of Investment	ARC	3m BBSW rate	Outperformance	ARC	3m BBSW rate	Outperformance
6 months	1.44%	0.12%	1.32%	1.52%	0.15%	1.37%
12 months	1.68%	0.08%	1.60%	1.77%	0.09%	1.68%

Regulations

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.

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.

Summary

The Cash and Investment Report provides an overview of cash and investments as at and for the period ended 30 September 2020 and demonstrates compliance with Council policy.

Item:	13.4	Ref: AINT/2020/34145
Title:	Saving our Species Iconic Koala Project 2018 – 2021: Northern Tablelands Koala Partnership	Container: ARC20/4183
Author:	Mandy McLeod, Sustainability Officer	
Attachments:	Nil	

OFFICER RECOMMENDATION

That Council:

- a) **Endorse the joint partnership of the Save our Species Partnership for Koalas in the Northern Tablelands area.**
- b) **Note the formation of the Northern Tablelands Koala Partnership includes the Department Planning Industries and Environment, Northern Tablelands Local Land Services, Uralla Shire Council, Southern New England Landcare, local ecological consultants and our Council.**
- c) **Acknowledges that the Save our Species Northern Tablelands Koala Partnership may require “in kind” resources from Council.**
- d) **Delegate authority to the General Manager to sign the final Partnership agreement on behalf of Council once received.**

Context

The Community Strategic Plan 2017- 2027 recognises that the unique landscape and environment across the region is key part of our lifestyle. A supporting strategy under Environment and Infrastructure was to develop a Sustainability Strategy which includes objectives for the region as a whole, as well as Council operations.

Armidale Regional Council has developed and adopted its “Green-print” strategy for environmental sustainability. Entitled EcoARC, the strategy guides Council’s own operations and aims to assist groups in the community to improve sustainability in the Armidale region. EcoARC encompasses nine key areas, one of which is Biodiversity. The scope and intent of the Biodiversity key area is “*to protect and enhance biodiversity in the region*”, with the following Strategic initiatives relating to Koalas:

- *List and protect threatened species and communities, and protect and enhance wildlife corridors;*
- *Develop a “Flagship” Biodiversity program for the region (e.g. around the Koala).*

Koalas are an iconic species and are listed as Vulnerable in NSW. A number of studies on Koalas have been undertaken in the Northern Tablelands region utilising funding from the Department of Planning, Industry and Environment (DPIE) and Local Land Services.

The *Saving our Species Iconic Koala Project 2018 – 2021: Securing Koalas in the wild for the next 100 years* sets out broad conservation actions for the koala across NSW. Three major long term partnership projects for koala conservation have been established across NSW for significant

koala populations, Southern Highlands, Hastings-Macleay and Northern Rivers. These Partnership projects focus on building stakeholder capacity to deliver on-ground koala conservation, management and threat mitigation involving multiple partners. Each project supports a koala conservation officer with funding of \$150,000/year over three years of the project.

An initial meeting was held on the 23rd April 2020, in relation to the formation of the Northern Tablelands Koala Partnership, and included DPIE, Northern Tablelands Local Land Services, Uralla Shire Council, Southern New England Landcare, Armidale Regional Council, and local ecological consultants.

Council Officers provided comment on a draft Project Charter and Terms of Reference received on the 10th July 2020 however Council is yet to receive the final Partnership Agreement for signature.

Purpose

The purpose of this report is to provide advice to Council on the Northern Tablelands Koala Partnership.

Proposal, Research and Analysis

The Northern Tablelands has been identified as an important area for the future of koalas, as it has several koala populations that are not subject to the same population and development pressures as those in coastal areas to the east or the increasing summer temperatures or length of hot days to the west.

Council representatives participated in the initial investigations stage of the Northern Tablelands Koala Partnership including, providing input on what the partnership would involve and how it might be governed (funding, host organisation, aims, goals, priorities, in kind contribution or resources etc.).

Dedicated staff capacity was identified as a limiting factor in delivering successful conservation programs in the region for koalas, and so funding from the Saving our Species Iconic Koala Project has been allocated to employ a Koala Conservation Project Officer, through Southern New England Landcare.

Impact

The Northern Tablelands Koala Partnership project has been awarded \$170,000 through DPIE to support the partnership project in 2020/2021 with the possibility of additional funds in future years. These funds allow for the employment of a dedicated Koala Conservation Project Officer to be employed through Southern New England Landcare.

Armidale Regional Council involvement in the Northern Tablelands Koala Partnership project will involve in kind resources from Council e.g. communications, weed advice, education.

Summary

Council "Green print" strategy known as EcoARC recognises the importance to protect and enhance biodiversity in the region and identifies a strategic initiative to "*develop a "flagship" Biodiversity program for the region (e.g. around the koala).*" The Northern Tablelands Koala Partnership project will provide a positive step towards achieving the identified goals in EcoARC.

Item:	13.5	Ref: AINT/2020/34413
Title:	Fixing Country Bridges - Grant Application Amendment to Amount Submitted	Container: ARC17/2177-6
Author:	Kim Oschadleus, Principal Advisor Strategic Infrastructure Planning	
Attachments:	Nil	

OFFICER RECOMMENDATION

That Council note the amount to be submitted in the funding application to Transport for New South Wales Fixing Country Bridges Program has increased from \$3,366,621 to \$3,602,500 as a result of revised estimates made on the following two of the four bridges within the funding application:

- 1. Lambs Valley Creek Bridge on Chandler Road revised from \$340,214 to \$440,000**
- 2. Laura Creek Bridge on Baldersleigh Road revised from \$501,907 to \$638,000**

Context

In August 2020 Transport for NSW announced the Fixing Country Bridges Program, with the aim to create a new legacy for our local road network, enabling councils to replace hundreds of timber bridges in poor condition and better connect regional and rural communities. The program aims to reduce the maintenance and renewal burden on councils and improve accessibility for local and regional communities.

The resolution passed at the Ordinary Council Meeting on 23 September 2020 contained indicative figures for the Laura Creek Bridge and the Lambs Valley Bridge. These figures have been revised upwards upon further analysis. An additional \$235,879 has been included in the funding application.

Purpose

Bridges have a vital role in the Armidale Region community, and it helps support growth and development. Those specific bridges will help local farming communities on the Western side of Armidale and Northern side of Hillgrove Village, stimulating the economy and promoting the social wellbeing of our communities.

The anticipated project benefits are:

- Armidale Regional Council will be able to replace the bridges superstructure with new Penta Glulam system and restore its substructure, providing 80+ years life expectancy;
- Better connection between regional and rural communities; and
- Reducing potential for erosion or vegetation damage.

The nominated projects align with the Community Strategic Plan – Community Outcome 4 – Environment & Infrastructure specifically in relation to:

- Maintain safe and effective traffic facilities on the road network (E4.1 Delivery Program 2018-21)

Proposal, Research and Analysis

In 2017 Armidale Regional Council has engaged a consulting engineer to prepare a report to identify and prioritise timber bridges that needed renewal works. Within the Armidale Region, 32 timber bridges have been identified as priorities, based on their condition, capacity and remaining life.

Several bridges identified on the report have not had any capital works done yet and the next four bridges prioritised for renewal under the Timber Bridge program endorsed by Council in 2017 are Bakers Creek Bridge on Hillgrove Road, Boorolong Creek Bridge on Boorolong Road, Lambs Valley Creek Bridge on Chandler Road and Laura Creek Bridge on Baldersleigh Road.

Impact

If the opportunity to apply for the Fixing Country Bridges Program is approved and the funding application is successful, the current bridge maintenance costs will reduce and life expectancy will increase to 80+ years.

There will be no impact on the FY20/21 Operation Plan.

Summary

The increase in the amount on the application for The Fixing Country Bridges Program, if successful, is prudent as it matches a more realistic spend estimate on the two bridges. The renewal of the bridges is in line with the Community Strategic Plan in regard to Environment & Infrastructure.

Item:	13.6	Ref: AINT/2020/34499
Title:	Road Reclassification Application for Kempsey Road ARC20/4329	Container:
Author:	Kim Oschadleus, Principal Advisor Strategic Infrastructure Planning	
Attachments:	1. Kempsey Road Reclassification Joint Submission	

OFFICER RECOMMENDATION:

That Council note a joint submission for the reclassification of Kempsey Road has been made together with Kempsey Shire Council.

Context

Spanning a total length of 140kms, the Armidale to Kempsey Road connects with Waterfall Way at Wollomombi, approximately 40km east of Armidale. The road is currently classified as Local Road and is under the care of their respective Councils Armidale Regional and Kempsey Shire Council.

In 2009 the RMS Road Classification Review Panel changed the classification of the Kempsey to Armidale Road (MR75) from “Regional Road” status to “Local Road” for the section from Bellbrook to Wollomombi.

While the section of road from Kempsey to Bellbrook is still classified as Regional Road, the section within the boundaries of the Armidale Regional Council for a length of 66.5km, is now a local road with no financial maintenance assistance for from Transport NSW.

On the 25th July 2018, Council received a report in relation Armidale to Kempsey Road and subsequently endorsed the actions taken to-date, and future actions seeking restoration of regional roads status of the 66.5km gravel section of Kempsey Road.

Armidale Regional Council and Kempsey Shire Council jointly engaged GHD to undertake a road reclassification analysis report which was finalised in November 2018.

A number of reclassification drivers were identified within the report, including:

- Vehicle usage:
 - Vehicle counts in 2001 indicated 51 to 55 vehicles per day used the route. Recent traffic counts estimate the current usage at 127 to 130 vehicles per day. The volume has nearly tripled.
- Commercial access:
 - The number and size of grazing properties relying on the route for access has grown in the past ten years, with several letters from agricultural providers indicating an expansion into foreign markets and increasing cattle volumes.
 - One submission indicates a single load of cattle costs \$520 more on average because of the need to return to the Shire centres. New South Wales agriculture is already under strain.
 - Freight costs are increasing because of the reliance on rigid-trucks. Although the road is rated to accommodate B-doubles, the current state of the road does not allow navigation of any heavy combination vehicle up to a B-double.

- Significance:
 - Local school principals have indicated concerns that the state of the road has led to dwindling student numbers.
 - Kempsey and Armidale are not rated as severely disadvantaged under the Socio-Economic Indexes for Areas (SEIFA) index, but the road has been implicated in making student travel to local schools difficult due to safety concerns that come with travelling along this road.
 - Whilst undoubtedly of a higher standard, Waterfall Way remains prone to flooding and associated congestion. Reclassification and upgrades to the road may allow it function as a bypass.

The state of the road has significantly impaired with a natural disaster AGRN898 declared on 12 February 2020 and the inclusion of Kempsey Road on the 25 February 2020, with initial damage estimated to between \$50-80million.

Purpose

All councils across New South Wales have been invited to participate in the Road Classification Review. This provides Council an opportunity to submit individual roads to be reclassified between any of these categories. An Independent Panel has been established to make recommendations for consideration by the NSW Government. Submissions are required to be lodged by the 30th August 2020 and the Independent Panel plans to deliver its final recommendations to the Government by July 2021.

Proposal, Research and Analysis

Since the RMS Road Classification Review Panel changed the classification of the Kempsey to Armidale Road (MR75) from “Regional Road” status to “Local Road”, some of the variables and past assumptions about the road have changed. Armidale Regional Council is eligible to make a submission for road reclassification. If the Council is successful in the primary option to reclassify Kempsey Road to State Road Status, the ownership of the road reverts to State Road and all responsibility sits with the State. If the Council is successful in the secondary option to reclassify the road back to Regional Road status the ownership of the road remains with Council, however additional funding through the Regional Road Block Grant would assist in some of the maintenance costs. In addition to the Regional Road Block Grant Funding, there would be increased eligibility to qualify for additional funding opportunities.

Impact

In order to maintain the road to appropriate standard, without any improvement works requires an estimated cost of \$340,000 per annum in maintenance. This estimate includes ensuring adequate provision for planned and some minor unplanned maintenance, and preventing premature degradation of the road to two thirds of its lifespan. Council currently do not possess the requisite funds to maintain this road, nor are they in a position to fund the frequent and continuous landslips.

Summary

A joint submission for the reclassification of Kempsey Road was made on 25 September 2020. A successful submission of reclassification of Kempsey Road from Local Road Status to State Road status (primary option) will transfer ownership and responsibility to the State. Regional Road status (secondary option) will provide additional funding to support maintenance of this road.

Council currently maintains a road network of close to 2,000kms and Kempsey Road requires approximately \$340,000 per annum in maintenance.

Item:	16.1	Ref: AINT/2020/33884
Title:	Minutes - Sports Council Committee Meeting held on 1 September 2020	Container: ARC16/0330
Author:	Amy Biggs, Sports Coordinator	
Attachments:	1. MINUTES - SPORTS COUNCIL - 1 SEPTEMBER 2020	

OFFICER RECOMMENDATION:

That the Minutes of the Sports Council Committee meeting held on 1 September 2020 be noted.

Item:	16.2	Ref: AINT/2020/34281
Title:	Minutes - Environmental Sustainability Advisory Committee Meeting 6th October 2020	Container: ARC16/0864
Author:	Mandy McLeod, Sustainability Officer	
Attachments:	1. Environmental Sustainability Advisory Committee Meeting Minutes 6th October 2020 2. EcoARC 2020 3. A Framework for Climate Action: Climate Emergency Working Group 4. Updated Status Report: Priority Table Climate Emergency Working Group Report	

OFFICER RECOMMENDATION:

That the Minutes of the Environmental Sustainability Advisory Committee (ESAC) meeting held on 6 October 2020 be noted and the following recommendations endorsed:

- a) **That the final version of EcoARC, Council's "Green-Print" strategy for environmental sustainability, be loaded to the Council website.**
- b) **That ESAC review the final EcoARC document to determine what actions have already been undertaken.**
- c) **That two nominees of ESAC meet with Council staff and undertake a detailed analysis of EcoARC to:**
 - i) **determine how some of the actions and recommendations can be undertaken through Council initiatives in alignment with the Community Strategic Plan (CSP); and**
 - ii) **prepare a 10 year Implementation Plan.**
- d) **That minor modifications be made to the Terms of Reference and the Expressions of Interest (EOI) for the Air Quality Working Group in relation to: i) the end date; and ii) ESAC membership, and then these documents be forwarded to the next Council meeting for review and approval.**
- e) **That once approved by Council, the EOI for the Air Quality Working Group be advertised and a report be prepared on proposed membership for consideration at the next ESAC meeting.**
- f) **That the Climate Emergency Working Group (CEWG) report *A Framework for Climate Action*, be loaded to the Council website.**
- g) **That the *Updated status report - Priority table Climate Emergency Working Group Report* that provides an update on numerous projects undertaken by Council addressing the items in the CEWG Report *A framework for Climate Action*, be included in Council news.**
- h) **That another meeting with two representatives from the CEWG and Council staff be held and that alignment with the Community Strategic Plan (CSP) is evidenced and articulated, with any funding needing to go to unfunded items within the CSP.**

PURPOSE:

To advise Council of the outcome of the Environmental Sustainability Advisory Committee meeting held on 6 October 2020.

In relation to Item a) above, it is noted that EcoARC was placed on public exhibition in April 2019 and was adopted by Council on 11th December 2019 (EcoARC - AINT/2020/02121), Resolution 278/19.

In relation to Items d) and e) above a separate report has been prepared in relation to the Air Quality Working Group for this Council meeting.

Item:	16.3	Ref: AINT/2020/34399
Title:	Minutes - Regional Growth and Place Activation Peak Advisory Committee	Container: ARC19/3530
Author:	Scot MacDonald, Director Businesses and Services	
Attachments:	Nil	

OFFICER RECOMMENDATION:

That the Minutes of the Regional Growth and Place Activation Peak Advisory Committee meeting held on 25 September 2020 be noted.

Summary

- Terms of Reference to have a further review.
- Update on the Business Hub.
- Update on the Small Business Relief Grant.
- Announcement of International Rural Women's Day Business Support Grant.
- Report on Council's submission to the Public Spaces Legacy Program.
- Update on the Mall improvements and activities planned for the rest of the year.

Item: 16.4 **Ref:** AINT/2020/35018
Title: Minutes - Traffic Advisory Committee held 6th October 2020
Container: ARC16/0168-5
Author: Belinda Ackling, Personal Assistant
Attachments: 1. Minutes - Traffic Advisory Committee - 06 October 2020

OFFICER RECOMMENDATION:

That the Minutes of the Traffic Advisory Committee meeting held on 6 October 2020 be noted and the following recommendations endorsed:

- a) That approval be provided for the temporary road closures of Dangar Street and Faulkner Street between Rusden and Moore Street, along with the East and West Beardsley Street Mall, for the 'Christmas in the Mall 2020', Thursday 3rd December 2020, with road closures advertised ahead of time.
- b) That the request to install a directional sign for the village of Black Mountain be provided to Transport for NSW for their consideration.
- c) That 4 south bound chevron alignment markers be installed on the Sharnbrook Ave substandard curve.
- d) That chevron alignment markers and edge line with RRPM's be installed on the Link Road substandard curve.
- e) That cautionary signs "Gravel Road Drive to Conditions" be installed on Junction Road New Valley as speed advisory signs are not appropriate.
- f) That No Stopping signs and yellow line marking be installed on the western corners of the Rusden Street intersection with O'Dell Street.