



ORDINARY MEETING OF COUNCIL

Held on

Wednesday, 23 November 2022
4pm

at

Armidale Council Chambers

PRESENT: Councillor Sam Coupland (Mayor), Councillor Todd Redwood (Deputy Mayor), Councillor Paul Gaddes, Councillor Jon Galletly, Councillor Susan McMichael, Councillor Steven Mephram, Councillor Debra O'Brien, Councillor Margaret O'Connor, Councillor Paul Packham, Councillor Dorothy Robinson and Councillor Bradley Widders.

IN ATTENDANCE: Mr James Roncon (General Manager), Mr Darren Schaefer (Chief Officer Corporate and Community), Mr Daniel Boyce (Chief Officer Planning and Activation), Mr Alex Manners (Chief Officer Assets and Services), Ms Ann Newsome (Chief Financial Officer), Ms Simone Mooketsi (Manager Governance and Strategy) and Ms Melissa Houtt (Executive Officer).

MINUTES

Index

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 BY COUNCILLORS	
4. DISCLOSURES OF INTEREST	
5. CONFIRMATION OF MINUTES	
5.1 Minutes of Previous Meeting held 26 October 2022	4
6. MAYORAL MINUTE	
6.1 Mayoral Minute - Australian Transport Museum	5
7. NOTICES OF MOTION	
7.1 Fairer Road Funding	5
8. LEADERSHIP FOR THE REGION	
8.1 ARC Renewable Energy Action Plan for Adoption	6
8.2 Permanent Special Rate Variation Application	9
8.3 Council Actions Report January - October 2022	12
8.4 Integrated Planning and Reporting - Delivery Program 2018-2022 and Operational Plan 2021-2022 Progress Report - January to June 2022	12
8.5 Consultation by IPART on Rate Peg Methodology	12
9. GROWTH, PROSPERITY AND ECONOMIC DEVELOPMENT	
9.1 Cash and Investment Report 31 October 2022	13
9.2 Endorsement to Engage a Public Process for a Road Reserve Closure	13
9.3 2022-23 First Quarter Budget Review	13
9.4 Presentation of Audited Financial Statements and Audit Reports Year Ended 30 June 2022	12
10. ENVIRONMENT AND INFRASTRUCTURE	
10.1 Stockpiled Mulch Reduction Initiative	14
11. OUR PEOPLE AND COMMUNITY	
11.1 Homes North management of Community Housing Assets	16
12. COMMITTEE REPORTS	
12.1 KPWG - Minutes of meetings held October - November 2022	16
12.2 Traffic Advisory Committee - Minutes of the meeting held 8 November 2022.	17
12.3 Sports Council Committee - Minutes of the meeting held 3 November 2022	18
13. MATTERS OF AN URGENT NATURE	

14. QUESTIONS ON NOTICE

14.1 Water Supply Options and Costs18

15. CLOSED SESSION

15.1 Extension of Engagement of GHD Pty Ltd - Provision of Engineering and Geotechnical Services for Kempsey Road Projects20
(General Manager's Note: The report considers and is deemed confidential under Section 10A(2)(d) of the Local Government Act 1993, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret).

15.2 Engagement of Contractor – Council Project20
(General Manager's Note: The report considers a tender and is deemed confidential under Section 10A(2)(c) of the Local Government Act 1993, as it 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).

1. CIVIC AFFIRMATION AND ACKNOWLEDGEMENT OF COUNTRY

Cr Redwood delivered the Civic Affirmation and Cr McMichael delivered the Acknowledgment of Country.

2. STATEMENT IN RELATION TO LIVE STREAMING OF COUNCIL MEETINGS

The General Manager delivered the statement.

3. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

Nil.

4. DISCLOSURES OF INTEREST

Name	Item	Nature of Interest	Reason/Intended Action
Clr Packham	MM	<input type="checkbox"/> Pecuniary <input checked="" type="checkbox"/> Non Pecuniary – Significant Conflict <input type="checkbox"/> Non Pecuniary – Non Significant Conflict	Reason: Family connection to the Australian Transport Museum Intended action: Leave Chamber

5. CONFIRMATION OF MINUTES

5.1 Minutes of Previous Meeting held 26 October 2022

Ref: AINT/2022/44570 (ARC16/0001-7)

223/22

RESOLVED

That the Minutes of the Ordinary Council meeting held on 26 October 2022 be taken as read and accepted as a true record of the meeting.

Moved Cr Robinson

Seconded Cr McMichael

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

6. MAYORAL MINUTE

6.1 Mayoral Minute - Australian Transport Museum *Ref: AINT/2022/44443 (ARC22/5460)*

224/22

RESOLVED

That the Mayoral Minute be withdrawn and presented at a future meeting.

Moved Cr Coupland

Seconded Cr Gaddes

The Withdrawal on being put to the vote was CARRIED unanimously.

7. NOTICES OF MOTION

7.1 Fairer Road Funding

Ref: AINT/2022/45755 (ARC16/0025-6)

225/22

RESOLVED

1. That Council notes:

- a) Armidale Regional Council (ARC) maintains 1858 km of local and regional roads, compared to the 844 km maintained by the Northern Beaches Council (NBC)
- b) The Local Roads Component of the [Financial Assistance Grant \(FAG\) for 2022-23](#) (ARC: 2.71 million; NBC: 2.54 million) works out at \$1,461/km in ARC and \$3008/km in NBC.
- c) In the NBC Local Government Area (LGA), median weekly household income is [\\$2,592, 10.8% of households have income below \\$650/wk](#) and 66.4% of residents report no long-term health conditions. In the ARC LGA, median weekly household income is [\\$1,404, 20.3% households have income below \\$650/week](#) and only 54.2% of residents report no long-term health conditions
- d) the above discrepancies seems incompatible with the stated aims of FAG "The identified road component of the financial assistance grants should be allocated to local governing bodies as far as practicable on the basis of the relative needs of each local governing body for roads expenditure and to preserve its road assets. In assessing road needs, relevant considerations include length, type and usage of roads in each local governing area."

and

"General purpose grants will be allocated to local governing bodies, as far as practicable, on a full horizontal equalisation basis as defined by the Act. This is a basis that ensures each local governing body in the State or Territory is able to function, by reasonable effort, at a standard not lower than the average standard of other local governing bodies in the State or Territory. It takes account of differences in the expenditure required by those local governing bodies in the performance of their functions and in the capacity of those local governing bodies to raise revenue."

2. That council brings this information to the attention of the Country Mayors Association (CMA) and asks the CMA to lobby other levels of government and the NSW Local Government Grants Commission to address this inequity, noting that the [decrease in the value of the FAG from 1% of Commonwealth tax revenue to 0.55%](#) is likely to impose a proportionately greater burden on rural and regional councils.

.....

Cr Dorothy Robinson

14 November 2022

Moved Cr Robinson

Seconded Cr O'Connor

DIVISION The result being:-

FOR: Crs S Coupland, P Gaddes, S McMichael, S Mepham, D O'Brien, M O'Connor, P Packham, T Redwood, D Robinson and B Widders

AGAINST: Cr J Galletly

The Mayor declared the vote CARRIED

8. LEADERSHIP FOR THE REGION

8.1 ARC Renewable Energy Action Plan for Adoption *Ref: AINT/2022/41330 (ARC21/4551)*

MOTION

That Council;

- a. Note the feedback contained in the report for public exhibition
- b. Adopt the Renewable Energy Action Plan noting:
 - i. the recommendations and priorities contained in section 7.2 of the report, including:
 - Increase energy awareness: ARC understands and controls energy usage to optimise productivity.
 - Move towards energy autonomy: ARC generates and supplies renewable energy to itself at a known and affordable price.
 - Engage carefully with Retailers: ARC is serviced by flexible, fair retail arrangements.
 - Electrify vehicles, plant, and equipment: Ensuring ARC fleet, plant and equipment is low-emission, affordable and effective.
 - Lead energy innovation: ARC becomes known as an attractive place for R&D, trials and implementation of new technology.
 - Have a stake in energy asset ownership: ARC receives additional revenue streams through the provision of utility services (micro grids, embedded networks, and alike).
 - Plan for energy security and climate resilience: Consider the relative importance of energy security at key sites and factor this into considerations for Behind the Meter installations
 - ii. that adoption is contingent on further assessment of the cost/benefit and payback periods of the above recommended initiatives.

Moved Cr Robinson

Seconded Cr O'Connor

AMENDMENT

That Council;

- a. Note the feedback contained in the report for public exhibition
- b. Adopt the Renewable Energy Action Plan noting:
 - i. the recommendations and priorities contained in section 7.2 of the report, including:
 - Increase energy awareness: ARC understands and controls energy usage to optimise productivity.
 - Move towards energy autonomy: ARC generates and supplies renewable energy to itself at a known and affordable price.
 - Engage carefully with Retailers: ARC is serviced by flexible, fair retail arrangements.
 - Electrify vehicles, plant, and equipment: Ensuring ARC fleet, plant and equipment is low-emission, affordable and effective.
 - Lead energy innovation: ARC becomes known as an attractive place for R&D, trials and implementation of new technology.
 - Have a stake in energy asset ownership: ARC receives additional revenue streams through the provision of utility services (micro grids, embedded networks, and alike).
 - Plan for energy security and climate resilience: Consider the relative importance of energy security at key sites and factor this into considerations for Behind the Meter installations
 - ii. that adoption is contingent on further assessment of the cost/benefit and payback periods of the above recommended initiatives.
- c. That the Renewable Energy Action Plan is published on the Environment Section of ARC's website.
- d. The community submissions and council's response are also published in the same place.

Moved Cr Robinson

Seconded Cr O'Connor

DIVISION The result being:-

FOR: Crs S Coupland, P Gaddes, S McMichael, S Mepham, D O'Brien, M O'Connor, P Packham, T Redwood, D Robinson and B Widders

AGAINST: Cr J Galletly

The Mayor declared the amendment CARRIED

226/22

RESOLVED

That Council;

- a. Note the feedback contained in the report for public exhibition
- b. Adopt the Renewable Energy Action Plan noting:
 - i. the recommendations and priorities contained in section 7.2 of the report, including:
 - Increase energy awareness: ARC understands and controls energy usage to optimise productivity.
 - Move towards energy autonomy: ARC generates and supplies renewable energy to itself at a known and affordable price.
 - Engage carefully with Retailers: ARC is serviced by flexible, fair retail arrangements.
 - Electrify vehicles, plant, and equipment: Ensuring ARC fleet, plant and equipment is low-emission, affordable and effective.
 - Lead energy innovation: ARC becomes known as an attractive place for R&D, trials and implementation of new technology.
 - Have a stake in energy asset ownership: ARC receives additional revenue streams through the provision of utility services (micro grids, embedded networks, and alike).
 - Plan for energy security and climate resilience: Consider the relative importance of energy security at key sites and factor this into considerations for Behind the Meter installations
 - ii. that adoption is contingent on further assessment of the cost/benefit and payback periods of the above recommended initiatives.
- c. That the Renewable Energy Action Plan is published on the Environment Section of ARC's website.
- d. The community submissions and council's response are also published in the same place.

Moved Cr Robinson

Seconded Cr O'Connor

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

8.2 Permanent Special Rate Variation Application

Ref: AINT/2022/43728 (ARC22/5344)

MOTION

That Council;

- a) Note the content of the Community Engagement Summary Report.
- b) Note the content of the Capacity to Pay Report.
- c) Commits to proceed with a section 508(A) (permanent) Special Rate Variation option in order to address Armidale Regional Council's (ARC) financial sustainability and maintain essential community infrastructure including Council's road network, footpaths and community buildings.
- d) On or before 25 November 2022, formally notify the NSW Independent Pricing and Regulatory Tribunal (IPART) that Council intends to submit a Special Rate Variation application;
- e) That Council staff update the Integrated Planning & Reporting (IP&R) Suite of Documentation including the Delivery Program (DP) and Long-Term Financial Plan (LTFP) to meet the SRV application requirements. In particular, to include an addendum to the DP demonstrating the impact of a 50% SRV.
- f) The amended IP&R documents to be presented at the December 2022 ordinary Council meeting for the purpose of being endorsed by Council for public exhibition.
- g) Convene an extra-ordinary meeting of Council in late January 2023 for the purpose of receiving submissions on the revised IP&R documentation suite and to adopt the revised IP&R suite to be submitted to IPART as part of the SRV application.
- h) By 3 February 2023 ARC submits to IPART a permanent Special Rate Variation application of 50% (58.8% cumulative) to be phased in over a three-year period commencing in 2023-2024.
- i) Acknowledge the feedback received from the community during the community engagement and public exhibition process.

Moved Cr Redwood

Seconded Cr Gaddes

SUSPENSION OF STANDING ORDERS - Move into committee of the whole

Moved Cr Redwood

Seconded Cr Gaddes

Standing orders were suspended at 4:23pm

RESUMPTION OF STANDING ORDERS - Move out of committee of the whole

Moved Cr Redwood

Seconded Cr O'Brien

Standing orders were resumed at 5:03pm

AMENDMENT

That Council;

- a) Note the content of the Community Engagement Summary Report.
- b) Note the content of the Capacity to Pay Report.
- c) Commits to proceed with a section 508(A) (~~permanent~~/temporary) Special Rate Variation option in order to address Armidale Regional Council's (ARC) financial sustainability and maintain essential community infrastructure including Council's road network, footpaths and community buildings.
- d) On or before 25 November 2022, formally notify the NSW Independent Pricing and Regulatory Tribunal (IPART) that Council intends to submit a Special Rate Variation application;
- e) That Council staff update the Integrated Planning & Reporting (IP&R) Suite of Documentation including the Delivery Program (DP) and Long-Term Financial Plan (LTFP) to meet the SRV application requirements. In particular, to include an addendum to the DP demonstrating the impact of a 50% SRV.
- f) The amended IP&R documents to be presented at the December 2022 ordinary Council meeting for the purpose of being endorsed by Council for public exhibition.
- g) Convene an extra-ordinary meeting of Council in late January 2023 for the purpose of receiving submissions on the revised IP&R documentation suite and to adopt the revised IP&R suite to be submitted to IPART as part of the SRV application.
- h) By 3 February 2023 ARC submits to IPART a ~~permanent~~ temporary Special Rate Variation application of 50% (58.8% cumulative) to be phased in over a three-year period commencing in 2023-2024.
- i) Acknowledge the feedback received from the community during the community engagement and public exhibition process.

Moved Cr Packham

Seconded Cr O'Connor

DIVISION The result being:-

FOR: Crs S McMichael, M O'Connor, P Packham and D Robinson

AGAINST: Cr C Coupland, J Galletly, P Gaddes, S Mephram, D O'Brien, T Redwood and B Widders

The Amendment on being put to the vote was LOST

227/22

RESOLVED

That Council;

- a) Note the content of the Community Engagement Summary Report.
- b) Note the content of the Capacity to Pay Report.
- c) Commits to proceed with a section 508(A) (permanent) Special Rate Variation option in order to address Armidale Regional Council's (ARC) financial sustainability and maintain essential community infrastructure including Council's road network, footpaths and community buildings.
- d) On or before 25 November 2022, formally notify the NSW Independent Pricing and Regulatory Tribunal (IPART) that Council intends to submit a Special Rate Variation application;
- e) That Council staff update the Integrated Planning & Reporting (IP&R) Suite of Documentation including the Delivery Program (DP) and Long-Term Financial Plan (LTFP) to meet the SRV application requirements. In particular, to include an addendum to the DP demonstrating the impact of a 50% SRV.
- f) The amended IP&R documents to be presented at the December 2022 ordinary Council meeting for the purpose of being endorsed by Council for Public exhibition.
- g) Convene an extra-ordinary meeting of Council in late January 2023 for the purpose of receiving submissions on the revised IP&R documentation suite and to adopt the revised IP&R suite to be submitted to IPART as part of the SRV application.
- h) By 3 February 2023 ARC submits to IPART a permanent Special Rate Variation application of 50% (58.8% cumulative) to be phased in over a three-year period commencing in 2023-2024.
- i) Acknowledge the feedback received from the community during the community engagement and public exhibition process.

DIVISION The result being:-

FOR: Crs S Coupland, P Gaddes, J Galletly, S McMichael, S Mephram, D O'Brien, T Redwood and B Widders

AGAINST: Crs M O'Connor, P Packham and D Robinson

The Mayor declared the vote CARRIED.

Cr Jon Galletly left the meeting, the time being 04:52 PM

Cr Jon Galletly returned to the meeting, the time being 04:53 PM

8.3 Council Actions Report January - October 2022 Ref: AINT/2022/44036 (ARC16/0001-7)

228/22

RESOLVED

That Council notes the report summarising the actions taken on the resolutions of Council.

Moved Cr Redwood

Seconded Cr Widders

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

8.4 Integrated Planning and Reporting - Delivery Program 2018-2022 and Operational Plan 2021-2022 Progress Report - January to June 2022

Ref: AINT/2022/44870 (ARC20/4344)

229/22

RESOLVED

That Council note the Operational Plan 2022-2023 Progress Report for the period July to September 2022.

Moved Cr Robinson

Seconded Cr Redwood

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

8.5 Consultation by IPART on Rate Peg Methodology Ref: AINT/2022/44997 (ARC22/5344)

230/22

RESOLVED

It is recommended that:

- a) Note the content of the Issues Paper prepared by IPART.
- b) Note the content of the LGNSW submission to IPART.
- c) Feedback is provided to IPART by Council at the stakeholder workshops that the current rate peg methodology provides an insufficient rates base for councils
- d) Councillors are encouraged register to participate in the workshops as a key stakeholder.
- e) Councillors who are unable to participate in the workshops, pass their feedback to the General Manager for conveyance to IPART.

Moved Cr O'Connor

Seconded Cr Robinson

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

9. GROWTH, PROSPERITY AND ECONOMIC DEVELOPMENT

9.1 Cash and Investment Report 31 October 2022 *Ref: AINT/2022/44268 (ARC20/4311)*

231/22

RESOLVED

That Council note the Cash and Investment Report for October 2022.

Moved Cr O'Connor **Seconded Cr McMichael**

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

9.2 Endorsement to Engage a Public Process for a Road Reserve Closure

Ref: AINT/2022/44867 (ARC17/1749)

232/22

RESOLVED

That Council endorse the application;

- a. To undertake a public process for the purpose of a road reserve closure.
- b. Prepare the lands survey and application to the regional Crown Lands Office.
- c. Post closure prepare a subdivision development application for a residential lot

Moved Cr Redwood **Seconded Cr Widders**

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

9.3 2022-23 First Quarter Budget Review *Ref: AINT/2022/45582 (ARC20/4361)*

233/22

RESOLVED

That Council:

- a. Note the 2022-2023 First Quarter Budget Review.
- b. Note the proposed revised 2022-2023 budget produces an unrestricted cash forecast of \$4.9 million and the following fund results:

Fund	Operating Surplus / (Deficit) (‘000)
General	(\$4,708)
Water	\$1,632
Sewerage	\$1,739
Consolidated Result	(\$1,337)

- c. Resolve to amend the 2022/23 budget in accordance with the Quarterly Budget Review Statement for the period 1 July 2022 to 30 September 2022 tabled in the attachments.

Moved Cr Galletly **Seconded Cr Gaddes**

DIVISION The result being:-

FOR: Crs S Coupland, P Gaddes, J Galletly, S McMichael, S Mephram, D O'Brien, M O'Connor, T Redwood, D Robinson and B Widders

AGAINST: Cr P Packham

The Mayor declared the vote CARRIED

9.4 Presentation of Audited Financial Statements and Audit Reports Year Ended 30 June 2022

Ref: AINT/2022/45590 (ARC16/0001-7)

234/22

RESOLVED

That Council note the report on the presentation of the audited Annual Financial Statements for the year ended 30 June 2022.

Moved Cr Robinson

Seconded Cr Widders

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

10. ENVIRONMENT AND INFRASTRUCTURE

10.1 Stockpiled Mulch Reduction Initiative

Ref: AINT/2022/45574 (ARC16/0861)

MOTION

That Council:

- a) Endorse the recommendation to waive the fees for the purchase of mulch from the Long Swamp Road Landfill over four consecutive weekends or while stocks last, commencing on Saturday 26 November 2022 and ending on Sunday 18 December 2022;
- b) Endorse the recommendation to restrict the collection of free mulch from Long Swamp Road Landfill to residential customers only, and on the basis the maximum load at any one time is limited to 8m³ per transaction; and
- c) Endorse the recommendation to extend the opportunity for residents to collect free mulch at Guyra, based on the condition there is no mechanical loading available at the Guyra Waste Transfer Station and the available stock is limited to 60m³.

Moved Cr Gaddes

Seconded Cr Robinson

AMENDMENT

That Council:

- a) Endorse the recommendation to waive the fees for the purchase of mulch from the Long Swamp Road Landfill over four consecutive weekends or while stocks last, commencing on Saturday 26 November 2022 and ending on Sunday 18 December 2022;
- b) Endorse the recommendation to restrict the collection of free mulch from Long Swamp Road Landfill to residential customers only, and on the basis the maximum load at any

one time is limited to 8m³ per transaction; and

- c) Endorse the recommendation to extend the opportunity for residents to collect free mulch at Guyra, based on the condition there is no mechanical loading available at the Guyra Waste Transfer Station and the available stock is limited to 60m³.
- d) Endorse the provision of a maximum of two loads to community groups following application to the General Manager to maximum of two loads or 16m³ per community group.

Moved Cr Gaddes

Seconded Cr Robinson

The Amendment on being put to the vote was CARRIED unanimously.

235/22

RESOLVED

That Council:

- a) Endorse the recommendation to waive the fees for the purchase of mulch from the Long Swamp Road Landfill over four consecutive weekends or while stocks last, commencing on Saturday 26 November 2022 and ending on Sunday 18 December 2022;
- b) Endorse the recommendation to restrict the collection of free mulch from Long Swamp Road Landfill to residential customers only, and on the basis the maximum load at any one time is limited to 8m³ per transaction;
- c) Endorse the recommendation to extend the opportunity for residents to collect free mulch at Guyra, based on the condition there is no mechanical loading available at the Guyra Waste Transfer Station and the available stock is limited to 60m³; and
- d) Endorse the provision of a maximum of two loads to community groups following application to the General Manager to maximum of two loads or 16m³ per community group.

Moved Cr Gaddes

Seconded Cr Robinson

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

11. OUR PEOPLE AND COMMUNITY

11.1 Homes North Management of Community Housing Assets

Ref: AINT/2022/40903 (ARC17/2064)

236/22

RESOLVED

That Council:

- a) Endorse the transfer of management of Council's community housing assets to Homes North from the current commercial real estate agreement.
- b) Endorse the increase in income rent percentage for the first time since 1986 from 20% to 25% in line with other community housing under management by NSW Land and Housing.

Moved Cr O'Brien

Seconded Cr Galletly

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

12. COMMITTEE REPORTS

12.1 KPWG - Minutes of meetings held October - November 2022

Ref: AINT/2022/42760 (ARC16/0001-7)

237/22

RESOLVED

That the following Minutes of the Key Pillar Working Group meetings held from October 2022 to November 2022 be noted;

- Growing Region KPWG meeting held 4 October 2022
- Liveable Region KPWG meeting held 20 October 2022
- Connected Region KPWG meeting held 27 October 2022
- Growing Region KPWG meeting held 1 November 2022
- Stronger Region KPWG meeting held 2 November 2022

Moved Cr Redwood

Seconded Cr Gaddes

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

Cr Bradley Widders left the meeting, the time being 05:45 PM

Cr Bradley Widders returned to the meeting, the time being 05:47 PM

12.2 Traffic Advisory Committee - Minutes of the meeting held 8 November 2022.

Ref: AINT/2022/45588 (ARC16/0168-7)

238/22

RESOLVED

That in relation to the report "Armidale Regional Council Traffic Advisory Committee Minutes – 8th November 2022", that Council:

- a) Note the minutes of the Traffic Advisory Committee (TAC) meeting held on Tuesday, 8 November 2022
- b) Endorse the No Right Turn option from Kentucky & Dangar Street intersection Armidale;
- c) Endorse the Special Event Transport Management Plan for the Armidale Christmas in the Mall 2022 including the temporary road closures of Dangar Street and Faulkner Street between Rusden and Moore Street, along with the East and West Beardy Street Mall from Marsh to Jessie Street, for the 'Christmas in the Mall 2022' celebrations, Thursday 1st December 2022;
- d) Endorse the Special Event Transport Management Plan for the Guyra Christmas Carnival 2022 and associated road closures of Bradley Street between Mackenzie Street and Ollera Street, Guyra on Friday 2nd December 2022;
- e) Endorse the use of local roads for the use by Armidale Triathlon Club for the running and cycling legs of their annual race season;
- f) Endorse the use of the trails around Dumaresq Dam Armidale and local roads by the Armidale Athletics Club to conduct the annual Duval Dam Busters Trail Run;
- g) Note that further investigations is to be undertaken into the traffic management and pedestrian safety of the area around Martins Gully School and funding is to be sought to implement any recommended upgrades to pedestrian safety at Martins Gully School, Armidale;
- h) That Council endorse the provision of a "Disabled' parking space adjacent to 120 Taylor St, Armidale; and
- i) Endorse the provision of a central splitter median, Keep Left signs, and line marking at the intersection of The Avenue and the linking section with Ross St, Armidale.

Moved Cr McMichael

Seconded Cr Widders

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

12.3 Sports Council Committee - Minutes of the meeting held 3 November 2022

Ref: AINT/2022/45593 (ARC16/0330)

239/22

RESOLVED

That the Minutes of the Sports Council Committee meeting held on 3 November 2022 be noted and that Council:

- a) Note the committee's agreement to fund the relocation of Harris Park Long Jump Pits for the total project cost of \$7494 to be funded from the Sports Council Sports Development Fund;
- b) Note the committee's agreement to contribute \$20,000 from the Sports Council Sports Development Fund for the purchasing of new safe and compliant soccer goal posts for multiple Council fields;
- c) Endorse the Sports Council request for Council supply labour estimated to be \$4850 to install the soccer goal posts; and
- d) Note the committee agreement to sponsor the teams' awards for the New England Sports Awards held at the Armidale City Bowling Club at 6:30pm on 17 November 2022 for approximately \$500 from the Sports Council Sports Development Fund.

Moved Cr Galletly

Seconded Cr Gaddes

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

13. MATTERS OF AN URGENT NATURE

Nil.

14. QUESTIONS ON NOTICE

14.1 Water Supply Options and Costs

Ref: AINT/2022/45767 (ARC16/0025-6)

240/22

RESOLVED

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

Moved Cr Robinson

Seconded Cr O'Brien

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

PROCEDURAL MOTION

241/22 **RESOLVED**

- a) That Council move into closed Session to receive and consider the following items:
- 15.1 Extension of Engagement of GHD Pty Ltd - Provision of Engineering and Geotechnical Services for Kempsey Road Projects. (AINT/2022/44984) - *(General Manager's Note: The report considers and is deemed confidential under Section 10A(2)(d) of the Local Government Act 1993, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret).*
- 15.2 Engagement of Contractor – Council Project. (AINT/2022/44993) - *(General Manager's Note: The report considers a tender and is deemed confidential under Section 10A(2)(c) of the Local Government Act 1993, as it 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).*
- b) That Council exclude the press and public from the proceedings of the Council in Confidential Session pursuant to Section 10A, subsections 2 & 3 and section 10B of the Local Government Act 1993, on the basis that the items to be considered are of a confidential nature.
- c) That Council make the resolutions made in Confidential Session public as soon as practicable.

Moved Cr Galletly

Seconded Cr Robinson

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

Council entered Closed Session at 5:56pm.

Council returned to Open Session at 6:11pm.

RESUMPTION OF MEETING

242/22 **RESOLVED**

That Council move back into open Session and that the resolutions of the closed Session be made public.

Moved Cr McMichael

Seconded Cr O'Connor

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

15. CLOSED SESSION

15.1 Extension of Engagement of GHD Pty Ltd - Provision of Engineering and Geotechnical Services for Kempsey Road Projects *Ref: AINT/2022/44984 (ARC18/2692-3)*

243/22

RESOLVED

That Council;

- a) Endorse the Procurement Strategy for further utilisation as and when required by Council's Kempsey Road Project Team of the Kempsey Shire Council's arrangement with GHD Pty Ltd under RFT TQE 21/18 "Provision of Project Management and Engineering Services 2021" for the period of the contract to its expiry on 31 July 2024, or alternatively to the extended contract expiry date.
- b) Delegate authority to the General Manager to authorise expenditure under the contract to an upper limit of \$2,008,600 including GST that is available for the project as approved by the Administrating Agency Transport for NSW (TfNSW).
- c) Delegate authority to the General Manager to approve variations up to the upper limit funding for any additional works carried out by GHD under the contract.

Moved Cr Robinson

Seconded Cr Galletly

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

15.2 Engagement of Contractor – Council Project *Ref: AINT/2022/44993 (ARC18/2692-3)*

244/22

RESOLVED

That Council:

- a) Accept the tender submitted by Seymour Whyte Constructions Pty Ltd of (\$3,216,827.90 Incl. GST) to deliver Kempsey-Armidale Road Disaster Recovery Works Early Contractor Involvement (ECI) Contract;
- b) Delegate authority to the General Manager to approve expenditure for the ECI Contractor to undertake a range of Early Works activities to an upper limit of \$16,500,000 Incl. GST;
- c) Delegate authority to the General Manager to approve expenditure of contingency against recommendation a) to an upper limit of 25% of the ECI engagement value; and
- d) Delegate authority to the General Manager to execute all documents in relation to the Contract based on the condition that suitable funding agreements are in place with Transport for NSW (TfNSW).

Moved Cr Robinson

Seconded Cr McMichael

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

There being no further business the Mayor declared the meeting closed at 6:14pm.