



ORDINARY MEETING OF COUNCIL

Held on

Wednesday, 23 October 2024
4:00 PM

at

Armidale Council Chambers

PRESENT: Councillor Sam Coupland (Mayor), Councillor Todd Redwood (Deputy Mayor), Councillor Kay Endres, Councillor Paul Gaddes, Councillor Eli Imad, Councillor Susan McMichael, Councillor Dorothy Robinson, Councillor Rob Taber and Councillor Bradley Widders.

IN ATTENDANCE: Mr James Roncon (General Manager), Mr Darren Schaefer (Acting Chief Officer Assets and Services), Mr Daniel Boyce (Chief Officer Planning and Activation), Mr Alex Manners (Acting Project Director Kempsey Armidale Road Restoration Project), Ms Ann Newsome (Chief Financial Officer), Mr Steve Williams (Manager Governance) and Ms Jessica Bower (Executive Officer).

MINUTES

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14. QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN

NIL.

15. CLOSED SESSION

- 15.1 Amended: Fairview Estate - Drainage Rectification17
(General Manager's Note: The report considers the provision of retrospective drainage on the Fairview Estate, Black Mountain. and is deemed confidential under Section 10A(2)(e) of the Local Government Act 1993, as it deals with information that would, if disclosed, prejudice the maintenance of law).

1. CIVIC AFFIRMATION AND ACKNOWLEDGEMENT OF COUNTRY

Cr Robinson delivered the Civic Affirmation and Cr McMichael 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 24 July 2024 *Ref: AINT/2024/50977 (ARC16/0001-9)*

175/24

RESOLVED

That the Minutes of the Ordinary Council meeting held on 24 July 2024 be taken as read and accepted as a true record of the meeting.

Moved Cr Gaddes

Seconded Cr Widders

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

5.2 Minutes of Previous Extraordinary Meeting held 6 August 2024

Ref: AINT/2024/50979 (ARC16/0001-9)

176/24

RESOLVED

That the Minutes of the Extraordinary Council meeting held on 6 August 2024 be taken as read and accepted as a true record of the Meeting.

It was noted that item 7.2 (2024-25 Operational Plan - Rollovers, Revotes, Additional Grants and Otherwise Approved) incorrectly recorded Cr Robinson as voting for and against the motion and should be updated to include the against vote only (162/24).

Moved Cr Gaddes

Seconded Cr Widders

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

5.3 Minutes of Previous Extraordinary Meeting held 9 October 2024

Ref: AINT/2024/55407 (ARC16/0001-9)

177/24

RESOLVED

That the Minutes of the Extraordinary Council meeting held on 9 October 2024 be taken as read and accepted as a true record of the Meeting.

Moved Cr Gaddes

Seconded Cr Widders

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

6. MAYORAL MINUTE

6.1 Mayoral Minute: Creating a Region of Significance *Ref: AINT/2024/55599 (ARC16/0025-7)*

178/24

MOTION

That Council;

1. Commit to our Local Strategic Planning Statement (LSPS) *Toward 50,000* and our Local Housing Strategy (LHS).
2. Commit to providing regional water security for its current region population and a future region population of 50,000.
3. Commit to participating in annual investment missions to establish direct contact with target groups for investment attraction in our region.
4. Commit to delivering Big Chill for 2025, 2026, 2027 and 2028.
5. Commit to a workshop prior to 20 December 2024 to collate the aspirations of all councillors as they relate to regional growth and where applicable have these aspirations inform the Delivery Program.

Moved Cr Coupland

Seconded Cr Redwood

AMENDMENT

That council commits to a workshop prior to 20 December 2024 to:

- a) collate the aspirations of all councillors and the community relating to regional growth, quality of life, water security, investment missions and festivals
- b) consider how to include these aspirations in the Delivery Program.

Moved Cr Robinson

Seconded Cr Widders

DIVISION The result being:-

FOR: Crs E Imad, D Robinson, R Taber and B Widders.

AGAINST: Crs S Coupland, K Endres, P Gaddes, S McMichael and T Redwood.

The Amendment on being put to the vote was LOST.

PROCEDURAL MOTION

That the items be considered in seriatim.

Moved Cr Robinson

Seconded Cr Widders

DIVISION The result being:-

FOR: Crs E Imad, D Robinson, R Taber and B Widders.

AGAINST: Crs S Coupland, K Endres, P Gaddes, S McMichael and T Redwood.

The Motion on being put to the vote was LOST.

RESOLVED

That Council;

1. Commit to our Local Strategic Planning Statement (LSPS) *Toward 50,000* and our Local Housing Strategy (LHS).
2. Commit to providing regional water security for its current region population and a future region population of 50,000.
3. Commit to participating in annual investment missions to establish direct contact with target groups for investment attraction in our region.
4. Commit to delivering Big Chill for 2025, 2026, 2027 and 2028.
5. Commit to a workshop prior to 20 December 2024 to collate the aspirations of all councillors as they relate to regional growth and where applicable have these aspirations inform the Delivery Program.

DIVISION The result being:-

FOR: Crs S Coupland, K Endres, P Gaddes, E Imad, S McMichael and T Redwood

AGAINST: Crs D Robinson, R Taber and B Widders.

The Motion on being put to the vote was CARRIED.

**6.2 Mayoral Minute: Recruitment Process and Selection Committee for the
Position of General Manager**

Ref: AINT/2024/55636 (ARC16/0001-9)

179/24

RESOLVED

That Council:

1. That this Mayoral Minute be noted and received.
2. That Council note the resignation of General Manager James Roncon, to be effective from 10 January 2025.
3. That Council endorse the Mayor to seek Expressions of Interest from a suitably qualified recruitment agencies.
4. That the General Manager's Performance Review Committee work with the successful recruitment agency to commence and establish the process to be undertaken for the recruitment of a new General Manager.
5. That Council endorse the preferred candidate for approval prior to the appointment of the General Manager.
6. That the Mayor be delegated the role of negotiating with the preferred candidate to make an offer of appointment once approval to make an offer has been resolved by Council.

Moved Cr Coupland

Seconded Cr Redwood

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

7. REPORTS - GENERAL MANAGER'S OFFICE

7.1 Ethical Decision Making and Conflicts of Interest *Ref: AINT/2024/55530 (ARC16/0001-9)*

180/24

RESOLVED

That Council note the report.

Moved Cr Redwood

Seconded Cr McMichael

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

7.2 Councillor Leadership Development

Ref: AINT/2024/55564 (ARC16/0001-9)

181/24

RESOLVED

That Council:

- a. Commit to the Leadership Development program for Councillors, to be supplied by the Dattner Group.
- b. Endorse the sole supplier Procurement Strategy of The Dattner Group to continue to provide high level and specialist consultancy services and a consistent approach to achieve Council's culture change objectives as part of the 'Restore and Thrive' Strategy.
- c. That this Procurement Strategy be endorsed under Section 55(3)(i) of the *Local Government Act 1993* (that) an exception to the act as endorsed for this contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders" for the reasons earlier outlined in this report and;
- d. Endorse an additional cost to the upper limit of \$67,500 (excluding GST) for the completion of this program by the Dattner Group.

DIVISION The result being:-

FOR: Crs S Coupland, K Endres, P Gaddes, E Imad, S McMichael, T Redwood, R Taber and B Widders

AGAINST: Cr D Robinson

Moved Cr Redwood

Seconded Cr McMichael

The Motion on being put to the vote was CARRIED.

7.3 New England Weeds Authority Update

Ref: AINT/2024/55634 (ARC16/0463-2)

182/24

RESOLVED

That Council:

1. Receives and notes the report.
2. In conjunction with the other constituent Councils (namely Walcha, Uralla and Glen Innes), a joint Proposal be prepared to the Minister for Local Government to dissolve the New England County Council which includes the requirements of the Office of Local Government (OLG).
3. Includes in the proposal in (2) above, the transfer of responsibilities under the Biosecurity Act from the New England County Council to the four constituent Councils.
4. Authorises the General Manager to work with the other constituent Councils, the New England County Council, and the Office of Local Government to achieve the earliest possible date for the transfer of Biodiversity Act Responsibilities; and to develop and implement all necessary administrative arrangements.
5. Endorses the proposal for Armidale Regional Council to resume standalone biosecurity services with the potential for an MOU with Uralla Shire Council and other Councils, to be reviewed by the General Manager.
6. Advises the Audit Office NSW of Council's commitment to continue to provide financial assistance to ensure the financial sustainability of the New England County Council until it is dissolved.

Moved Cr Robinson

Seconded Cr McMichael

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

8. REPORTS - FINANCE

8.1 Cash and Investment Report 31 July 2024

Ref: AINT/2024/54795 (ARC17/1711)

183/24

RESOLVED

That Council note the Cash and Investment Report for July 2024.

Moved Cr Redwood

Seconded Cr Gaddes

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

8.2 Cash and Investment Report 31 August 2024

Ref: AINT/2024/54902 (ARC17/1711)

184/24

RESOLVED

That Council note the Cash and Investment Report for August 2024.

Moved Cr Redwood

Seconded Cr Gaddes

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

8.3 Cash and Investment Report 30 September 2024 *Ref: AINT/2024/54929 (ARC17/1711)*

185/24

RESOLVED

That Council note the Cash and Investment Report for September 2024.

Moved Cr Redwood

Seconded Cr Gaddes

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

8.4 ARC Renewable Energy Tender - Request for Council endorse GM Delegations to Award on the Recommendations of Evaluation Panel

Ref: AINT/2024/54921 (ARC24/7959)

186/24

RESOLVED

That Council

- a. Endorse the successful offer that is to provide 100% renewable (Green) energy and supporting Program Coordination.
- b. Authorise the General Manager to negotiate and accept final pricing based on that indicated in the tender evaluation.
- c. Authorise the General Manager to sign an agreement with the preferred supplier for an initial two year period, with options to extend for a further two x two years at Council's sole discretion commencing 1 January 2025.
- d. Request a report from the General Manager on the final details of the contract.

Moved Cr Robinson

Seconded Cr Widders

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

9. REPORTS - PLANNING AND ACTIVATION

10. REPORTS - CORPORATE AND COMMUNITY

10.1 Government Information Public Access Act (GIPA) Annual Report 23-24

Ref: AINT/2024/49902 (ARC24/8009)

187/24

RESOLVED

That Council:

- a. Endorse the attached GIPA Annual Report for 2023/2024 financial year.
- b. Submit Armidale Regional Council's 2023/2024 Annual GIPA Report to the Information and Privacy Commissioner as required by legislation.

Moved Cr McMichael

Seconded Cr Redwood

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

10.2 Audit Risk and Improvement Committee

Ref: AINT/2024/55371 (ARC24/7459)

188/24

RESOLVED

That Council:

- a. Note the minutes of the ARIC meeting held 20 June 2024.
- b. Note the minutes of the ARIC meeting held 18 September 2024.

Moved Cr Redwood

Seconded Cr Endres

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

10.3 Tabling of Annual Disclosures of Interest

Ref: AINT/2024/55503 (ARC23/6214)

189/24

RESOLVED

That Council note the tabling of Disclosures of Pecuniary Interest and Other Matters by Councillors and designated persons lodged for the 12 months ending 30 June 2024.

Moved Cr McMichael

Seconded Cr Redwood

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

11. REPORTS - ASSETS AND SERVICES

11.1 Report on the Public Exhibition of Curtis Park Playground Expansion Concept Report

Ref: AINT/2024/53349 (ARC24/7033)

190/24

RESOLVED

That Council:

- a. Accept the amendments to the concept plans for Curtis Park based on the community feedback received, so that works can start on the detailed design and construction of the park expansion.
- b. Endorse a Council contribution to the value of \$600,000 from the Asset Renewal Reserve in support of community feedback around accessible and inclusive playground equipment.

Moved Cr Redwood

Seconded Cr Endres

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

11.2 Update to General Manager's Delegations - Professional Services Contract - K2A Project

Ref: AINT/2024/55069 (ARC16/0001-9)

191/24

RESOLVED

1. That Council authorise to the General Manager to manage, within approved budget available to the Kempsey to Armidale Road Restoration Project, the contracts with:
 - a. Bellwether Consulting Services Pty Ltd,
 - b. Projence Pty Ltd, and
 - c. Rob Ausling and Associates Pty Ltd

Moved Cr Gaddes

Seconded Cr Redwood

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

11.3 Kempsey to Armidale Road Restoration Project - September 2024 Status Report

Ref: AINT/2024/55153 (ARC16/0001-9)

192/24

RESOLVED

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

Moved Cr Redwood

Seconded Cr Robinson

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

11.4 Annual Supply Contract - Road Resurfacing Works panel recommendations from Regional Procurement

Ref: AINT/2024/52807 (ARC16/0302)

193/24

RESOLVED

That Council resolves to:

(a) Accept all nine (9) suppliers selected by the Regional Procurement Panel being:

- Bitupave Ltd t/a Boral Asphalt
- Colas New South Wales Pty Ltd
- Country Wide Asphalt Pty Ltd
- Fenworx Pty Ltd t/a Newpave Asphalt
- Fulton Hogan Industries Pty Ltd (Gunnedah & Liverpool Plains Shires only)
- NSW Building and Civil Pty Ltd
- Roadwork Industries Pty Ltd
- RPQ Spray Seal Pty Ltd
- Stateline Asphalt Pty Ltd

- (b) Accept that four (4) of the nine (9) tenders received for the provision of road resurfacing works be accepted as the primary tenderers to be used by Council from the a panel contract for the period 1 October 2024 to 30 September 2026, those being Boral (Bitupave), Roadwork Industries (BMR Quarries), RPQ (NSW Spray Seal) and Fenworx (Newpave).
- (c) Accept that four (4) of the nine (9) tenders considered capable of the provision of asphaltic concrete and cold milling works be accepted as the primary tenderers to be used by Council for a panel contract for the period 1 October 2024 to 30 September 2026, those being Roadwork Industries (BMR Quarries), Fenworx (Newpave), NSW Building & Civil Asphalt and Stateline Asphalt.
- (d) delegate authority to the General Manager to:
- i. sign all relevant documents on Council's behalf for the adoption of the tenders
 - ii. authorise multiple orders to the limit of available funding in accordance with the timeframe of this arrangement.
 - iii. extend the period of the contract for twelve (12) months subject to satisfactory performance

Moved Cr Gaddes

Seconded Cr McMichael

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

**11.5 Annual Supply Contract - Traffic Control Services Panel Recommendations
from Regional Procurement**

Ref: AINT/2024/54463 (ARC16/0140-14)

194/24

RESOLVED

That Council:

- a. Accept the submission of the following contractors as recommended by the evaluation committee from Regional Procurement. Council will seek the best value options for fitness and purpose of various upcoming projects:
- Ahoy Traffic Control and Labour Hire Services Pty Ltd
 - Coffs Coast Traffic Solutions
 - Crown Traffic Services Pty Ltd
 - Go Traffic Pty Ltd
 - Lack Group Traffic Pty Ltd
 - Men And Women At Work (Newada Pty Ltd)
 - Peel Valley Traffic Control Pty Ltd
 - Watchout Traffic Control (DOB Enterprises Pty Ltd)
 - Workforce Road Services Pty Ltd
- b. delegate authority to the General Manager to:
- i. sign all relevant documents on Council's behalf for the adoption of the tenders
 - ii. authorise multiple orders to the limit of available funding in accordance with the timeframe of this arrangement.

- iii. extend the period of the contract for twelve (12) months subject to satisfactory performance.

Moved Cr Endres

Seconded Cr Redwood

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

11.6 Plant Hire Services Tender Report July 2024 - Seeking revision to resolution number 153/24

Ref: AINT/2024/54415 (ARC16/0168-9)

195/24

RESOLVED

That Council:

- a. rescind resolution b. relating to Plant Hire Services AINT/2024/34384 minute 153/24 which states:

Delegate authority to the General Manager to execute all documents in relation to the contract approval and expenditure to the upper limit of their delegation within the available funding budgeted for Plant Hire.

- b. adopt the following recommendation:

Delegate authority to the General Manager to execute all documents in relation to the contract approval and expenditure to the limit of available funding.

Moved Cr McMichael

Seconded Cr Redwood

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

The General Manager took a Question on Notice from Cr Robinson around would it be possible if Council got means to raise the Malpas wall first and had the funds to do it, could Council start construction within six or 12 months from now or would Council have to wait two years until the end of the funding deed runs out.

Cr Susan McMichael left the meeting, the time being 05:37pm.

Cr Susan McMichael returned to the meeting, the time being 05:38pm.

12. NOTICES OF MOTION

12.1 Workshop on Water

Ref: AINT/2024/55690 (ARC16/0025-7)

196/24

RESOLVED

- a) That a workshop is held to inform councillors about water issues including the cost of the different infrastructure proposals, the methodology for the proposed willingness-to-pay consultation and the National Water Grid (NWG) funding deed for Armidale Regional Water Security Strategy Detailed Business Case.
- b) That discussions are held with the NWG consultants on the feasibility of raising Malpas before constructing Oaky and the methodology for obtaining realistic estimates of future water needs of:
 - i. typical residential water users and
 - ii. intensive water users allowing for savings from smart water meters and other cost-effective water saving measures, and the changed patterns of water use after the severe drought in 2019
- c) That councillors are provided with all relevant reports and draft presentations at least 3 days before the workshop(s) to facilitate constructive discussions of all important issues.

Moved Cr Robinson

Seconded Cr Imad

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

13. COMMITTEE REPORTS

13.1 Traffic Advisory Committee - Minutes of the meeting held 6 August 2024

Ref: AINT/2024/50237 (ARC16/0168-9)

197/24

RESOLVED

That in relation to the Traffic Advisory Committee Meeting held 6 August 2024, that Council:

- a) Note the Minutes of the Traffic Advisory Committee meeting held on 6 August 2024
- b) Endorse the use of roads in Armidale Regional LGA for the annual "Pollie Pedal" charity bike ride to raise funds for the Wandering Warriors.
- c) Endorse the provision of a 6m No Parking Bay in front of 42 Barney Street and Taylor Street, Armidale.
- d) Endorse;
 - i. Changing the No Parking zone on the western end of West Avenue, Armidale to a No Stopping zone to comply with the NSW Road Rules.
 - ii. Extending the No Stopping zone on the southern side of West Avenue by 25m.
 - iii. Provide yellow No Stopping line marking of the zone.

Moved Cr McMichael

Seconded Cr Robinson

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

13.2 Traffic Advisory Committee - Minutes of the meeting held 3 September 2024

Ref: AINT/2024/52014 (ARC16/0168-9)

198/24

RESOLVED

That in relation to the Traffic Advisory Committee Meeting held 3 September 2024, that Council:

- a) Note the Minutes of the Traffic Advisory Committee meeting held on 3 September 2024
- b) Endorse the use of local roads for the use by Armidale Triathlon Club for the running and cycling legs of their annual race season, subject to Police approval.
- c) Endorse the Speceial Event Traffic Management Plan for the Cold Chisel concert held at Peterson's Winery, Dangarsleigh Road Armidale on 5 October 2024.
- d) Endorse the closure of Bradley Street between McKenzie Street and Moore St, Guyra on Saturday 5 October for the Troutfest 2024 from 7:00am to 4:00pm.

Moved Cr McMichael

Seconded Cr Robinson

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

13.3 Traffic Advisory Committee - Minutes of the meeting held 1 October 2024

Ref: AINT/2024/54552 (ARC16/0168-9)

199/24

RESOLVED

That in relation to the Traffic Advisory Committee Meeting held 1 October 2024, that Council:

- a) Note the Minutes of the Traffic Advisory Committee meeting held on 1 October 2024
- b) Note that Dementia Australia will hold a Fun Run 8 February 2025, with a road crossing at Taylor Street where volunteers will be stationed on both sides to slow or stop participants giving way to traffic.
- c) Endorse the following temporary road closures for the 'Christmas in the Mall' celebrations in Armidale on Friday 29 November 2024:
 - i. Dangar Street between Rusden St and Moore St
 - ii. Faulkner Street between Cinders Lane and Dumaresq Street (access off Dumaresq St for Police vehicles only)
 - iii. Beardy Street between Jessie St and Marsh Street (including the Beardy St Mall)
 - iv. Moore St between Dangar St and Faulkner St.
- d) Endorse the road closure of Bradley Street between the Police Station and Moredon Street, Guyra, for the purpose of conducting the Remembrance Day service, 11 November 2024.
- e) Endorse the Special Event Transport Management Plan for the Armidale Cycling Club's

2025 Weekly Race.

- f) Endorse the Special Event Transport Management Plan for the Guyra Christmas Carnival 2024, and associated road closures of Bradley Street between Mackenzie Street and Moore Street between 3pm and 10pm on Friday 6 December 2024.

Moved Cr McMichael

Seconded Cr Robinson

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

14. QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN

Nil.

PROCEDURAL MOTION

200/24

RESOLVED

- a) **That Council move into closed Session to receive and consider the following items:**
- 15.1 Amended: Fairview Estate - Drainage Rectification. (AINT/2024/53306) - (***General Manager's Note: The report considers the provision of retrospective drainage on the Fairview Estate, Black Mountain. and is deemed confidential under Section 10A(2)(e) of the Local Government Act 1993, as it deals with information that would, if disclosed, prejudice the maintenance of law.***)
- 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 Gaddes

Seconded Cr Robinson

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

Council entered Closed Session at 5:50pm.

Cr Bradley Widders left the meeting, the time being 05:51pm.

Cr Bradley Widders returned to the meeting, the time being 05:52pm.

Council returned to Open Session at 6:01pm.

RESUMPTION OF MEETING

201/24 **RESOLVED**

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

Moved Cr Gaddes Seconded Cr Robinson

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

15. CLOSED SESSION

15.1 Amended: Fairview Estate - Drainage Rectification *Ref: AINT/2024/53306 (ARC23/5897)*

202/24 **RESOLVED**

That Council:

- a. Delegate authority to the General Manager to negotiate the purchase 6 Elaine Close to the upper limit outlined in Section 5.4 of this report.
- b. Endorse the sale of the land once drainage works and easement creation have been completed.

Moved Cr McMichael Seconded Cr Redwood

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

There being no further business the Mayor declared the meeting closed at 6:03pm.