



ORDINARY MEETING OF COUNCIL

Held on

Wednesday, 29 June 2022

4pm

at

Armidale Council Chambers

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

IN ATTENDANCE: Mr James Roncon (General Manager - Zoom), Mr Darren Schaefer (Acting Chief Officer Corporate and Strategy), Mr Daniel Boyce (Chief Officer Sustainable Development), Mr Alex Manners (Chief Officer Assets and Services) and Ms Jessica Bower (Executive Officer).

MINUTES

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(General Manager's Note: The report considers the General Manager's Performance Review and is deemed confidential under Section 10A(2)(a) of the Local Government Act 1993, as it deals with personnel matters concerning a particular individual).

1. CIVIC AFFIRMATION AND ACKNOWLEDGEMENT OF COUNTRY

Cr Mepham delivered the Civic Affirmation and Cr Robinson delivered the Acknowledgement 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 - NIL

5. CONFIRMATION OF MINUTES

5.1 Minutes of Previous Meeting held 25 May 2022 Ref: AINT/2022/20380 (ARC16/0001-7)

123/22

RESOLVED

That the Minutes of the Ordinary Council meeting held on 25 May 2022 be taken as read and accepted as a true record of the meeting.

Moved Cr Redwood

Seconded Cr Mepham

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

6. MAYORAL MINUTE – (REFER CLOSED SESSION)

7. NOTICES OF MOTION - NIL

8. LEADERSHIP FOR THE REGION

8.1 Adoption of Integrated Planning and Reporting documents - Community Strategic Plan, Delivery Program, Resourcing Strategy, Operational Plan and Budget for 2022-2023

Ref: AINT/2022/20310 (ARC21/4799)

124/22

RESOLVED

That Council:

- a. Endorse the following documents pursuant to the requirements of the *Local Government Act 1993 (NSW)*:
 - i. Advancing our Region Community Plan 2022-2032 (CP)
 - ii. Delivery Program 2022-2026 (DP)
 - iii. Resourcing Strategy (consists of Long Term Financial Plan 2022-2032, Workforce Management Plan 2022-2026 and Asset Management Strategy)
 - iv. Operational Plan and Budget 2022-2023 (OP)
 - v. Revenue Policy 2022-2023
 - vi. Fees and Charges 2022-2023

With the following changes:

- the CP on page 15 to include an additional "How do we know we have arrived" measure:
Measure: 'Number of exceedances per winter of the World Health Organisation PM2.5 Air Quality Guidelines.'

Trend: Substantial decreasing trend

Source: NSW DPE and PurpleAir PM2.5 measurements

- In the DP and OP: replace 'Advocate to the NSW Government' in F2.4.1 and F2.4.2 with 'Advocate to the NSW and Federal Governments'
 - In the OP, page 70, under Future Region, Goal 2, 2022/2023 Operational Actions add:
 1. Develop a Healthy Winter Air business case, and apply for funding to:
 - Educate on the harms to human health from air pollution
 - Provide subsidies for home energy efficiency measures and installation of cleaner forms of heating
 2. Reinstall Council's Purple Air Monitors and make their real-time air quality data accessible.
- b. Note that community submissions received during the public exhibition period (Wednesday, 11 May to Wednesday, 8 June 2022) are attached to this report;
- c. Note that the 2022-2023 budget proposes a General Fund operating deficit of \$3.2 million and a draw down on internal reserves of \$2.5 million;
- d. Endorse commencement of a community engagement process on a Special Rate Variation on the following basis:
- i. A permanent Special Rate Variation of 50% to be phased in over three (3) years (cumulative 58.81%) commencing in the 2023-2024 financial year on the basis of ensuring that Council has sufficient revenue to:
 - Improve financial sustainability by eliminating the General Fund operating deficit;
 - Deliver the services as outlined in the adopted Integrated Planning and Reporting documents;
 - Provide sufficient funding to meet asset renewal funding requirements and appropriately manage the infrastructure backlog; and
 - Meet compliance obligations under the *Local Government Act 1993 (NSW)* and other forms of legislation.
 - ii. Note the appointment of Centium to commence the community engagement process; and
 - iii. Note that the final Special Rate Variation position will be subject to Council approval.
- e. Formally make rates and charges for the 2022-2023 financial year (1 July 2022 to 30 June 2023 inclusive) as follows:
- i. Council adopt the addition of the following for application to Ordinary Rates:
 - \$5,428 rate revenue surplus from previous year;
 - 0.7% annual maximum rate peg determined by the Independent Pricing and Regulatory Tribunal; and
 - 1.8% Additional Special Rate Variation as determined by the Independent Pricing and Regulatory Tribunal.
 - ii. Note that in accordance with Section 127(2) and 129 of the *Local Government Amendment Bill 2021*, ordinary rates are being harmonised in accordance with the following resolution:
 - Ordinary rates began being gradually harmonised from 1 July 2021;
 - The harmonisation period occurs over four (4) years with the exception of

Business - Armidale and Business - Armidale Industrial, which was harmonised effective 1 July 2021;

- At the conclusion of the harmonisation period in 2024-2025, Council will have 9 rating categories/sub-categories as follows:

Rate Category	Rate Sub-Category
Residential	Armidale
Residential	Guyra
Residential	Non-Urban
Business	Armidale
Business	Guyra
Business	Non-Urban
Farmland	
Farmland	Intensive
Mining	

- The average percentage change, including the rate peg (estimated beyond 2022-2023), for each rating category and sub-category that will occur in each rating year over the harmonisation period is estimated to be:

Former Guyra Shire Council categories/sub-categories:

Category	Sub Category	2021/2022	2022/2023	2023/2024	2024/2025
Residential	Guyra	4.85%	2.53%	3.61%	3.16%
Residential	Village	1.58%	0.73%	-1.05%	1.75%
Residential	Non-Urban	4.38%	5.58%	9.45%	9.11%
Business	Guyra	3.01%	2.15%	2.49%	2.42%
Business	Village	8.01%	10.65%	2.49%	4.39%
Farmland	Guyra	9.62%	6.45%	6.41%	9.17%
Farmland	Guyra Intensive	2.11%	8.18%	2.49%	2.42%

Former Armidale Dumaresq Council categories/sub-categories:

Category	Sub Category	2021/2022	2022/2023	2023/2024	2024/2025
Residential	Armidale	2.01%	2.02%	2.23%	2.75%
Residential	Armidale (Non-Urban)	1.50%	2.07%	3.27%	2.23%
Residential	Wollomombi	-9.85%	-4.52%	-10.32%	-28.60%
Residential	Ebor	-21.70%	1.47%	-12.16%	-0.74%
Residential	Hillgrove	0.24%	1.73%	-24.85%	-27.83%
Business	Armidale	4.34%	1.56%	3.24%	3.25%
Business	Non-Urban	-25.42%	-9.19%	0.86%	-5.99%
Mining	Armidale	2.00%	4.92%	2.49%	2.42%
Farmland	Armidale	-0.65%	-0.70%	-0.57%	-4.75%

- iii. Pursuant to Section 494 of the *NSW Local Government Act 1993*, Council make and levy the following Ordinary Rates:

Category and Sub-Category	Base Amount \$	Base Amount %	Ad-Valorem Rate in the \$
Residential - Armidale	470.00	40.06	0.005231
Residential - Guyra	240.00	42.21	0.005453
Residential - Wollomombi	215.00	43.35	0.012254
Residential - Ebor	205.00	47.24	0.005892
Residential - Hillgrove	215.00	36.64	0.016412
Residential - Armidale Non-Urban	285.00	23.96	0.003360
Residential - Guyra Non-Urban	230.00	34.45	0.002940
Residential - Village (Guyra)	190.00	48.22	0.004664
Business - Armidale Non-Urban	255.00	23.67	0.003465
Business - Armidale	880.00	18.11	0.013681
Business - Guyra	410.00	43.13	0.009746
Business - Village (Guyra)	152.00	45.98	0.003823
Farmland - Armidale	1,000.00	28.72	0.002127
Farmland - Guyra	850.00	24.85	0.001702
Farmland - Guyra Intensive	1,150.00	16.56	0.007823
Mining	1,000.00	18.33	0.085077

- iv. Pursuant to Section 501 of the *NSW Local Government Act 1993*, Council make and levy the following annual charge for Water Supply Services:

Charge Description	Charge
Water Access Charge	\$315.00

The Water Access Charge will be applied as follows:

- Single Occupancy – a fixed service access charge will be applied per assessment.
- Multiple Occupancy (Strata) – a fixed service access charge will be applied per flat/unit.
- Multiple Occupancy (Community Title) – a fixed service access charge will be applied per flat/unit.
- Multiple Occupancy (Non Strata) – a fixed service access charge will be applied per assessment.

- v. That pursuant to Section 502 of the *NSW Local Government Act 1993*, Council make and levy the following water usage charges for Water Supply Services:

Water Consumption Tariff	Stepped Consumption Tariff per Quarter	\$ per Kilolitre

Residential, Commercial and Untreated Water Consumption Stepped Tariff	0 to 100 kilolitres	\$4.20
	101 to 250 kilolitres	\$4.30
	above 250 kilolitres	\$4.60
Non-Rateable – Flat Rate	N/A	\$4.60
Intensive Horticulture – Treated Bulk Water Flat Rate	N/A	\$3.10

- vi. That pursuant to Sections 501, 502, 551 and 552 of the *NSW Local Government Act 1993*, Council make and levy the following rates and annual charges for Sewerage Supply Services:

Charge Description	Charge
Residential - Sewerage Access Charge	\$525.00
Vacant Residential - Sewerage Access Charge	\$525.00
Residential - Multiple Occupancy (each additional Occupancy)	\$525.00
Non-Residential - Sewerage Access Charge	
- Minimum Rate	\$525.00
- *Ad Valorem Rate upon connection	\$0.0060
Vacant Non-Residential - Sewerage Access Charge	\$525.00
Each Additional Urinal	\$95.00
Each Additional Water Closet	\$183.00

* The Non-Residential Ad Valorem Sewerage Access Charge will be the greater of the amount of the sewerage rate generated on the land using the ad valorem calculation or the Minimum Rate.

The Sewerage Access Charge will be applied as follows:

- Single residential properties will be charged a single residential sewerage access charge.
- Multiple occupancy residential complexes will be charged a single residential sewerage access charge plus a flat/unit charge for each additional residential flat/unit.
- Commercial properties will be charged the minimum rate while unconnected, upon connection properties will be charged the minimum rate or the ad valorem rate (whichever is greater), with additional charges for multiple water closets and urinals.
- Vacant properties within Council's sewerage service area will be charged a single vacant sewerage access charge.

- vii. That pursuant to Section 496 and 501 of the *NSW local Government Act 1993*, Council make and levy the following annual charges for Waste Management Services:

Charge Description	Charge
Domestic Waste Management	
- Domestic Waste Service	\$436.00

- Additional 140lt Waste Service	\$164.00
- Additional 240lt Organics Service	\$164.00
- Vacant Domestic Waste Management Charge	\$154.00
- Domestic Waste Service - 240lt (Guyra Only)	\$574.00
Commercial Waste Management	
- Commercial Waste Service (1 x 240lt red lid bin) – Collected Weekly	\$436.00
- Commercial Organics 240lt Service – Collected Weekly	\$164.00
- Commercial Organics 240lt Service – Collected 2 x Weekly	\$246.00
- Commercial Recycling Service – Collected Weekly	\$170.00
Rural Waste Management	
- Rural Waste Management Charge - former Armidale Dumaresq Council LGA	\$155.00
- Rural Waste Management Charge - former Guyra Shire Council LGA	\$135.00
Regional Landfill	
- Regional Landfill Levy	\$155.00
- Regional Landfill Operation Charge	\$72.00

A Vacant Domestic Waste Management Charge is to be levied on all rateable parcels of land within the domestic waste collection boundary, which do not have a dwelling and are zoned for residential use in the Local Environment Plan.

Multiple occupancy residential complexes (non-strata) will have a minimum number of full services equal to 50% of the number of flats. Therefore, a block of twelve (12) flats will have six (6) full services as a minimum.

A rural waste management charge will be levied on all rateable assessments which have a dwelling and do not receive a waste collection service.

The Regional Landfill levy and operation charge will be levied on all rateable and non-rateable assessments.

- viii. That pursuant to Section 501 of the *NSW Local Government Act 1993*, Council make and levy the following annual charge for drainage services:

Charge Description	Charge
Armidale Drainage Charge	\$50.00

This charge will be levied on all properties within the Armidale City drainage catchment area.

- ix. That pursuant to Section 496A of the *NSW Local Government Act 1993*, Council make and levy the following annual charge for stormwater management services:

Charge Description	Charge
Guyra Stormwater Charge	\$25.00

This charge will be levied on all properties in the township of Guyra.

- x. That pursuant to Section 566(3) of the *NSW Local Government Act 1993*, Council set the maximum rate of interest payable on overdue rates and charges determined by

the Office of Local Government at 6.0% per annum.

Moved Cr O'Brien

Seconded Cr O'Connor

DIVISION The result being:-

FOR: Crs S McMichael, S Mephram, D O'Brien, M O'Connor, D Robinson and B Widders

AGAINST: Crs S Coupland, P Gaddes, J Galletly, P Packham and T Redwood

The Motion on being put to the vote was CARRIED.

8.2 Risk Management Policy and Risk Appetite Statements - For Adoption (Post Public Exhibition)

Ref: AINT/2022/17817 (ARC22/5007)

125/22

RESOLVED

That Council:

- a. Note the submission received during the public exhibition period – attached to this report.
- b. Adopt the revised Risk Management Policy.
- c. Adopt the Risk Appetite statements.
- d. Note the Risk Appetite statements will be added to the Policy as an appendix and will be reviewed in 18 months.

Moved Cr Robinson

Seconded Cr McMichael

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

8.3 Council Actions Report January - May 2022

Ref: AINT/2022/18818 (ARC16/0001-7)

126/22

RESOLVED

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

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 May 2022 *Ref: AINT/2022/20311 (ARC16/0001-7)*

127/22

RESOLVED

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

Moved Cr Galletly

Seconded Cr Robinson

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

9.2 Rural Fire Services Assets Accounting Treatment 2021-22

Ref: AINT/2022/21116 (ARC16/0001-7)

128/22

RESOLVED

That Council :

- a) Note the advantages and disadvantages of the accounting treatment options currently available for Rural Fire Service assets; and
- b) Endorse the recognition of Rural Fire Service assets as non-current assets due to the potential risks outlined in this report, including risk of audit qualification, for the year ending 30 June 2022.
- c) make a formal request to the NSW Government for RFS Service assets to be owned by the RFS, and seek the support of LGNSW to achieve this outcome.

Moved Cr Robinson

Seconded Cr Mepham

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

10. ENVIRONMENT AND INFRASTRUCTURE

10.1 Grids and Gates Policy

Ref: AINT/2022/17545 (ARC17/1709-6)

129/22

RESOLVED

That Council:

- a. Refer POL087 – Gates and Stock Grids on Public Roads and public feedback to the Connected Region Key Pillar Working Group to discuss and make comment on proposed grid ownership, maintenance liabilities and transition options;
- b. Extend the ownership nomination period for an additional 12 months for Council staff, in consultation with the relevant working group, to determine ownership of existing grids and gates on Council roads where ownership is uncertain.
- c. Extend the current transition period for an additional 12 months from the 1st July 2022 for existing grid and gate owners to upgrade, repair, remove or replace non-compliant grids and bring them into compliance with the updated policy POL087, noting all associated costs are currently the responsibility of the grid or gate owner as per the policy.

Moved Cr Packham

Seconded Cr Mepham

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

10.2 Proposed Electricity Contract for Small Sites

Ref: AINT/2022/21075 (ARC18/2849)

130/22

RESOLVED

That Council:

- a. Endorse the procurement strategy of utilising Retail Supply of Electricity to NSW Government (Large and Small Sites) and Eligible Buyers Contract 3062;
- b. That this Procurement Strategy be endorsed under Section 55(g) of the *Local Government Act 1993* as a contract for the purchase of goods, materials or services specified by the NSW Procurement Board;
- c. Enter into an agreement with Shell Energy under this contract for the supply of retail electricity to small sites from 1 July 2022 to 30 June 2025; and
- d. Authorise the General Manager to sign the contract documents on behalf of Council.

Moved Cr Robinson

Seconded Cr Redwood

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

10.3 Public Exhibition of Draft Catchment Water Quality Strategic Plan

Ref: AINT/2022/21732 (ARC21/4652)

131/22

RESOLVED

That Council endorse the draft Catchment Water Quality Strategic Plan (CWQSP) and place it on public exhibition for comment for a period of 28 days.

Moved Cr O'Connor Seconded Cr Galletly

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

11. OUR PEOPLE AND COMMUNITY

11.1 Adoption of Disability Inclusion Action Plan 2022-2026

Ref: AINT/2022/21065 (ARC20/4433)

132/22

RESOLVED

That Council

- a. Note the submissions received in relation to the Draft Disability Inclusion Action Plan and the subsequent amendments made to the draft document.
- b. Adopt the Disability Inclusion Action Plan 2022-2026.

Moved Cr O'Brien Seconded Cr Robinson

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

11.2 Community Recognition Policy - For Adoption (Post Public Exhibition)

Ref: AINT/2022/23260 (ARC17/1644)

133/22

RESOLVED

That Council adopt the Community Recognition Policy, noting that no submission were received during the public exhibition period.

Moved Cr O'Brien Seconded Cr McMichael

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

12. COMMITTEE REPORTS – NIL

13. MATTERS OF AN URGENT NATURE - NIL

14. QUESTIONS ON NOTICE - NIL

PROCEDURAL MOTION

134/22 **RESOLVED**

- a) That Council move into closed Session to receive and consider the following items:
- 15.1 Mayoral Minute: General Manager's Performance Review. (AINT/2022/23419) - (*General Manager's Note: The report considers the General Manager's Performance Review and is deemed confidential under Section 10A(2)(a) of the Local Government Act 1993, as it deals with personnel matters concerning a particular individual*).
- 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 Redwood

Seconded Cr O'Connor

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

Council entered Closed Session at 5:11pm.

Council returned to Open Session at 5:19pm.

RESUMPTION OF MEETING

135/22 **RESOLVED**

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

Moved Cr Redwood

Seconded Cr O'Connor

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

15. CLOSED SESSION (MAYORAL MINUTE)

15.1 Mayoral Minute: General Manager's Performance Review *Ref: AINT/2022/23419 (RON.J)*

136/22

RESOLVED

That Council:

- a. Note and endorse the Review Panels assessment of the General Managers 2021-22 Annual Performance Review as 'Outstanding' with an overall average rating of 9.73 out of 10, noting that the majority of KPI's were assessed as a 'Significant Strength'.
- b. That the GM's remuneration increase by \$10,000.00 retrospective to his anniversary date in January 2022 as per his accepted letter of offer of employment.
- c. Note that the Mayor and General Manager will identify and discuss greater work / life balance opportunities as part of future performance review outcomes.

Moved Cr Coupland

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

There being no further business the Mayor declared the meeting closed at 5:20pm.