



## ORDINARY MEETING OF COUNCIL

Held on

Wednesday, 13 December 2023  
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 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), Mr Simon Paul (Acting Chief Financial Officer), Ms Michaella Giandomenico (Executive Officer) and Ms Melissa Hault (Executive Officer).

MINUTES

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**15. CLOSED SESSION**

- 15.1 Provision of Recyclables Collection and Processing Services: Tender Recommendation.....13  
*(General Manager's Note: The report considers commercial pricing provided in the tender schedules. 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 Kemspey Road - Delivery Strategy and Procurement Plan .....13  
*(General Manager's Note: The report considers the procurement for Kempsey Road 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).*

**1. CIVIC AFFIRMATION AND ACKNOWLEDGEMENT OF COUNTRY**

Cr McMichael delivered the Civic Affirmation and Cr O'Brien 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**

Mayor stated that Cr O'Connor had advised that she would be late to the meeting and/or may join by Zoom.

**4. DISCLOSURES OF INTEREST**

Nil.

**5. CONFIRMATION OF MINUTES**

**5.1 Minutes of Previous Meeting held 22 November 2023**

*Ref: AINT/2023/30614 (ARC16/0001-8)*

166/23

**RESOLVED**

That the Minutes of the Ordinary Council meeting held on 22 November 2023 be taken as read and accepted as a true record of the meeting.

**Moved Cr McMichael**

**Seconded Cr Gaddes**

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

**6. MAYORAL MINUTE**

Nil.

**7. REPORTS - GENERAL MANAGER'S OFFICE**

**7.1 Council Actions Report January 2022 - November 2023**

*Ref: AINT/2023/30617 (ARC16/0001-8)*

167/23

**RESOLVED**

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

**Moved Cr Gaddes**

**Seconded Cr Widders**

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

## 8. REPORTS - FINANCE

### 8.1 Amendment to 2023/24 Fees & Charges (within Revenue Policy) for Renewable Energy Waste

Ref: AINT/2023/29706 (ARC23/5895)

168/23

#### RESOLVED

That Council

- a. Endorse the updated the 2023/24 Fees & Charges (within the Revenue Policy) in accordance this report for public exhibition for a minimum period of 28 days pursuant to the requirements of the *Local Government Act 1993 (NSW)*.
- b. Following the exhibition period, should no submissions be received, adopt the suggested changes to the 2023/24 Fees & Charges. Should submissions be received a report will be presented to Council which outlines the community submissions received along with the finalised revised 2023/24 Fees & Charges for Councils consideration.
- c. Delegate authority to the General Manager to negotiate fees for Renewable Energy Waste.

Moved Cr Robinson

Seconded Cr Redwood

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

## 9. REPORTS - PLANNING AND ACTIVATION

### 9.1 Draft Burning of Vegetation within the Local Government Area 2023 POL229

Ref: AINT/2023/29535 (ARC17/1888)

169/23

#### RESOLVED

That Council:

- a. Endorse the draft Policy for Burning of Vegetation for public exhibition for no less than 28 days.
- b. Receive a further report should any submissions be received as a result of the exhibition period, however, should no submissions be received, endorse the adoption of the policy without the need of a further report to Council.

Moved Cr Widders

Seconded Cr O'Brien

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

**9.2 Armidale Regional Local Environmental Plan 2012 - Transition to Digital Mapping**

*Ref: AINT/2023/29061 (ARC23/6197)*

170/23

**RESOLVED**

That Council:

- a. Endorse the preparation of an application to the Department of Planning & Environment for consideration under section 3.22 of the *Environmental Planning & Assessment Act 1979* to transition the mapping associated with the Armidale Regional Local Environmental Plan 2012 to a digital format.
- b. Receive a report advising the outcome of the request once the Department of Planning & Environment have determined Council's section 3.22 application.

**Moved Cr Gaddes**

**Seconded Cr Redwood**

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

**9.3 Public Exhibition of Draft Local Strategic Planning Statement**

*Ref: AINT/2023/31449 (ARC22/5396)*

171/23

**RESOLVED**

That Council;

- a. Endorse the Draft Local Strategic Planning Statement for public exhibition for a period of 42 days.
- b. Forward the Draft Local Strategic Planning Statement to relevant state agencies for their comment.
- c. Delegate authority to the General Manager to make any minor amendments to Draft Local Strategic Planning Statement prior to public exhibition.
- d. Receive a further report once the submission period closes to consider any submissions received.

**Moved Cr Redwood**

**Seconded Cr McMichael**

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

#### 9.4 Armidale Regional Council CCTV City Safe Procedures and Protocols

*Ref: AINT/2023/13157 (ARC17/1661)*

172/23

##### **RESOLVED**

That Council:

- a. Endorse the Armidale Regional Council CCTV City Safe Procedures and Protocols document (Version 3) reflecting the changes in procedures due to advances in technologies.
- b. Note the role of the Protocol Management Groups role in selecting appropriate Area of Operation of the Armidale Regional Council CCTV City Safe program.
- c. Note the changes this document makes to allow NSW Police to have image Playback capabilities at the Armidale Police Station.

**Moved Cr O'Brien**

**Seconded Cr Redwood**

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

#### 9.5 Delegated Authority to Accept Tender for Armidale and Guyra Saleyards Infrastructure Upgrade

*Ref: AINT/2023/31550 (ARC21/4733)*

173/23

##### **RESOLVED**

That Council:

- a. Note the information for the GC21 Tender Contract of RFT-10053871 Armidale and Guyra Saleyards Infrastructure Upgrade.
- b. On an exceptional basis, endorse departure from convention of reporting to Council as identified in the Procurement Policy on this occasion, in order to allow the General Manager to accept a tender for Tender RFT-10053871 Armidale and Guyra Saleyards Infrastructure Upgrade under delegated authority.
- c. Authorise the General Manager to negotiate and execute resulting contracts for Tender RFT-10053871 Armidale and Guyra Saleyards Infrastructure Upgrade on behalf of Council.
- d. Receive a report on the outcome of the tender process.

**Moved Cr Packham**

**Seconded Cr McMichael**

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

## 10. REPORTS - CORPORATE AND COMMUNITY

### 10.1 Internal Audit Charter

*Ref: AINT/2023/30930 (ARC23/5778)*

174/23

#### RESOLVED

That Council:

- a. Note the content of the draft Internal Audit Charter
- b. Note the draft Internal Charter was endorsed by the Audit, Risk and Improvement Committee (ARIC) at the 14 November 2023 ARIC meeting and recommended to Council's governing body for adoption.
- c. Adopt the Internal Charter at the 13 December 2023 ordinary council meeting.

**Moved Cr Packham**

**Seconded Cr Galletly**

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

### 10.2 ARIC Expenses and Facilities Policy

*Ref: AINT/2023/31035 (ARC23/5778)*

175/23

#### RESOLVED

That Council

- a. Note the content of the draft Policy.
- b. Adopt the draft Policy.
- c. Endorse the remuneration fee of \$1285 payable to committee members and \$1930.00 payable to the chair.
- d. Note that by adopting the Policy, Council is resolving to pay fees to independent members of ARIC as contained in the draft Policy as per (c).

**Moved Cr Packham**

**Seconded Cr Widders**

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



## 11. REPORTS - ASSETS AND SERVICES

### 11.1 Gates and Stock Grids on Public Roads - For Adoption (Post Public Exhibition)

*Ref: AINT/2023/24507 (ARC16/0652)*

176/23

#### RESOLVED

That Council defer the adoption of Policy POL087 – Gates and Stock Grids on Public Roads to the February 2024 OCM.

**Moved Cr Packham**

**Seconded Cr Redwood**

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

### 11.2 Kempsey Road Status Report - November 2023 *Ref: AINT/2023/31433 (ARC16/0001-8)*

177/23

#### RESOLVED

That Council note information within the report regarding the Kempsey – Armidale Road Restoration Project following the Steering Committee held Thursday 9 November 2023.

**Moved Cr Redwood**

**Seconded Cr Widders**

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

### 11.3 Kempsey Road Status Report - December 2023 *Ref: AINT/2023/31436 (ARC16/0001-8)*

178/23

#### RESOLVED

That Council note information within this report regarding the Kempsey – Armidale Road Restoration Project.

**Moved Cr Redwood**

**Seconded Cr Widders**

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

## 12. NOTICES OF MOTION

Nil.

### 13. COMMITTEE REPORTS

#### 13.1 Sports Council Committee - Minutes of the meeting held 23 October 2023

*Ref: AINT/2023/28969 (ARC16/0330-2)*

179/23

#### RESOLVED

That Council:

- a. Note the Minutes of the Sports Council Committee meeting held on 23 October 2023.
- b. Endorse the committee's recommendation to reallocate the \$25,000 in funding (previously committed to the extension of the cricket clubhouse at Armidale Sports Ground) towards the completion of the Indoor cricket training facility.
- c. Note the successful application of Joe Campbell to the Sports Council committee.
- d. Note the changes to the Sports Council Priority List.

**Moved Cr Galletly**

**Seconded Cr Redwood**

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

#### 13.2 Traffic Advisory Committee Minutes of the meeting held 14 November 2023

*Ref: AINT/2023/29073 (ARC16/0168-8)*

180/23

#### RESOLVED

That in relation to the Traffic Advisory Committee Meeting held 14 November 2023, that Council:

- a) Note the "Minutes of the Traffic Advisory Committee Meeting held 14 November 2023;
- b) Endorse the temporary road closure of Canambe Street Armidale between Dumaresq Street and Kirkwood Street for the Armidale Horse and Pony Club Jamboree 2024 from 7am, 12 January until 6pm on Sunday 14 January 2024;
- c) Note that a Certificate of Currency for Public Liability for the Horse and Pony Club shall be provided prior to the event;
- d) Endorse the provision of a No Stopping zone across the entrance to Oak Tree Retirement Village at 217 Taylor Street Armidale; and
- e) Endorse the provision of a 13m long No Parking zone in front of 125 Taylor Street Armidale.

**Moved Cr McMichael**

**Seconded Cr O'Brien**

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

**13.3 Audit, Risk and Improvement Committee - Minutes of the meeting held 14 November 2023**

*Ref: AINT/2023/31109 (ARC23/5778)*

181/23

**RESOLVED**

That Council:

- a) note the minutes of the ARIC meeting held on 14 November 2023.
- b) note the 14 November 2023 meeting was the final meeting of current term of ARIC.
- c) thank Mr Phil Thomas (Chair), Mr Jason Masters and Mr Michael O'Connor (independent members) for their service to the Committee.

**Moved Cr Packham**

**Seconded Cr Gaddes**

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

**13.4 KPWG - Minutes of the Liveable Region KPWG held 13 September 2023**

*Ref: AINT/2023/31573 (ARC16/0001-8)*

182/23

**RESOLVED**

That the Minutes of the Liveable Key Pillar Working Group meeting held 13 September 2023 be noted.

**Moved Cr Galletly**

**Seconded Cr Redwood**

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

**14. QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN**

Nil.

**PROCEDURAL MOTION**

183/23

**RESOLVED**

- a) That Council move into closed Session to receive and consider the following items:
- 15.1 Provision of Recyclables Collection and Processing Services: Tender Recommendation. (AINT/2023/29422) - (***General Manager's Note***: *The report considers commercial pricing provided in the tender schedules. 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 Kempsey Road - Delivery Strategy and Procurement Plan. (AINT/2023/31438) - (***General Manager's Note***: *The report considers the procurement for Kempsey Road 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*).
- 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 Robinson**

**Seconded Cr Redwood**

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

Council entered Closed Session at 04:45pm.

Council returned to Open Session at 04:50pm.

**RESUMPTION OF MEETING**

184/23

**RESOLVED**

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

**Moved Cr Redwood**

**Seconded Cr Gaddes**

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

## 15. CLOSED SESSION

### 15.1 Provision of Recyclables Collection and Processing Services: Tender Recommendation

*Ref: AINT/2023/29422 (ARC23/6156)*

185/23

#### RESOLVED

That Council:

- a. Accept the submission provided by Armidale Recycling Services as tendered for provision of Recyclables Collection and Processing Services for Armidale Regional Council (ARC), for the period from 1 February 2024 to 31 January 2032 with one 2-year extension options until 31 January 2034;
- b. Delegate authority to the General Manager to approve an extension of the contract for an additional two years based on satisfactory performance of the contractor, value for money and operational needs;
- c. Delegate authority to the General Manager to approve expenditure for the contract for Financial Years 2023-2024 to 2033-2034 up to the limit of approved budget;
- d. Approve additional funding to be made available from Council's Waste Reserve to support the contract for the 2023/2024 financial year; and
- e. Delegate authority to the General Manager to execute all documents in relation to the Contract and to delegate contract and financial management.

**Moved Cr McMichael**

**Seconded Cr Redwood**

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

### 15.2 Kempsey Road - Delivery Strategy and Procurement Plan

*Ref: AINT/2023/31438 (ARC16/0001-8)*

186/23

#### RESOLVED

That Council note the Early Contractor Involvement submission assessment update and procurement strategy for engagement of a contractor to deliver the Main Works Contract.

**Moved Cr Redwood**

**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 4:52pm.