



## ORDINARY MEETING OF COUNCIL

Held on

Wednesday, 9 December 2020  
4pm

at

Guyra Council Chamber

**PRESENT:** Mr VHR (Viv) May PSM (Interim Administrator)

**IN ATTENDANCE:** Mr John Rayner (Acting General Manager), Mr Scot MacDonald (Director Businesses & Services), Ms Marissa Racomelara (Acting Director Organisational & Corporate Services), Ms Kelly Stidworthy (Manager Financial Services), Mr Darren Schaefer (Manager Communications and Marketing) and Ms Hayley Ward (Executive Officer).

MINUTES

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Nil

1. **CIVIC AFFIRMATION AND ACKNOWLEDGEMENT OF COUNTRY**
2. **STATEMENT IN RELATION TO LIVE STREAMING OF COUNCIL MEETINGS**
3. **APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE**

4. **DISCLOSURES OF INTEREST**

The Director Businesses and Services Scot MacDonald declared a Non pecuniary – Non significant Conflict on tem 10.21 Your High Street program grant submission: Mr MacDonald's wife Aileen is the Secretary of the Guyra & District Chamber of Commerce. Intended Action: Remain in the meeting.

5. **PUBLIC FORUM (Have Your Say)**

Nil.

6. **CONFIRMATION OF MINUTES**

**CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 NOVEMBER 2020**

357/20

**MOVED:**

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

**Moved and declared carried by the Interim Administrator**

7. **INTERIM ADMINISTRATOR MINUTE**

**7.1 Interim Administrator Minute – Izzeward Park Bore**

When considering a report at the September meeting in relation to infrastructure at the Izzeward Park Bore in Guyra, Council resolved, inter-alia, to:

Commission an independent report that addresses the following:

- I. The provision of water to the Costa Group 2019/20,
- II. The circumstances surrounding the request from Council for the Costa Group to fund the construction of public infrastructure at Izzeward Park
- III. Details of any and all Memorandum of Understanding between Council and the costa Group, including draft Mou's, meetings and negotiations.
- IV. The relationship between Council, including Councillors and staff, and the Costa Group.

The report was prepared by Todd Hopwood from Wollongong City Council who had earlier completed a secondment to review ARC governance arrangements.

Mr Hopwood's Report was received yesterday and is attached.

Generally the Report finds that as the relevant water utilities ARC completed until all its legal obligations. However, the Report makes four recommended as follows:

Recommendation 1:

That this report be made public to give the community transparency and confidence in the actions taken by Council staff that they have acted in the best interests of the community and provided effective management of water supply and security for the Guyra area and the Armidale region more generally.

**Recommendation 2:**

That Council review its approach to community engagement and stakeholder management, with particular reference to subject matters that have significant and divergent factors that Council must consider in determining the best outcomes for the community overall. This is essential to ensure that Council appropriately demonstrates its decision making methodology and how it is achieving best value overall for the community in its decision making.

**Recommendation 3:**

That Council consider providing updated training to all staff on the requirements of the State Records Act 1998 and the importance of prompt and accurate retention of all records that relate to a decision or action of Council in Council's records management system.

**Recommendation 4:**

That Council consider the proactive release of any relevant materials, referenced or identified in this report, in accordance with s7 of the Government Information (Public Access) Act if it believes that such releases would improve community understanding of Council's actions in this matter or add to community confidence in the decision making of Council.

## **7.1 INTERIM ADMINISTRATOR MINUTE – IZZEARD PARK BORE**

358/20

**MOVED:**

**That the Report be received and the recommendations referred to the General Manager for consideration and Report to Council.**

**Moved and declared carried by the Interim Administrator**

## **7.2 Interim Administrator Minute – Memorandum of Understanding's (MOU's)**

At the August meeting of Council consideration was given to the allocation of funds to support community groups and community wellbeing initiatives. At that time it was resolved, inter alia, that partnership agreements be put in place generally to improve transparency and accountability in the use of public funds.

I am advised by the Acting General Manager that work has commenced on a report to Council in regard the present arrangements and will be available for consideration in the new year.

In my short time at ARC it has become apparent that there are a large number of Memorandum of Understanding's (MOU's) not only covering the allocation of financial support but other areas including 'in kind' support. Many of the MOU's appear to have been completed without formal reference to Council and in my view are unlawful. This matter needs to be addressed as the

expectations of some may not be delivered under the current arrangements and will not meet the expectations of the Minister for Local Government's Performance Improvement Order.

359/20

7.2 Interim Administrator Minute – Memorandum of understanding's  
MOVED:

That status, intent and mutual obligations of all MOU's prepared in ARC since the 2016 merger (whether draft or completed) be reported to Council for direction.

Moved and declared carried by the Interim Administrator

7.3 Interim Administrator Minute – Performance Improvement Order

On 20 November the Minister for Local Government gave Council notice of her intention to issue a Performance Improvement Order on Armidale Regional Council and gave Council 7 days to make submissions.

I reported the matter to Council on 25 November welcoming the Minister's intentions and outlining my reasons which were conveyed to the Minister within the time specified.

Noting the Council's submission the Minister has today served a Performance Improvement Order on Council which I now table and will ensure is placed on the Council's website without delay.

The Performance Order requires the appointment of a special adviser and financial controller who will be in place until the September elections and is named as Mr John Rayner.

The Minister also forwarded a letter to Mr Rayner and myself noting that in deciding to issue an order she has given particular regard to the need to ensure that the improvements made under Administration continue when the elected body returns from the suspension period ie. on Saturday.

**7.3 INTERIM ADMINISTRATOR MINUTE – PERFORMANCE IMPROVEMENT ORDER**

360/20

**MOVED:**

**The contents of the Performance Improvement Order given by the Minister for Local Government and to take affect from 9 December 2020 be noted.**

**Moved and declared carried by the Interim Administrator**

#### **7.4 INTERIM ADMINISTRATOR MINUTE – COMMUNITY UPDATE**

IN MY FIRST MINUTE TO COUNCIL IN JUNE I STATED THAT RESIDENTS COULD BE ASSURED THAT I WOULD DO MY BEST TO INDEPENDENTLY SERVE IN AN HONEST, OPEN AND TRANSPARENT WAY ENSURING ALL VOICES ARE HEARD. I CAN REPORT THAT I AM CONFIDENT THAT THIS CULTURE IS NOW BEING EMBEDDED IN THE DAY TO DAY ADMINISTRATIVE OPERATIONS OF ARC.

WHEN I TOOK ON THE ROLE I HAD NO IDEA OF THE LEVEL OF TOXICITY BETWEEN ELECTED MEMBERS AND ELECTED MEMBERS AND SENIOR STAFF AND THAT THE DYSFUNCTION HAD IN EFFECT CASCADED RESULTING IN PROCESSES AND PROCEDURES OF THE ADMINISTRATION IN SOME AREAS COLLAPSING. NOR DID I APPRECIATE THE TENUOUS STATE OF THE COUNCIL'S FINANCES AND THE NOW PROVEN FINANCIAL INEPTITUDE OF THE NEWLY MERGED COUNCIL IN ITS EARLY YEARS. ADD TO ALL THIS COMPLEXITY THE FACT THAT IN MANY AREAS HARMONISATION OF COUNCIL SERVICES AND POLICIES FOLLOWING THE 2016 MERGER WERE STILL TO BE COMPLETED.

IT WAS MY EARLY OBSERVATION THAT AT BOTH THE ELECTED AND STAFF LEVELS THERE WERE FAR TOO MANY PERSONAL AGENDAS AT THE EXPENSE OF THE COMMUNITY AND THE COUNCIL WAS NOT OPERATING IN ACCORDANCE WITH ITS STATUTORY OBLIGATIONS.

WHILE I DO NOT PROPOSE TO NAME INDIVIDUALS WHO HAVE ASSISTED ME IN THE FRESH AND BACK TO BASICS START FOR THE COUNCIL THE WORK OF ACTING GENERAL MANAGER MR DAVID KERR WHO LAID SOME INITIAL FOUNDATIONS AND ACTING GENERAL MANAGER MR JOHN RAYNER IN LEADING THE RECOVERY IN BOTH IDENTIFYING AND ADDRESSING ADMINISTRATIVE SHORTCOMINGS AND FAILURES MUST BE ACKNOWLEDGED. OBVIOUSLY THEY HAVE BEEN SUPPORTED BY CORE PEOPLE IN THE ORGANISATION WITH A FRESH OUTLOOK THAT FOCUSSES ON ADDED TRANSPARENCY AND COMMUNITY ENGAGEMENT.

I DO NOT PROPOSE TO OUTLINE THE KEY ACHIEVEMENTS AS IN REALITY THEY ARE STILL A WORK IN PROGRESS BUT WOULD SIMPLY REFER INTERESTED RESIDENTS TO THE CONTENT OF COUNCIL MEETING AGENDAS – A MASSIVE TURNAROUND IN SUCH A SHORT PERIOD. TO YOU ALL I SAY WELL DONE BUT THE REBUILD HAS JUST STARTED AND MANY MORE TOUGH DECISIONS AND RECOMMENDATIONS TO THE ELECTED BODY ARE GOING TO HAVE TO BE MADE BY THE INCOMING GENERAL MANAGER.

IT WOULD BE REMISS OF ME NOT TO MAKE SOME OBSERVATION ON THE RECENTLY COMPLETED CONSULTATION ON A POSSIBLE SPECIAL RATE VARIATION (SRV). I SAT THROUGH A FEW OF THE VERY PROFESSIONAL STAFF PRESENTATIONS BUT STILL DO NOT UNDERSTAND WHY THE COUNCIL LEFT IT SO LATE WHEN THEY KNEW THE 10% TEMPORARY LEVY FINISHES ON 30 JUNE 2021. I HAVE READ A NUMBER OF THE SUBMISSIONS AND HEARD FIRST HAND THE VIEWS OF MANY PEOPLE AND IN MY VIEW THE STATUS QUO SHOULD REMAIN AS THE COUNCIL NEEDS TO GET ITS OWN HOUSE IN ORDER.

A COMPLETE REVIEW OF LEVELS OF SERVICE NEEDS TO BE UNDERTAKEN TO SEE IF RESIDENTS ARE IN FACT GETTING VALUE FOR MONEY AND THE BACK TO BASICS REGIME COMMENCED BY MR RAYNER GIVEN TIME TO BE EMBEDDED.

IN SHORT, COUNCILLORS AND STAFF NEED TO FOCUS ON THE COUNCIL'S CORE RESPONSIBILITIES AND I HOPE THAT I HAVE PLAYED MY PART IN THIS REGARD.

THE DECISION OF THE MINISTER FOR LOCAL GOVERNMENT OF PLACING A PERFORMANCE IMPROVEMENT ORDER ON THE COUNCIL WILL GO A LONG WAY TO HAVING COUNCILLORS ONLY FOCUS ON THEIR STATUTORY RESPONSIBILITIES AND THE COMMUNITY SHOULD APPLAUD THE APPOINTMENT OF MR RAYNER AS BOTH THE TEMPORARY ADVISOR AND FINANCIAL CONTROLLER UNTIL THE SEPTEMBER 2021 ELECTIONS. HIS ACKNOWLEDGED LOCAL GOVERNMENT REPUTATION AND TRACK RECORD IN THE PAST FEW MONTHS AT ARC SPEAK FOR THEMSELVES.

I CONTINUE TO BE CONTACTED BY SUSPENDED COUNCILLORS QUESTIONING SOME OF MY PUBLIC STATEMENTS. I HAVE BEEN VERY CAREFUL NOT TO POINT THE FINGER AT ANY INDIVIDUALS IN WHAT HAS BEEN A MOST UNFORTUNATE TIME FOR ARC COMMUNITY. IN MY VIEW YOU CANNOT BLAME ANYBODY BUT EVERYBODY! TO THOSE COUNCILLORS I SIMPLY SAY YOU HAVE A SECOND CHANCE BEFORE YOU FACE THE ELECTORS IN SEPTEMBER 2021.

IT HAS BEEN PRIVILEGE FOR ME TO SERVE AS INTERIM ADMINISTRATOR AND TO EXPERIENCE BEING IN SUCH A WONDERFUL PART OF OUR NATION IN THE NEW ENGLAND AREA. I THANK THOSE RESIDENTS WHO HAVE MADE ME FEEL VERY WELCOME WHILE UNDERTAKING WHAT MANY SEE AS A THANKLESS TASK.

I HAVE DONE MY BEST AND I WISH YOU ALL WELL FOR THE FUTURE.

#### **7.4 INTERIM ADMINISTRATOR MINUTE – COMMUNITY UPDATE**

361/20

**MOVED:**

**THAT THE MINUTE BE NOTED.**

**MOVED AND DECLARED CARRIED BY THE INTERIM ADMINISTRATOR**

**NOTE:** 7.4 INTERIM ADMINISTRATOR MINUTE – COMMUNITY UPDATE WAS DELIVERED AT THE END OF THE MEETING.



## **8. LEADERSHIP FOR THE REGION**

**FOR DECISION: 8.1 Audit, Risk and Improvement Committee - Amendments to Charter** *Ref: AINT/2020/41075 (ARC16/0617)*

### **OFFICERS' RECOMMENDATION:**

That Council:

- a. Amend section 3.1 of the Audit Risk and Improvement Committee Charter to consist of three (3) members (voting).
- b. Amend section 6.3 of the Audit Risk and Improvement Committee Charter so that a quorum is defined as two (2) independent members.
- c. Endorse an amendment to section 3.5 of Audit Risk and Improvement Committee Charter to remove the following sections as referenced:
  - i. Termination can only occur with the approval of the Chief Executive of the Office of Local Government and is to be reported to the agency which is responsible for administering the Audit, Risk and Improvement Committee prequalification scheme.
  - ii. Approval is not needed for termination where the Chair or member has become ineligible or removed from the prequalification scheme by the agency administering the scheme. Dismissal is automatic in these situations.
- d. Amend the charter to reflect the administrative corrections to spelling, titles and formatting.

362/20

### **MOVED:**

**That Council:**

- a. **Amend section 3.1 of the Audit Risk and Improvement Committee Charter to consist of three (3) members (voting).**
- b. **Amend section 6.3 of the Audit Risk and Improvement Committee Charter so that a quorum is defined as two (2) independent members.**
- c. **Endorse an amendment to section 3.5 of Audit Risk and Improvement Committee Charter to remove the following sections as referenced:**
  - i. **Termination can only occur with the approval of the Chief Executive of the Office of Local Government and is to be reported to the agency which is responsible for administering the Audit, Risk and Improvement Committee**

**prequalification scheme.**

**ii. Approval is not needed for termination where the Chair or member has become ineligible or removed from the prequalification scheme by the agency administering the scheme. Dismissal is automatic in these situations.**

**d. Amend the charter to reflect the administrative corrections to spelling, titles and formatting.**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 8.2 Integrated Planning and Reporting - Delivery Program 2018-2021 and Operational Plan 2020-2021 Progress Report - First Quarter**  
*Ref: AINT/2020/39536 (ARC19/3619)*

**OFFICERS' RECOMMENDATION:**

That Council note the Delivery Program 2018-2021 and Operational Plan 2020-2021 Progress Report (First Quarter).

363/20

**MOVED:**

**That Council note the Delivery Program 2018-2021 and Operational Plan 2020-2021 Progress Report (First Quarter).**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 8.3 Risk Management Policy for Adoption**

*Ref: AINT/2020/43113 (ARC16/0392)*

**OFFICERS' RECOMMENDATION:**

That Council:

- a. Endorse the Risk Management Policy following the public exhibition period of 28 days which concluded 1<sup>st</sup> December 2020 and note no submissions were received during the public exhibition advertised period, however one late submission was received.
- b. Rescind policy POL230 Enterprise Risk Management.

364/20

**MOVED:**

**That Council:**

- a. **Endorse the Risk Management Policy following the public exhibition period of 28 days which concluded 1<sup>st</sup> December 2020 and note no submissions were received during the public exhibition advertised period, however one late submission was received.**
- b. **Rescind policy POL230 Enterprise Risk Management.**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 8.4 Delegation of Authority: General Manager**

*Ref: AINT/2020/43378 (ARC18/2516-3)*

**OFFICERS' RECOMMENDATION:**

That Council delegate the functions to the General Manager as described in the Instrument of Delegation attached to this Report, pursuant to Section 377 of the *Local Government Act 1993*.

365/20

**MOVED:**

**That Council delegate the functions to the General Manager, as described in the Instrument of Delegation issued as a Supplementary Attachment on 9 December 2020 (p165), pursuant to Section 377 of the *Local Government Act 1993*.**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 8.5 Audit, Risk and Improvement Committee – Appointment of Members**

*Ref: AINT/2020/41191 (ARC16/0617)*

**OFFICERS' RECOMMENDATION:**

That Council:

- a. Endorse the appointment of Phil Thomas, Jason Masters, and Michael O'Connor to the Audit, Risk and Improvement Committee 1 January 2021 for a term of 3 years expiring 31 December 2023.
- b. Thank Carolyn Cooper, Kate Woodland-Smith, Michael O'Connor and Mr Sebastian Hempel for their service and advice to Council as independent members and chair of the Committee.
- c. Appoint Mr Phil Thomas as chair of the Audit Risk and Improvement Committee for one term as per section 3.3 of the ARIC Charter.
- d. Endorse the remuneration fee of \$1,200.00 payable to committee members and \$1,800.00 payable to the chair.

366/20

**MOVED:**

**That Council:**

- a. **Endorse the appointment of Phil Thomas, Jason Masters, and Michael O'Connor to the Audit, Risk and Improvement Committee 1 January 2021 for a term of 3 years expiring 31 December 2023.**
- b. **Thank Carolyn Cooper, Kate Woodland-Smith, Michael O'Connor and Mr Sebastian Hempel for their service and advice to Council as independent members and chair of the Committee.**
- c. **Appoint Mr Phil Thomas as chair of the Audit Risk and Improvement Committee for one term as per section 3.3 of the ARIC Charter.**
- d. **Endorse the remuneration fee of \$1,200.00 payable to committee members and \$1,800.00 payable to the chair.**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 8.6 Code of Meeting Practice – Workshops**

*Ref: AINT/2020/43472 (ARC16/0620)*

**OFFICERS' RECOMMENDATION:**

That Council:

- a. Receive and note the report.
- b. Make the following changes to the Code of Meeting Practice:
  - i. Clause 3.31 be amended to delete "if requested by a majority of Councillors."
  - ii. Clause 3.22 be amended as outlined in the report.
  - iii. New clauses from 21.1 to 21.13 be added as outlined in the report.
  - iv. Current Clause 21 be replaced with Clause 22 as outlined in the report.
- c. Note that a comprehensive review of Council's code of meeting practice will be undertaken as requested under the draft Performance Improvement Order.
- d. Ensure that when new panels/advisory committees are put in place they will be open to the public.
- e. Place the proposed amendments to the Code of Meeting Practice on public exhibition to 26 January 2021.

367/20

**MOVED:**

**That Council:**

- a. **Receive and note the report.**
- b. **Make the following changes to the Code of Meeting Practice:**
  - i. **Clause 3.31 be amended to delete "if requested by a majority of Councillors."**
  - ii. **Clause 3.22 be amended as outlined in the report.**
  - iii. **New clauses from 21.1 to 21.14 be added as outlined in (g) below.**

**iv. Current Clause 21 be replaced with Clause 22 as outlined in the report.**

- c. Note that a comprehensive review of Council's code of meeting practice will be undertaken as requested under the Performance Improvement Order.**
- d. Ensure that when new panels/advisory committees are put in place they will be open to the public.**
- e. Place the proposed amendments to the Code of Meeting Practice on public exhibition to 26 January 2021.**
- f. Note that accepting any workshop or briefing deemed necessary by the special advisor and or financial controller directly relating to the Minister's Performance Improvement Order no workshop or briefing be held until the amended Code of Meeting Practice is formalised.**

**g. 21 Council Workshops**

**Application of this Part**

- 21.1 This Part only applies to Council workshops whose members are all councillors.**
- 21.2 The council may, by resolution, or decision of the General Manager, conduct workshops as is considers necessary.**
- 21.3 A council workshop is to consist of the mayor and all councillors.**
- 21.4 The quorum for a meeting of a council workshop is to be:
  - a) such number of members as the council decides, or**
  - b) if the council has not decided a number – a majority of the members of the Council.****

**Functions of workshops**

- 21.5 The Council or the General Manager can refer any matter or information to a workshop.**

**Notice of workshops**

- 21.6 The general manager must send to each councillor, at least three (3) days before each workshop, a notice specifying:
  - a) the time, date and place of the workshop, and**
  - b) the business proposed to be considered at the workshop.****

- 21.7 Notice of less than three (3) days may be given of a workshop called in an emergency.**

**Chairperson and deputy chairperson of workshops**

- 21.8 The chairperson of each workshop must be:
  - a) The mayor, or**
  - b) If the mayor does not wish to be the chairperson of the workshop a councillor elected by the council, or**
  - c) If the council does not elect such a member, a member at the workshop elected by those in attendance.****

**Closure of workshops to the public**

- 21.9 The provisions of the Act and Part 14 of this code apply to the closure of workshops of the council to the public in the same way they apply to the closure of meetings of the council to the public.**

**21.10 If a workshop is closed to the public general details of matters discussed must be reported to the next meeting of Council under appropriate headings.**

**Disorder in a workshop**

**21.11 The provisions of the Act and this code relating to the maintenance or order in council meetings apply to workshops of the council in the same way as they apply to meetings of the council.**

**Minutes of workshops**

**21.12 Each workshop of the council is to keep full and accurate minutes of the proceedings of all matters discussed under appropriate identifying headings.**

**The minutes of the workshop must be referred to the next Ordinary Meeting of the Council for consideration.**

**21.13 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a workshop in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at workshops and how the conflict of interest was managed by the councillor who made the declaration.**

**21.14 Motions, recommendations or directions to the General Manager, as restricted under Section 352 of the Local Government Act, are not to be made at workshops.**

**Moved and declared carried by the Interim Administrator**

**9. GROWTH, PROSPERITY AND ECONOMIC DEVELOPMENT**

**FOR INFORMATION: 9.1 Armidale Regional Airport Airside Works Stage 01 -  
update Ref: AINT/2020/42220 (ARC18/2826)**

**OFFICERS' RECOMMENDATION:**

That Council receive and note the Armidale Regional Airport Airside Works Stage 01 Project report.

368/20

**MOVED:**

**That Council receive and note the Armidale Regional Airport Airside Works Stage 01 Project report.**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 9.2 Delegations and Criteria for sale of land - Armidale Airside  
Business Park Ref: AINT/2020/41901 (ARC19/3153)**

**OFFICERS' RECOMMENDATION:**

That Council:

- a. Delegate the General Manager to secure land sales at the Armidale Airside Business Park and fix the seal of Council to sale contracts.
- b. Delegate the General Manager to negotiate land sales within 5% of land valuation. Sales lower than 5% of valuation will require approval from Council.

369/20

**MOVED:**

**That Council:**

- a. **Authorise the General Manager to obtain valuations and to negotiate land sales within 5% of land valuations at the Armidale Airside Business Park. Sales greater than 5% below valuation will require approval from Council.**
- b. **Authorise the General Manager to renegotiate the appointment of Armidale First National Real Estate Pty Ltd ("AFN") as selling agent, in terms consistent with AFN's compliance with Council's Statement of Business Ethics when acting for and on behalf of Council, evidenced by a deed between the parties.**
- c. **Authorise the General Manager to sign any necessary legal documents in relation to the land sale.**
- d. **Note that any land sales or leases will require the approval of the Financial Controller whether the subject of Council resolution or delegation.**
- e. **Note that net proceeds from the sale or lease of the land will be placed in reserve until a strategy from the proceeds of property sales and leases is adopted.**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 9.3 Updated Financial Statements for Year Ended 30 June 2020**

*Ref: AINT/2020/43684 (ARC17/1711)*

**OFFICERS' RECOMMENDATION:**

That Council:

- a. Adopt the Updated Draft Financial Statements for the Year Ended 30 June 2020, as presented.
- b. Authorise the Interim Administrator, Acting General Manager and Responsible Accounting Officer to sign the Statements by Councillors and Management on the preparation of the General Purpose and Special Purpose Financial Statements for the year ended 30 June 2020 as prescribed by Section 413(2)(c) of the *Local Government Act 1993*.

- c. Authorise the Acting General Manager to issue the audited Financial Statements for the Year Ended 30 June 2020 immediately upon receipt of the Auditor's Reports subject to there being no material audit changes or audit issues.

370/20

**WITHDRAWN (Refer to Item 9.5)**

**That Council:**

- a. **Adopt the Updated Draft Financial Statements for the Year Ended 30 June 2020, as presented.**
- b. **Authorise the Interim Administrator, Acting General Manager and Responsible Accounting Officer to sign the Statements by Councillors and Management on the preparation of the General Purpose and Special Purpose Financial Statements for the year ended 30 June 2020 as prescribed by Section 413(2)(c) of the *Local Government Act 1993*.**
- c. **Authorise the Acting General Manager to issue the audited Financial Statements for the Year Ended 30 June 2020 immediately upon receipt of the Auditor's Reports subject to there being no material audit changes or audit issues.**

**10. ENVIRONMENT AND INFRASTRUCTURE**

**FOR DECISION: 10.1 Fixing Country Roads - funding application**

*Ref: AINT/2020/39435 (ARC17/2177-6)*

Acting Director Organisational & Corporate Services made the following comments:

Additional Project details

Guyra Saleyards - bitumen sealing between the New England Highway and the Guyra Saleyards plus an internal heavy vehicle ring road to improve public safety.

Armidale Saleyards - bitumen sealing between Uralla Road and the Armidale Saleyards plus an internal heavy vehicle ring road to improve public safety.

Lagoon Road Quarry – bitumen sealing from New England Highway (at the Black Mountain Road House) to the Lagoon Road Quarry. This project includes the bitumen sealing of the 1.5km gravel section of Lagoon Road and the upgrading of the narrow 9.1km bitumen section to safely accommodate High Productivity Vehicles.

Guyra Road (West) – bitumen sealing between New England Highway and Sandy Creek Bridge.

**OFFICERS' RECOMMENDATION:**

That Council:

- a. That Council endorse the submission of a funding application to Transport for NSW under the Fixing Country Roads Program for the following projects subject to further investigations and benefit cost analysis (BCA) results:
- Guyra Saleyards: indicative cost \$1.9m
  - Armidale Saleyards: indicative cost \$3.3m
  - Lagoon Road Quarry (Stage 1): indicative cost \$1.5m
  - Lagoon Road Quarry (Stage 2): indicative cost \$9.1m



- Guyra Road West (New England Highway to Sandy Creek) : indicative cost \$5.3m
- b. Delegate authority to the General Manager to enter into the funding agreement subject to an offer being received and the General Manager being satisfied that the terms and conditions of the agreement are to the net benefit of Council.

371/20

**MOVED:**

**That Council:**

- a. **That Council endorse the submission of a funding application to Transport for NSW under the Fixing Country Roads Program for the following projects subject to further investigations and benefit cost analysis (BCA) results:**
- **Guyra Saleyards: indicative cost \$1.9m**
  - **Armidale Saleyards: indicative cost \$3.3m**
  - **Lagoon Road Quarry (Stage 1): indicative cost \$1.5m**
  - **Lagoon Road Quarry (Stage 2): indicative cost \$9.1m**
  - **Guyra Road West (New England Highway to Sandy Creek) : indicative cost \$5.3m**
- b. **Delegate authority to the General Manager to enter into the funding agreement subject to an offer being received and the General Manager being satisfied that the terms and conditions of the agreement are to the net benefit of Council.**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 10.2 Critical State Significant Infrastructure Declaration Oven Mountain Pumped Hydro Energy Storage Project**

*Ref: AINT/2020/40453 (ARC16/0142-5)*

**OFFICERS' RECOMMENDATION:**

That Council note the declaration of the Oven Mountain Pumped Hydro Storage Project to be "Critical State Significant Infrastructure" under Section 5.13 of the *Environmental Planning and Assessment Act 1979* (EPA Act).

372/20

**MOVED:**

**That Council note the declaration of the Oven Mountain Pumped Hydro Storage Project to be "Critical State Significant Infrastructure" under Section 5.13 of the *Environmental Planning and Assessment Act 1979* (EPA Act).**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 10.3 Saving our Species, Iconic Koala Project: Northern Tablelands Koala Conservation Project Partnership**

*Ref: AINT/2020/40907 (ARC20/4183)*

**OFFICERS' RECOMMENDATION:**

**That Council:**

- a. Endorse the joint partnership of the Save our Species Iconic Koala Project: Northern Tablelands Koala Conservation Project Partnership.
- b. Note the formation of the Northern Tablelands Koala Project Partnership includes the Department of Planning, Industry and Environment, Northern Tablelands Local Land Services, Uralla Shire Council, Southern New England Landcare, local ecologists and Armidale Regional Council.
- c. Acknowledge that the Save our Species Iconic Koala Project: Northern Tablelands Koala Project 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 and reviewed.

373/20

**MOVED:**

**That Council:**

- a. **Endorse the joint partnership of the Save our Species Iconic Koala Project: Northern Tablelands Koala Conservation Project Partnership.**
- b. **Note the formation of the Northern Tablelands Koala Project Partnership includes the Department of Planning, Industry and Environment, Northern Tablelands Local Land Services, Uralla Shire Council, Southern New England Landcare, local ecologists and Armidale Regional Council.**
- c. **Acknowledge that the Save our Species Iconic Koala Project: Northern Tablelands Koala Project 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 and reviewed.**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 10.4 NSW Environmental Trust: Restoration and Rehabilitation  
Grants: Southern New England Landcare Application**

*Ref: AINT/2020/41379 (ARC17/2304)*

**OFFICERS' RECOMMENDATION:**

**That Council:**

- a. Provide support on the submission of a funding application to the NSW Environmental

Trust's Restoration and Rehabilitation Grants by Southern New England Landcare for revegetation to enhance water quality and increase biodiversity at the Guyra Dams. The total value of individual grants is up to \$170,000.

- i) Note that revegetation will be undertaken on land owned by Armidale Regional Council at Guyra Dams;
  - ii) Note that fencing and installation of stock watering points (where previously stock accessed the Guyra Dams) will need to be undertaken to protect the revegetation area and any remnant vegetation, and that this money will be either sourced from the Grant application or from Armidale Regional Council Water Fund;
  - iii) Note that the potential financial liability for the fencing could amount up to \$60,000.
  - iv) Note that the potential financial liability for the stock water points could amount to \$50,000.
- b. Develop a Project Agreement if the grant is successful whereby:
- I. Southern New England Landcare will be responsible for undertaking the ground preparation, plant selection and revegetation in areas around the Guyra Dams.
  - II. Council will be responsible for organising fencing of the areas to be revegetated, if this funding is unable to be sourced through the grant application
  - III. Council will be responsible for consultation with neighbouring landholders and installation of stock watering points.
- c. Delegate authority to the General Manager to enter into a Project agreement with Southern New England Landcare subject to them receiving a grant offer, and the General Manager being satisfied that the terms and conditions of the agreement to the net benefit of Council and efforts to improve water quality.

374/20

**MOVED:**

**That Council:**

- a. Provide support on the submission of a funding application to the NSW Environmental Trust's Restoration and Rehabilitation Grants by Southern New England Landcare for revegetation to enhance water quality and increase biodiversity at the Guyra Dams. The total value of individual grants is up to \$170,000.**
- i) Note that revegetation will be undertaken on land owned by Armidale Regional Council at Guyra Dams;**
  - ii) Note that fencing and installation of stock watering points (where previously stock accessed the Guyra Dams) will need to be undertaken to protect the revegetation area and any remnant vegetation, and that this money will be either sourced from the Grant application or from Armidale Regional Council Water Fund;**
  - iii) Note that the potential financial liability for the fencing could amount up to \$60,000.**
  - iv) Note that the potential financial liability for the stock water points could amount to \$50,000.**
- b. Develop a Project Agreement if the grant is successful whereby:**
- I. Southern New England Landcare will be responsible for undertaking the ground preparation, plant selection and revegetation in areas around the**

**Guyra Dams.**

- II. Council will be responsible for organising fencing of the areas to be revegetated, if this funding is unable to be sourced through the grant application
  - III. Council will be responsible for consultation with neighbouring landholders and installation of stock watering points.
- c. Delegate authority to the General Manager to enter into a Project agreement with Southern New England Landcare subject to them receiving a grant offer, and the General Manager being satisfied that the terms and conditions of the agreement to the net benefit of Council and efforts to improve water quality.

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 10.5 Transfer of Crown land: Wollomombi lane way DP 11005520 to Council and for Council to be appointed Crown land Manager over Archery Reserve, 95 Rockvale Rd, Armidale**

*Ref: AINT/2020/41407 (ARC20/4413)*

**OFFICERS' RECOMMENDATION:**

That Council:

- a. Approve the transfer of the lane (road reserve) south of Wollomombi picnic reserve to Council for the purpose of constructing a playground for community use.
- b. Approve the take over the role of Crown Land Manager for the Archery Crown Reserve from the Archery Club to secure the protection of the environmentally significant area.
- c. Give consideration to providing \$6,000 in the 2021-2022 Budget to assist the Archery Club provide signage indicating when events are being held and to initiate some weed control in selected areas.

**That Council:**

- a. **Approve the transfer of the lane (road reserve) south of Wollomombi picnic reserve to Council for the purpose of constructing a playground for community use.**
- b. **Approve the take over the role of Crown Land Manager for the Archery Crown Reserve from the Archery Club to secure the protection of the environmentally significant area.**
- c. **Give consideration to providing \$6,000 in the 2021-2022 Budget to assist the Archery Club provide signage indicating when events are being held and to initiate some weed control in selected areas.**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 10.6 Response to Aboriginal Land Claim No.s 47032 and 49515**

*Ref: AINT/2020/41516 (ARC16/0295)*

**OFFICERS' RECOMMENDATION:**

That Council:

- a. Note the letter on Aboriginal Land Claim 47032 and 49515 from the Department of Planning, Industry and Environment – Crown Lands, Aboriginal Claim Investigation Unit;
- b. Endorse the submission (Attachment 1) to the Department of Planning, Industry and Environment in relation to Aboriginal Land Claim 47032 and 49515 over Lot 1079 DP 755808 known as 1LI Myrtle Drive, Armidale and Lot 1122 DP 39591 known as 44 Myrtle Drive, Armidale advising the subject land is lawfully used.

376/20

**MOVED:**

**That Council:**

- a. **Note the letter on Aboriginal Land Claim 47032 and 49515 from the Department of Planning, Industry and Environment – Crown Lands, Aboriginal Claim Investigation Unit;**
- b. **Endorse the submission (Attachment 1) to the Department of Planning, Industry and Environment in relation to Aboriginal Land Claim 47032 and 49515 over Lot 1079 DP**

**755808 known as 1LI Myrtle Drive, Armidale and Lot 1122 DP 39591 known as 44 Myrtle Drive, Armidale advising the subject land is lawfully used.**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 10.7 Continuation of Level 3 Water Restrictions over summer**

*Ref: AINT/2020/41655 (ARC19/3212)*

**OFFICERS' RECOMMENDATION:**

That Council note Level 3 Water Restrictions are in force across the LGA and these restrictions will continue over the summer of 2020/2021 unless water storages, consumption and BOM outlook change.

377/20

**MOVED:**

**That Council note Level 3 Water Restrictions are in force across the LGA and these restrictions will continue over the summer of 2020/2021 unless water storages, consumption and BOM outlook change.**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 10.8 Policy for Keeping of Animals (Urban Areas)**

*Ref: AINT/2020/41656 (ARC16/0392)*

**OFFICERS' RECOMMENDATION:**

That Council:

- a. Endorse the draft Keeping of Animals Policy (POL063) for public exhibition until 26 January 2021.
- b. Receive a further report should any submissions be received as a result of the exhibition period, however should no submission be received the policy be adopted.

378/20

**MOVED:**

**That Council:**

- a. Endorse the draft Keeping of Animals Policy (POL063) for public exhibition until 26 January 2021.

- b. Receive a further report should any submissions be received as a result of the exhibition period, however should no submission be received the policy be adopted.**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 10.9 Acknowledgement of funding - Bridges Renewal Program  
Round Five - Martins Gully/ Shambrook Ave Bridge Renewal  
Project** *Ref: AINT/2020/41721 (ARC17/2177-6)*

**OFFICERS' RECOMMENDATION:**

That Council note the application for funding under the Bridges Renewal Program Round 5 for the Martins Gully/ Shambrook Ave Bridge renewal project has been successful.

379/20

**MOVED:**

**That Council note the application for funding under the Bridges Renewal Program Round 5 for the Martins Gully/ Shambrook Ave Bridge renewal project has been successful.**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 10.10 Project Zero30 - Update** *Ref: AINT/2020/41800 (ARC19/3503)*

**OFFICERS' RECOMMENDATION:**

That Council:

- a. Receive and note the report.
- b. Authorise the General Manager to make appointments to the Project Zero Board and Committees as required.

380/20

**MOVED:**

**That Council:**

- a. Receive and note the report.
- b. Authorise the General Manager to make appointments to the Project Zero Board and Committees as required.

- c. **Noting that it is the aspirational objective of the NSW Government to achieve net zero emissions by 2050 and its initiatives under the New England Renewable Zone the General Manager prepare a discussion paper for its consideration on the relationships between Project Zero30, ARC Eco and the Council's declaration of the environmental emergency to address community expectations, opportunities under the government's Power Purchase Agreements, (Council stewardship for the ARC LGA), legality of MOUs signed by the former CEOs, linkages to the Council's Strategic Plan and budget impacts (including direct and indirect costs) having regard to the Council's tenuous financial position.**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 10.11 Results of public exhibition on the proposed redevelopment of Dumaresq Dam Recreation Facility Ref: AINT/2020/41804 (ARC17/1491)**

**OFFICERS' RECOMMENDATION:**

That Council:

- a. Investigate if options for additional car parking spaces can be incorporated into stage 1 of the upgrade plan or into later stages of the plan subject to budget and the potential adverse affects on public amenity and environmental values.
- b. Seek advice and obtain specifications for a Commercial on site Wastewater Treatment System that can treat a minimum of 6000L/day.
- c. Endorse additional seating within in the upgrade plan to accommodate parental supervision near the water's edge.
- d. Endorse the complete visual separation of walking and mountain bike routes in subsequent stages of the upgrade plan.
- e. Endorse any kiosk is located away from water views and ensure sympathetic design, use of colour and materials in all aspects of the development. Ensuring that artist's impressions and visualisations are a key initial component of the project tender will provide the community with a clearer idea of the development.
- f. Seek approval as required under the Office of Local Government's Capital Expenditure Guidelines.

381/20

**MOVED:**

**That Council:**

- a. **Note that options for temporary overflow parking for one off events will be incorporated into stage 1 of the upgrade plan or into later stages of the plan subject to budget and the**



**potential adverse affects on public amenity and environmental values.**

- b. Seek advice and obtain specifications for a Commercial on site Wastewater Treatment System that can treat a minimum of 6000L/day, for incorporation into the project and authorise the General Manager to include in the scope of works if the budget permits.**
- c. Endorse additional seating within in the upgrade plan to accommodate parental supervision near the water's edge.**
- d. Delete the proposed café/kiosk from stage 1 and incorporate a provision for a low impact food van option.**
- e. Seek approval as required under the Office of Local Government's Capital Expenditure Guidelines.**
- f. Note that project furniture will align with the Council's Park Furniture Guidelines.**
- g. Note the project is to include beach sand replenishment and associated localised maintenance of weeds at the beach area.**
- h. Not require the brief to include artist impressions or second round of community engagement.**
- i. Note that the project has had its implementation meeting and is proceeding to a planning workshop with Public Works Advisory Department Regional NSW and Council Officers in late January 2021, with the intention of the project commencing promptly.**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 10.12 Development Application Approvals: monitoring targets**

*Ref: AINT/2020/41964 (ARC16/0681)*

**OFFICERS' RECOMMENDATION:**

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

382/20

**MOVED:**

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

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 10.13 Draft ARC Drought Management Plan 2020**

*Ref: AINT/2020/42774 (ARC20/4403)*

**OFFICERS' RECOMMENDATION:**

That Council approve the attached draft ARC Drought Management Plan (DMP) 2020 to put on public exhibition for 42 days for community consultation.

383/20

**MOVED:**

**That Council approve the attached draft ARC Drought Management Plan (DMP) 2020 to put on public exhibition for 42 days for community consultation.**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 10.14 Kempsey Road - Safety Grading and Resheeting**

*Ref: AINT/2020/42901 (ARC20/4415)*

**OFFICERS' RECOMMENDATION:**

That Council

- a. Acknowledge the unsafe road surface in Kempsey Road, as the surface material has been washed off and the table drains have filled up with debris.
- b. Invoke Section 55 (3)(i) of the Local Government Act.

384/20

**MOVED:**

**That Council:**

- a. **Acknowledge the unsafe road surface in Kempsey Road, as the surface material has been washed off and the table drains have filled up with debris.**
- b. **Invoke Section 55 (3)(i) of the Local Government Act.**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 10.15 Development Related Security Policy**

*Ref: AINT/2020/43193 (ARC17/1786)*

**OFFICERS' RECOMMENDATION:**

That Council:

- a. Endorse the draft Development Related Security Policy (POL065) for public exhibition for a period of 28 days.
- b. Receive a further report should any submissions be received as a result of the exhibition period, however should no submission be received the policy be adopted.

385/20

**MOVED:**

**That Council:**

- a. **Endorse the draft Development Related Security Policy (POL065) for public exhibition for a period of 28 days.**
- b. **Receive a further report should any submissions be received as a result of the exhibition period, however should no submission be received the policy be adopted.**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 10.16 Armidale Court House**

*Ref: AINT/2020/41035 (ARC17/2042)*

**OFFICERS' RECOMMENDATION:**

That Council:

- a. Receive and note the report.
- b. Seek to acquire 100 Faulkner Street Armidale at a nominal value subject to funds being obtained from Government to restore the former Court House and Sheriff's Office and the acquisition being outside the restrictive Community Use Policy.
- c. Advise Property NSW that it has not determined which community use(s) could be accommodated in the buildings.

386/20

**MOVED:**

**That Council:**

- a. Receive and note the report.
- b. Seek to acquire 100 Faulkner Street Armidale at a nominal value subject to funds being obtained from Government to restore the former Court House and Sheriff's Office and the acquisition being outside the restrictive Community Use Policy.
- c. Advise Property NSW that it has not determined which community use(s) could be accommodated in the buildings.
- d. Authorise the General Manager to make representations to the State Member and funding authorities to negotiate the possible reallocation of the grant from the Hydrotherapy Centre towards the restoration of the former Courthouse and Sheriff's Office should the acquisition under (b) be successful.

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 10.17 Draft Park Furniture Style and Design Guide - endorsement  
after public exhibition**

*Ref: AINT/2020/43405 (ARC20/4348)*

**OFFICERS' RECOMMENDATION:**

That Council endorse the Park Furniture Style and Design Guide.

387/20

**MOVED:**

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

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 10.18 Removal of Rail Bridge at the McLennan Street Viaduct, off  
Miller Street Armidale.**

*Ref: AINT/2020/43605 (ARC16/0025)*

**OFFICERS' RECOMMENDATION:**

That Council note the history behind the recommendation to remove the rail bridge at the McLennan Street Viaduct.

388/20

**MOVED:**

**That Council's decision of 25 July 2018 seeking the removal of the rail bridge at the McLennan Street viaduct be rescinded.**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 10.19 Fixing Local Roads Program - Grant Application**

*Ref: AINT/2020/43664 (ARC17/2177-6)*

**OFFICERS' RECOMMENDATION:**

That Council:

- a. Endorse the revised submission of a funding application to Transport for NSW under the Fixing Country Roads Program with total cost of \$49,000,000 for the following projects:
  1. Sealed Local Roads (Preparation for Bitumen Resealing and Bitumen Resealing): \$5,000,000
  2. Unsealed Local Roads (Prepare road, table drains and gravel re-sheet): \$5,000,000
  3. Kerb, Gutter and Footpath Renewals: \$2,000,000
  4. Sealed Local Roads (Pavement rehabilitation): \$5,000,000
  5. Kempsey Road Project 1: \$5,000,000
  6. Kempsey Road Project 2: \$5,000,000
  7. Kempsey Road Project 3: \$5,000,000
  8. Kempsey Road Project 4: \$5,000,000
  9. Rockvale Road - bitumen sealing of remaining 8 klm gravel section : \$12,000,000
- b. Delegate authority to the General Manager to enter into the funding agreement subject to an offer being received and the General Manager being satisfied that the terms and conditions of the agreement are to the net benefit of Council.

389/20

**MOVED:**

**That Council:**

- a. **Endorse the revised submission of a funding application to Transport for NSW under the Fixing Country Roads Program with total cost of \$49,000,000 for the following projects:**
  1. **Sealed Local Roads (Preparation for Bitumen Resealing and Bitumen Resealing): \$5,000,000**
  2. **Unsealed Local Roads (Prepare road, table drains and gravel re-sheet): \$5,000,000**
  3. **Kerb, Gutter and Footpath Renewals: \$2,000,000**
  4. **Sealed Local Roads (Pavement rehabilitation): \$5,000,000**
  5. **Kempsey Road Project 1: \$5,000,000**
  6. **Kempsey Road Project 2: \$5,000,000**
  7. **Kempsey Road Project 3: \$5,000,000**
  8. **Kempsey Road Project 4: \$5,000,000**

**9. Rockvale Road - bitumen sealing of remaining 8 klm gravel section :  
\$12,000,000**

- b. Delegate authority to the General Manager to enter into the funding agreement subject to an offer being received and the General Manager being satisfied that the terms and conditions of the agreement are to the net benefit of Council.**

**Moved and declared carried by the Interim Administrator**

**11. OUR PEOPLE AND COMMUNITY**

**FOR DECISION: 11.1 Draft Library Strategic Plan 2020-2027**

*Ref: AINT/2020/41570 (ARC20/4249)*

**OFFICERS' RECOMMENDATION:**

That Council endorse the draft Library Strategic Plan 2020-2027 being placed on public exhibition to 26<sup>th</sup> January 2021

390/20

**MOVED:**

**That Council endorse the draft Library Strategic Plan 2020-2027 being placed on public exhibition to 26<sup>th</sup> January 2021**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 11.2 Sports Council discussion paper**      *Ref: AINT/2020/43449 (ARC20/4323)*

**OFFICERS' RECOMMENDATION:**

That Council endorse the Armidale Regional Sports Council Discussion Paper to be distributed for comment to key stakeholders within the Armidale Sports community.

391/20

**MOVED:**

**That:**

- a. **The discussion paper be amended to incorporate and acknowledge the policies of the former Guyra Shire Council, to clarify references to the former Armidale Dumaresq Council, detail all sponsorship of public asset the subject of the paper and to acknowledge the report Review of Council Committees.**
- b. **Subject to (a.) the Acting General Manager be authorised to place the paper on public exhibition.**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 11.3 Community Leasing Policy**

*Ref: AINT/2020/43522 (ARC17/1770)*

**OFFICERS' RECOMMENDATION:**

That Council:

- a. Receive and note the report.
- b. Place the draft "Community Leasing Policy" on public exhibition until 26 January 2021.
- c. Notify community and sporting organisations that the draft policy is on public exhibition.

392/20

**MOVED:**

**That Council:**

- a. **Receive and note the report.**
- b. **Place the draft "Community Leasing Policy" on public exhibition until 26 January 2021.**
- c. **Notify community and sporting organisations that the draft policy is on public exhibition.**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 11.4 Financial Support to Community Groups - New England**

**Conservatorium of Music (NECOM) *Ref: AINT/2020/43474 (ARC19/3335)***

**OFFICERS' RECOMMENDATION:**

That Council approve the payment of 2020/21 contribution to the New England Conservatorium of Music (NECOM) being \$8,500 excluding GST plus in kind support in accordance with the terms and conditions contained in the existing funding agreement.

393/20

**MOVED:**

**That Council adhere to its decision of 23 September 2020 noting that an independent consultant has been retained to address the matters raised in the resolution of 19 August 2020 in relation to partnership agreements.**

**Moved and declared carried by the Interim Administrator**

**12. REQUESTS FOR LEAVE OF ABSENCE**

Nil.

**13. AUTHORITY TO AFFIX COUNCIL SEAL**

Nil.

**14. COMMITTEE REPORTS**

**FOR DECISION: 14.1 Minutes - Traffic Advisory Committee - 1 December 2020***Ref: AINT/2020/4.*

**OFFICERS' RECOMMENDATION:**

That Council:

- a. Receive and note the Minutes of the Traffic Advisory Committee meeting held on 1 December 2020.
- b. Authorise the General Manager and the Mayor jointly to change the restrictions on the Kempsey Road to allow vehicles up to 8.8m and 12tonne gvm, subject to advice of the Geotechnical report and its endorsement by the Traffic Advisory Committee.
- c. Endorse the Special Event Transport Management Plan and road closure of Canambe Street between Dumaresq and Kirkwood Street from 6.30am 22<sup>nd</sup> to the 24<sup>th</sup> January 2021, for the Annual Armidale Campdraft 2021.
- d. Endorse the installation of 2 parking spaces marked for disabilities adjacent to Nicholii House at 162 Bradley Street, Guyra.
- e. Monitor the Armidale Secondary College pedestrian and vehicle movements for first term of 2021, prior to making any requests for changes to the contractors.
- f. Deny the request to install speed humps on either side of the pedestrian crossing and around the netball court entryways (ie Perrot Street, Lynches Road, Judith Street), but continue to monitor the speeds annually.
- g. Note the meeting dates for the Traffic Advisory Committee for 2021.
- h. Receive a report at Council's January Meeting in opening the meetings of the Traffic Advisory Committee to the public to better engage with the community and improve



transparency.

394/20

**MOVED:**

**That Council:**

- a. **Receive and note the Minutes of the Traffic Advisory Committee meeting held on 1 December 2020.**
- b. **Authorise the General Manager and the Mayor jointly to change the restrictions on the Kempsey Road to allow vehicles up to 8.8m and 12tonne gvm, subject to advice of the Geotechnical report and its endorsement by the Traffic Advisory Committee.**
- c. **Endorse the Special Event Transport Management Plan and road closure of Canambe Street between Dumaresq and Kirkwood Street from 6.30am 22<sup>nd</sup> to the 24<sup>th</sup> January 2021, for the Annual Armidale Campdraft 2021.**
- d. **Endorse the installation of 2 parking spaces marked for disabilities adjacent to Nicholii House at 162 Bradley Street, Guyra.**
- e. **Monitor the Armidale Secondary College pedestrian and vehicle movements for first term of 2021, prior to making any requests for changes to the contractors.**
- f. **Deny the request to install speed humps on either side of the pedestrian crossing and around the netball court entryways (ie Perrot Street, Lynches Road, Judith Street), but continue to monitor the speeds annually.**
- g. **Note the meeting dates for the Traffic Advisory Committee for 2021.**
- h. **Receive a report at Council's January Meeting in opening the meetings of the Traffic Advisory Committee to the public to better engage with the community and improve transparency.**

**Moved and declared carried by the Interim Administrator**

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**15. MATTERS OF AN URGENT NATURE**

**MATTER OF URGENCY**

395/20

**MOTION**

Pursuant to clause 9.3 of the Code of Meeting Practise the Interim Administrator moved that late items:

- **Item 8.7 Community Strategic Plan 2017-2027, Delivery Program 2018-2021 and Resourcing Strategy 2020-2021: Public Exhibition**
- **Item 9.4 Former War Memorial Library Building – Lease to University of New England Building**
- **Item 9.5 Updated Financial Statements for Year Ended 30 June 2020**
- **Item 10.20 NSW Crown Lands approves transfer of Crown road known as Springhill Lane (application W624284) to Armidale Regional Council**
- **Item 10.21 Your High Street program grant submission**
- **Item 10.22 Gate and Stock Grid on Public Roads Policy**
- **Item 11.5 Small Business Relief Grants - Applicant assessment notification**

be considered at this meeting and ruled them to be of great urgency noting that public notice of same was given on 9 December 2020.

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 8.7 Community Strategic Plan 2017-2027, Delivery Program 2018-2021 and Resourcing Strategy 2020-2021: Public Exhibition**

*Ref: AINT/2020/38906 (ARC17/2315)*

**OFFICERS' RECOMMENDATION:**

That Council

- a. Endorse the following documents for public exhibition for a minimum of 28 days, pursuant to the requirements of the Local Government Act 1993:
  1. Draft Community Strategic Plan 2017-2027;
  2. Draft Delivery Program 2018-2022; and
  3. Draft Resourcing Strategy 2020-2021.
- b. Note the inclusion in the Draft Community Strategic Plan 2017-2027, Draft Delivery Program 2018-2022 and Draft Resourcing Strategy 2020-2021 of Armidale Regional Council's intention to apply to IPART for a Special Rate Variation, at a rate to be determined following public consultation.
- c. Following the exhibition, a report be presented to Council, which outlines community feedback, along with the final Integrated Planning and Reporting Plans for adoption.

396/20

**MOVED:**

That Council

- a. **Endorse the following documents for public exhibition for a minimum of 28 days, pursuant to the requirements of the Local Government Act 1993:**
  1. **Draft Community Strategic Plan 2017-2027;**
  2. **Draft Delivery Program 2018-2022; and**
  3. **Draft Resourcing Strategy 2020-2021.**
- b. **Note the inclusion in the Draft Community Strategic Plan 2017-2027, Draft Delivery Program 2018-2022 and Draft Resourcing Strategy 2020-2021 of Armidale Regional Council's intention to apply to IPART for a Special Rate Variation, at a rate to be determined following public consultation.**
- c. **Following the exhibition, a report be presented to Council, which outlines community feedback, along with the final Integrated Planning and Reporting Plans for adoption.**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 9.4 Former War Memorial Library Building – Lease to University of New England Building.** *Ref: AINT/2020/43844 (ARC16/0875-4)*

**OFFICERS' RECOMMENDATION:**

That Council:

- a. Authorise the General Manager to negotiate an agreement between Council and the University of New England Smart Region Incubator for a lease of 124 Faulkner Street previously known as the Armidale War Memorial Library, for delivery of business support and mentoring programs aimed at strengthening the business and social wellbeing of the Region.
- b. Provide a concession within the terms of the lease which takes into account the investment by the University of New South Wales in Council's asset.
- c. Proceeds with the lease in accordance with the requirements of the Local Government Act.

397/20

**MOVED:**

**That Council:**

- a. **Authorise the General Manager to negotiate an agreement between Council and the University of New England Smart Region Incubator for a lease of 124 Faulkner Street previously known as the Armidale War Memorial Library, for delivery of business support and mentoring programs aimed at strengthening the business and social wellbeing of the Region.**
- b. **Provide a concession within the terms of the lease which takes into account the investment by the University of New England in Council's asset.**
- c. **Proceeds with the lease in accordance with the requirements of the Local Government Act.**
- d. **Note that any lease will require the approval of the Financial Controller whether the subject of Council resolution or delegation.**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 9.5 Updated Financial Statements for Year Ended 30 June 2020**

*Ref: AINT/2020/43853 (ARC17/1711)*

**OFFICERS' RECOMMENDATION:**

That Council:

- a. Adopt the Updated Draft Financial Statements for the Year Ended 30 June 2020, as presented.
- b. Authorise the Interim Administrator, Acting General Manager and Responsible Accounting Officer to sign the Statements by Councillors and Management on the preparation of the General Purpose and Special Purpose Financial Statements for the year ended 30 June 2020 as prescribed by Section 413(2)(c) of the *Local Government Act 1993*.
- c. Authorise the Acting General Manager to issue the audited Financial Statements for the Year Ended 30 June 2020 immediately upon receipt of the Auditor's Reports subject to there being no material audit changes or audit issues.

398/20

**MOVED:**

**That Council:**

- a. **Adopt the Updated Draft Financial Statements for the Year Ended 30 June 2020, as presented.**
- b. **Authorise the Interim Administrator, Acting General Manager and Responsible Accounting Officer to sign the Statements by Councillors and Management on the preparation of the General Purpose and Special Purpose Financial Statements for the year ended 30 June 2020 as prescribed by Section 413(2)(c) of the *Local Government Act 1993*.**
- c. **Authorise the Acting General Manager to issue the audited Financial Statements for the Year Ended 30 June 2020 immediately upon receipt of the Auditor's Reports subject to there being no material audit changes or audit issues.**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 10.20 NSW Crown Lands approves transfer of Crown road known as Springhill Lane (application W624284) to Armidale Regional Council**  
*Ref: AINT/2020/43828 (ARC16/0001-5)*

**OFFICERS' RECOMMENDATION:**

That Council:

- a. Notes the approval by NSW Crown Lands of the transfer of the Crown road known as Springhill Lane to Armidale Regional Council.
- b. Acknowledges the strong community appeal to retain Springhill Lane for public amenity and biodiversity protection.

399/20

**MOVED:**

**That Council:**

- a. **Notes the approval by NSW Crown Lands of the transfer of the Crown road known as Springhill Lane to Armidale Regional Council.**
- b. **Acknowledges the strong community appeal to retain Springhill Lane for public amenity and biodiversity protection.**
- c. **Notes that there will be \$15,000 expended on Koala feed tree revegetation. This will improve biodiversity, wildlife corridors and support the protection of koalas.**

**Moved and declared carried by the Interim Administrator**

Meeting adjourned for 5 minutes at 5.02pm.  
Meeting returned 5.06pm.

**FOR DECISION: 10.21 Your High Street program grant submission**

*Ref: AINT/2020/43902 (ARC20/4412)*

The Director Businesses and Services Scot MacDonald declared a Non pecuniary – Non significant Conflict on tem 10.21 Your High Street program grant submission: Mr MacDonald's wife Aileen is the Secretary of the Guyra & District Chamber of Commerce. Intended Action: Remain in the meeting.

**OFFICERS' RECOMMENDATION:**

That Council submit a grant application to the *Your High Street* program managed by the NSW Department of Planning, Industry and Environment to fund improvements to Bradley Street Guyra.

400/20

**MOVED:**

**That Council submit a grant application to the *Your High Street* program managed by the NSW Department of Planning, Industry and Environment to fund improvements to Bradley Street Guyra.**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 10.22 Gate and Stock Grid on Public Roads Policy**

*Ref: AINT/2020/44065 (ARC16/0652)*

**OFFICERS' RECOMMENDATION:**

That Council place the draft Policy on Gates and Stock Grids on Public Roads for public exhibition and comment from the 10 December 2020 to 27 January 2021.

401/20

**MOVED:**

**That Council place the draft Policy on Gates and Stock Grids on Public Roads for public exhibition and comment from the 10 December 2020 to 01 March 2021.**

**Moved and declared carried by the Interim Administrator**

**FOR DECISION: 11.5 Small Business Relief Grants - Applicant assessment notification**

*Ref: AINT/2020/43841 (ARC19/3530)*

**OFFICERS' RECOMMENDATION:**

That Council:

- a. Approve the recommended applicants provided in this report for the Small Business Relief Grants.
- b. Approve that the remaining funds of \$14,000 be reallocated to projects as determined by the General Manager that meet the goals of the grants program being to support local economic stimulus and social positivity post bushfire disaster.

402/20

**MOVED:**

**That Council:**

- a. **Approve the recommended applicants provided in this report for the Small Business Relief Grants.**
- b. **Approve that the remaining funds of \$14,000 be reallocated to projects as determined by the General Manager that meet the goals of the grants program being to support local economic stimulus and social positivity post bushfire disaster.**

**Moved and declared carried by the Interim Administrator**

**16. QUESTIONS ON NOTICE**

Nil.

There being no further business the Interim Administrator declared the meeting closed at 5.15pm.