



## ORDINARY MEETING OF COUNCIL

Held on

Wednesday, 28 February 2018

1pm

at

Armidale Council Chambers

**PRESENT:** Councillor Simon Murray (Mayor), Councillor Dorothy Robinson (Deputy Mayor), Councillor Peter Bailey, Councillor Diane Gray, Councillor Jon Galletly, Councillor Libby Martin, Councillor Debra O'Brien, Councillor Margaret O'Connor, Councillor Ian Tiley, Councillor Bradley Widders.

**IN ATTENDANCE:** Mr Peter Dennis (Chief Executive Officer), Mr Lindsay Woodland (Group Leader Organisation Services), Mr Mark Piorkowski (Group Leader Service Delivery), Mr Keith Lockyer (Service Leader Finance and Information Technology), Ms Kim Bryan (Service Leader People Safety and Communications), Mr Ambrose Hallman (Service Leader Sustainability and Development), Ms Nathalie Heaton (Service Leader Governance Risk and Corporate Planning), Ms Krista Schmidt (Service Leader Community and Customer Services), Ms Leah Cook (Service Leader Asset Planning and Design), Mr Peter Wilson (Senior Governance Officer) and Ms Hayley Ward (Executive Officer).

MINUTES

1. CIVIC PRAYER AND RECOGNITION OF TRADITIONAL OWNERS
2. STATEMENT IN RELATION TO LIVE STREAMING OF COUNCIL MEETING
3. APOLOGIES

#### MOTION

1/18

**Moved Cr Martin**                      **Seconded Cr Gray**

That the apology from Cr Murat be accepted.

**The Motion on being put to the vote was CARRIED.**

#### 4. DISCLOSURE AND DECLARATION OF INTERESTS

Name	Item	Nature of Interest	Reason/Intended Action
Cr Martin	10.1 FOR DECISION: Waive Fees for CWA Conference use of Armidale Town Hall	<input type="checkbox"/> Pecuniary <input checked="" type="checkbox"/> Significant Non Pecuniary <input type="checkbox"/> Non-Significant Non Pecuniary	Reason: Relation to family member on CWA.  Intended action: Leave the Chamber

#### 5. HAVE YOUR SAY

- Mr Hans Hietbrink Item: 7.1 FOR DECISION: Mayoral Minute - Development of New England Rail Trail Speaking for the item.
- Rob Richardson Item 16.2 FOR DECISION: Minutes - Regional Growth Advisory Committee Meeting - 31 January 2018 – speaking against the item.
- Armidale Regional Ratepayers Association Inc Rob Taber Item: 7.1 FOR DECISION: Mayoral Minute - Development of New England Rail Trail– Speaking against the item.

6. CONFIRMATION OF MINUTES

**CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 13 DECEMBER 2017**

2/18 Moved Cr Gray                      Seconded Cr Bailey

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

**The Motion on being put to the vote was CARRIED.**

7. MAYORAL MINUTE

7.1 FOR DECISION: Mayoral Minute - Development of New England Rail Trail

*Ref: AINT/2018/03127 (ARC16/0085)*

3/18 Moved Cr Murray

a) That Council note its previous in principle support for a New England Rail Trial from Black Mountain to Ben Lomond as per the economic strategy that has already been adopted by Council.

b) That Council:

- Engage with the State Government following the community consultation conducted by the Office of Premier and Cabinet as to its current position on the New England Rail trial
- Conduct a comprehensive investigation and discovery of all relevant information and conduct extensive community consultation once the investigations have been completed as per the Economic Development Strategy.

**The Motion on being put to the vote was CARRIED.**

7.2 FOR DECISION: Mayoral Minute - Acceptance of the CEO Resignation and Appointment of Acting CEO

*Ref: AINT/2018/03158 (ARC16/0025)*

4/18 Moved Cr Murray

**That Council:**

- a) Note the resignation of Peter Dennis from the position of CEO and acknowledge his outstanding leadership over the past 13 months.
- b) Delegate authority to the Mayor to oversee the CEO Recruitment and Appointment process including the tasks as identified in the Guidelines; and
- c) To appoint Chris Rose as Acting CEO, to undertake the role and responsibilities of the CEO from 21 March 2018 until the commencement of a permanent CEO.

**The Motion on being put to the vote was CARRIED.**

**Cr O'Connor requested her dissenting vote be recorded**

8. NOTICES OF MOTION  
NIL.

9. REPORTS FOR DECISION - LEADERSHIP FOR THE REGION

9.1 **FOR DECISION: Community Engagement Strategy - Integrated Planning and Reporting - Community Strategic Plan and Delivery Program**

*Ref: AINT/2018/02364 (ARC16/0502)*

5/18

**Moved Cr Widders**                      **Seconded Cr Robinson**

**That this matter be deferred to the March Ordinary Council Meeting.**

**The Motion on being put to the vote was CARRIED.**

9.2 **FOR DECISION: Quarterly Budget Review Statement Second Quarter 2017-2018**

*Ref: AINT/2018/03092 (ARC17/1519)*

6/18

**Moved Cr Tiley**                      **Seconded Cr O'Connor**

- a) **That Council note the Second Quarter Budget Review Statement and adjustments for the 2017-2018 financial year.**
- b) **That Council adopt the total net increase in budget expense for second quarter totalling \$ 801,803 as listed in the report for capital and operating.**
- c) **That Council vote the budget changes.**
- d) **That Council receive a report at the March council meeting as to the options of eliminating the \$801,803 current deficit.**
- e) **That Council receive a further report on the expenditure of the \$10m Stronger Communities Fund and the \$5m Merger Implementation Fund and what has been allocated and spent, and what has been allocated and not spent.**

**The Motion on being put to the vote was CARRIED.**

**9.3 FOR DECISION: Consultation on Draft Model Code of Meeting Practice**

*Ref: AINT/2018/03686 (ARC16/0620)*

7/18

**Moved Cr Gray**

**Seconded Cr Robinson**

**That Councillors provide comments on the draft Model Code of Meeting Practice, by Friday 9 March 2018, for inclusion in a Council submission to OLG.**

**The Motion on being put to the vote was CARRIED.**

**10. REPORTS FOR DECISION - GROWTH, PROSPERITY AND ECONOMIC DEVELOPMENT**

CR LIBBY MARTIN LEFT THE MEETING, THE TIME BEING 02:33 PM

**10.1 FOR DECISION: Waive Fees for CWA Conference use of Armidale Town Hall**

*Ref: AINT/2017/21337 (ARC17/2218)*

8/18

**Moved Cr Robinson**

**Seconded Cr Bailey**

**That Council:**

- a) **Acknowledges the work of the CWA Northern Tablelands Group in bringing the 2018 CWA State Conference to Armidale, 30 April – 5 May 2018.**
- b) **Provides the Town Hall facilities for use by CWA Northern Tablelands Group for the period 4 May – 7 May (inclusive) 2018.**
- c) **Waives all fees and charges associated with the use of the Town Hall for the period 4 May – 7 May (inclusive) 2018.**

**The Motion on being put to the vote was CARRIED.**

CR LIBBY MARTIN RETURNED TO THE MEETING, THE TIME BEING 02:34 PM

**10.2 FOR INFORMATION: Invitation for Armidale Regional Council to Participate in the TfNSW Regional Automated Vehicle Trials**

*Ref: AINT/2018/03366 (ARC16/0745-3)*

9/18

**Moved Cr O'Connor**

**Seconded Cr Martin**

**That Council note ARC's proposal to submit an Expression of Interest to the Transport for NSW Regional Automated Vehicle Trials**

**The Motion on being put to the vote was CARRIED.**

**10.3 FOR DECISION: Community Engagement Results- Mall Project**

*Ref: AINT/2018/03419 (ARC16/0875)*

10/18

**Moved Cr Gray**

**Seconded Cr Robinson**

- a) That the community consultation survey results, submission feedback summary and management responses on the proposed mall design concept be noted.
- b) That the Business Advisory Committee be charged with the responsibility to:
- i. undertake a review of the community's feedback on the Mall design;
  - ii. establish a Reference Group to work with Council Officers to prepare a new design for the mall; and
  - iii. report back to council at regular intervals.

**The Motion on being put to the vote was CARRIED unanimously.**

**11. REPORTS FOR DECISION - ENVIRONMENT AND INFRASTRUCTURE**

**11.1 FOR DECISION: Stronger Communities Fund - Balance of Major Projects Fund**

*Ref: AINT/2018/03071 (ARC16/0001-3)*

11/18

**MOTION**

**Moved Cr Tiley**

**Seconded Cr Gray**

That Council confirms the resolution of 17 May 2017, that the quarantined funding of \$440,000 and any other unspent funds from the \$9 million Stronger Communities (Major Projects) Fund be allocated to the upgrade of Rockvale Road.

**The Motion on being put to the vote was CARRIED.**

**MOTION**

**Moved Cr Robinson**

**Seconded Cr O'Connor**

That council seeks the permission of the stronger communities panel to use the quarantined funds for projects that, consistent with the guidelines outlined for the fund on the NSW Government's website, best serve the current needs and interests of our community, give the major changes in funding and opportunities made available since the last meeting of the panel.

**The Motion on being put to the vote was LOST.**

12. REPORTS FOR DECISION - OUR PEOPLE AND COMMUNITY

12.1 FOR DECISION: Establishment of New England Joint Organisation

*Ref: AINT/2017/21338 (ARC16/0607)*

12/18

Moved Cr Tiley

Seconded Cr Gray

That Council in accordance with Part 7 of Chapter 12 of the Local Government Act 1993 (Act), the Armidale Regional Council (Council) resolves:

- a) That the Council informs the Minister for Local Government (Minister) of the Council's endorsement of the Minister recommending to the Governor, the establishment of a Joint Organisation (Joint Organisation) in accordance with this resolution.
- b) To approve the inclusion of the Council's area in the Joint Organisation's area.
- c) That the Joint Organisation be established to cover the Council's area and any two or more of the following Council areas: Glen Innes Severn Council, Inverell Shire Council, Moree Plains Shire Council, Tenterfield Shire Council and Uralla Shire Council.
- d) That, on the expiry of a period of 28 days from the making of this resolution, the General Manager provide the Minister:
  - (i) with a copy of this resolution including the date on which Council made this resolution, and
  - (ii) informs the Minister that this resolution has not been rescinded, for the purpose of the Minister issuing a certificate under section 400P of the Act.

The Motion on being put to the vote was CARRIED.

12.2 FOR DECISION: Adoption of updated Work Health and Safety Policy

*Ref: AINT/2018/00863 (ARC16/0001-3)*

13/18

Moved Cr Martin

Seconded Cr Gray

That Council adopt the Work Health and Safety (WHS) Policy which has been updated to reflect legislative changes and changes within our organisation.

The Motion on being put to the vote was CARRIED.

**12.3 FOR DECISION: Fee Waiver for use of Central Park to hold the Welcome Party for International Students 2018** *Ref: AINT/2018/02201 (ARC16/0048)*

14/18 Moved Cr Robinson                      Seconded Cr O'Connor

**That Council waive the fees of \$174.00 to St Peter's Anglican Cathedral for use of Armidale Central Park for the 2018 Welcome Party for International Students.**

**The Motion on being put to the vote was CARRIED.**

**12.4 FOR DECISION: Customer Service Charter** *Ref: AINT/2018/02901 (ARC17/2043)*

15/18 Moved Cr Galletly                      Seconded Cr Gray

- a) **That the Draft Customer Service Charter be endorsed.**
- b) **That the Draft Customer Service Charter go on public exhibition for a period of not less than 28 days, from Wednesday 7 March to Wednesday 4 April 2018.**
- c) **That a further report be provided to the April 2018 Council meeting for consideration of any submissions received.**
- d) **That if no submissions are made within the submission period, then the Customer Service Charter be adopted retrospectively.**

**The Motion on being put to the vote was CARRIED.**

**13. REPORTS FOR INFORMATION**

**13.1 FOR INFORMATION: Induction and Professional Development for Mayor and Councillors** *Ref: AINT/2018/00564 (ARC16/1273)*

16/18 Moved Cr Tiley                      Seconded Cr O'Connor

**That the report on the Councillor induction and professional development activities and attendance, for the period September 2017 – January 2018 be noted.**

**The Motion on being put to the vote was CARRIED.**



**13.2 FOR INFORMATION: Code of Conduct Complaint Statistics Report 2017**

*Ref: AINT/2017/20722 (ARC16/1155)*

17/18

**Moved Cr Tiley**

**Seconded Cr O'Connor**

**That the 2017 Code of Conduct Complaint Statistics Report for the period 1 September 2016 to 31 August 2017 be noted.**

**The Motion on being put to the vote was CARRIED.**

**13.3 FOR INFORMATION: Community Satisfaction Survey Report 2017**

*Ref: AINT/2018/02615 (ARC16/1435)*

18/18

**Moved Cr Tiley**

**Seconded Cr O'Connor**

**That Council note the Community Satisfaction Survey 2017 results which showed that all eight (8) services and facilities scored above the 3.0 "neutral" rating of satisfaction compared to only two being rated above 3.0 in 2016.**

**The Motion on being put to the vote was CARRIED.**

**13.4 FOR INFORMATION: Delivery Program 2017-2021 Six Monthly Progress Report  
- July 2017 to December 2017**

*Ref: AINT/2018/02373 (ARC16/0502)*

19/18

**Moved Cr Tiley**

**Seconded Cr O'Connor**

- a) That the six monthly report on the Delivery Program be noted.**
- b) That the 12 month delivery report focus on tangible outcomes and how they have been and will be achieved.**

**The Motion on being put to the vote was CARRIED.**

**13.5 FOR INFORMATION: Cash & Investments Report for January 2018**

*Ref: AINT/2018/02115 (ARC17/2209)*

20/18

**Moved Cr Tiley**

**Seconded Cr O'Connor**

**That the Cash & Investments Report, as at 31 January 2018, reporting Investments held of \$63,780,986.08 and a consolidated Bank Account balance of \$3,178,213.22, excluding the Trust Fund, be received and noted.**

**The Motion on being put to the vote was CARRIED.**

**13.6 FOR INFORMATION: Update on Guyra SES HQ**

*Ref: AINT/2018/02188 (ARC17/1951)*

21/18

**Moved Cr Tiley**

**Seconded Cr O'Connor**

**That the report on the location of the Guyra SES HQ be noted.**

**The Motion on being put to the vote was CARRIED.**

**13.7 FOR INFORMATION: Dumaresq Creek Coronial Inquest**

*Ref: AINT/2018/02657 (ARC17/2345)*

22/18

**Moved Cr Tiley**

**Seconded Cr O'Connor**

- a) That the Coroner's report be noted.**
- b) That the Member for Northern Tablelands Adam Marshall be advised of the actions proposed by Council in response to the Coroner's recommendations.**
- c) That council undertake the work as detailed in this report.**

**The Motion on being put to the vote was CARRIED.**

14. REQUESTS FOR LEAVE OF ABSENCE

**14.1 FOR DECISION: Leave of Absence - Councillor Gray** *Ref: AINT/2018/00607 (ARC17/2373)*

23/18

**Moved Cr Bailey**                      **Seconded Cr Galletly**

**That Councillor Gray be granted leave of absence for the period Monday 26 March to Friday 13 April 2018, including the Council meeting on 28 March 2018.**

**The Motion on being put to the vote was CARRIED.**

15. AUTHORITY TO AFFIX COUNCIL SEAL

Nil.

16. COMMITTEE REPORTS

**16.1 FOR DECISION: Minutes - Business Advisory Committee - 30 January 2018**

*Ref: AINT/2018/01989 (ARC17/2172)*

24/18

**Moved Cr Gray**                      **Seconded Cr Robinson**

**That the following recommendations from the Business Advisory Committee meeting held on 30 January 2018 be noted:**

- (a) That Business Advisory Committee meetings be held on 4 April 2018, 6 June 2018, 1 August 2018, 3 October 2018, and 5 December 2018.**
- (b) That the verbal report on the Small Business Friendly Council Program be noted.**
- (c) That the Rail Trail Consultation Report be circulated to the Business Advisory Committee members.**
- (d) That the report on the Standard Agenda Items for Future Meetings be noted.**

**The Motion on being put to the vote was CARRIED.**

**16.2 FOR DECISION: Minutes - Regional Growth Advisory Committee Meeting - 31  
January 2018**

*Ref: AINT/2018/01987 (ARC16/0169)*

25/18

Moved Cr Galletly

Seconded Cr Gray

That the following recommendations from the Regional Growth Advisory Committee meeting held on 31 January 2018 be adopted:

- (a) That the Regional Growth Advisory Committee meetings be held on 1 March 2018, 5 April 2018, 3 May 2018, 5 July 2018, 6 September 2018 and 1 November 2018.
- (b) That the Report from the Service Leader, Economic Development and Marketing on the Armidale Airport Business Park, Tourism and Events, Acacia Park, Grants Update, Guyra & Tingha, Regional Economic Development Strategy be noted.
- (c) That Acacia Park's name be changed to Acacia Business Park and that Council bring into effect as soon as possible.

The Motion on being put to the vote was CARRIED.

**16.3 FOR DECISION: Minutes - Traffic Advisory Committee Meeting - 30 January  
2018.**

*Ref: AINT/2018/02053 (ARC16/0168)*

26/18

Moved Cr Galletly

Seconded Cr Martin

That the following recommendations from the Traffic Advisory Committee meeting held on 30 January 2018 be noted:

- (a) That the Committee note the Special Event Transport Management Plan for the Armidale Athletic Club Campus City Center in accordance with the submitted Traffic Management Plans and as part of the already endorsed 2018 Armidale Autumn Festival plans.
- (b) That the request for Baldblair Street, between Lagoon St and McKie Parkway, between Baldblair Street and Baldersleigh Road in Guyra, be endorsed as B Doubles (25/26m) routes.
- (c) That approval be provided for two temporary parking bays on O'Dell Street, in emergency ambulance entry driveway currently not being used due to construction, however the bays are to be located within the property if possible. If they cannot, the bays are not to protrude beyond the face of kerb.

The Motion on being put to the vote was CARRIED.

**17. MATTERS OF AN URGENT NATURE**

Nil.

18. QUESTIONS ON NOTICE

Nil.

**PROCEDURAL MOTION**

27/18

**Moved Cr Gray**

**Seconded Cr Galletly**

**a) That Council move into Confidential Session to receive and consider the following item:**

19.1 FOR DECISION: Armidale Airport Business Park Land Pricing. (AINT/2018/02752) - *As this report deals with commercial information of a confidential nature which, if disclosed, confers a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)(c) of the Local Government Act 1993). Council closes the meeting, in accordance with Council's Code of Meeting Practice, as consideration of this matter in open Council would be contrary to the public interest.*

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

**c) That Council make the resolution(s) made in Confidential Session public as soon as practicable**

**The Motion on being put to the vote was CARRIED.**

Council entered Confidential Session at 4pm.

Council returned to Open Session at 4.07pm.

19. CLOSED SESSION

**19.1 FOR DECISION: Armidale Airport Business Park Land Pricing**

*Ref: AINT/2018/02752 (ARC17/1701)*

28/18

**Moved Cr Widders**

**Seconded Cr Galletly**

**a) That Council adopt the Reserve sale prices for Stage I, being Lots 1-08, 1-12, 1-16, 1-20, 1-24, 1-32, 1-36, 1-37 and Lots 1-43 to 1-73 inclusive, as detailed in the confidential report; and**

**b) That the Council seal be affixed to the documents associated with the Contract of Sale for the relevant Lots.**

**The Motion on being put to the vote was CARRIED unanimously.**

There being no further business the Mayor declared the meeting closed at 4.10pm.