



ORDINARY MEETING OF COUNCIL

Held on

Wednesday, 25 October 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 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 Simone Mooketsi (Manager Governance and Strategy), Ms Michaella Giandomenico (Executive Officer) and Ms Melissa Hoult (Executive Officer).

MINUTES

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15. CLOSED SESSION

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(General Manager's Note: The report considers commercial rates provided by consultants 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).
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(General Manager's Note: The report considers tender information 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 Mepham delivered the Civic Affirmation and Cr Widders 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 27 September 2023

Ref: AINT/2023/26424 (ARC16/0001-8)

137/23

RESOLVED

That the Minutes of the Ordinary Council meeting held on 27 September 2023 be taken as read and accepted as a true record of the meeting.

Moved Cr McMichael Seconded Cr Mepham

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

6. MAYORAL MINUTE

6.1 Mayoral Minute: Water Restrictions

Ref: AINT/2023/27327 (ARC20/4403)

MOTION

That Council;

- a. move to Level 1 Water Restrictions when total dam storage is 90%;
- b. move to Level 2 Water Restrictions when total dam storage is 80%;
- c. investigate a subsidised rainwater tank program.

Moved Cr Coupland Seconded Cr Galletly

Amendment

That Council;

- a. move to Level 1 Water Restrictions when total dam storage is 90%;
- b. move to Level 2 Water Restrictions when total dam storage is 80%;
- c. investigate a subsidised rainwater tank program, and other ways to improve water efficiency.

Moved Cr Robinson

Seconded Cr O'Connor

DIVISION The result being:-

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

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

The Mayor declared the Amendment LOST.

138/23

RESOLVED

That Council;

- a. move to Level 1 Water Restrictions when total dam storage is 90%;
- b. move to Level 2 Water Restrictions when total dam storage is 80%;
- c. investigate a subsidised rainwater tank program.

Moved Cr Robinson

Seconded Cr O'Connor

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

7. REPORTS - GENERAL MANAGER'S OFFICE

7.1 Council Actions Report January 2022 - September 2023

Ref: AINT/2023/26426 (ARC16/0001-8)

139/23

RESOLVED

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

Moved Cr Gaddes

Seconded Cr Redwood

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

8. REPORTS - FINANCE

8.1 Cash and Investment Report 30 September 2023 *Ref: AINT/2023/26696 (ARC23/6030)*

140/23

RESOLVED

That Council note the Cash and Investment Report for September 2023.

Moved Cr McMichael **Seconded Cr Galletly**

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

9. REPORTS - PLANNING AND ACTIVATION

9.1 Adoption of Renewable Energy Benefit Sharing Framework

Ref: AINT/2023/25103 (ARC23/5799)

141/23

RESOLVED

That Council:

- a. Adopt the Renewable Energy Benefit Sharing Framework;
- b. Review the Renewable Energy Benefit Sharing Framework within one year of adoption.

Moved Cr Redwood **Seconded Cr Robinson**

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

9.2 Keeping of Animals Policy (Urban Areas) *Ref: AINT/2023/17992 (ARC17/1865)*

142/23

RESOLVED

That Council:

- a. Endorse the draft Keeping of Animals Policy (Urban Areas) 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 policy be adopted.

Moved Cr Robinson **Seconded Cr Redwood**

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

**9.3 Finalisation of Planning Proposal for Schedule 5 Environmental Heritage
Housekeeping Amendments**

Ref: AINT/2023/25390 (ARC23/5894)

143/23

RESOLVED

That Council:

- a. Endorse the Planning Proposal to undertake housekeeping amendments to Schedule 5 – Environmental Heritage and the associated Heritage Maps of the *Armidale Regional Local Environmental Plan 2012* to correct minor errors and mis-descriptions.
- b. Exercise the functions of the local plan-making authority under section 3.36(2) of the EP&A Act to make the Local Environmental Plan.
- c. Authorise the General Manager to sign all relevant documentation on behalf of Council in exercising the functions of the local plan-making authority.

Moved Cr Robinson

Seconded Cr McMichael

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

10. REPORTS - CORPORATE AND COMMUNITY

10.1 Tabling of Disclosure of Pecuniary Interest

Ref: AINT/2023/24923 (ARC23/5602)

144/23

RESOLVED

That Council note the tabling of Disclosures of Pecuniary Interest and Other Matters by designated persons lodged for the 12 months ending 30 June 2023.

Moved Cr Gaddes

Seconded Cr Packham

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

10.2 Government Information Public Access Act (GIPA) Annual Report 22-23

Ref: AINT/2023/24926 (ARC23/5596)

145/23

RESOLVED

That Council:

- a. Endorse the attached GIPA Annual Report for 2022/2023 financial year.
- b. Submit Armidale Regional Council's 2022/2023 Annual GIPA Report to the Information and Privacy Commissioner as required by legislation.

Moved Cr Robinson

Seconded Cr Gaddes

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

10.3 Council's Success in the Statewide Risk Management Awards

Ref: AINT/2023/26255 (ARC23/5778)

146/23

RESOLVED

That Council note Armidale Regional Council won the Category Winner: Strategic and Enterprise Risk - Rural, Regional and County Councils and Overall Winner: Rural, Regional and County Councils at the Risk Management Excellence Awards for NSW.

Moved Cr O'Brien

Seconded Cr Robinson

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

10.4 Public Interest Disclosure Policy

Ref: AINT/2023/26262 (ARC23/5778)

147/23

RESOLVED

That Council:

- a. Note the responsibilities incumbent upon Council resultant from the commencement of the *Public Interest Disclosure Act 2022* on 1 October 2023.
- b. Endorse public exhibition of the draft Public Interest Disclosure Policy for a period of 28 days.
- c. Authorise the General Manager to make administrative amendments when appropriate for currency, specifically in relation to names of personnel, positions and responsibilities therein.

Moved Cr Redwood

Seconded Cr O'Brien

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

10.5 Review of ARIC Charter

Ref: AINT/2023/26263 (ARC23/5778)

148/23

RESOLVED

That Council:

- a. Refer the Terms of Reference back to Council staff for revision to allow for a non-voting Councillor member.
- b. That the new Terms of Reference be based on the model terms from the Office of Local Government and customise these to allow for the option of a non-voting Councillor member.
- c. That revised Terms of Reference be brought to the November Ordinary Council Meeting for review and consideration.

Moved Cr Packham

Seconded Cr Redwood

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

11. REPORTS - ASSETS AND SERVICES

11.1 Wards Mistake Road Realignment

Ref: AINT/2023/25867 (ARC23/6084)

149/23

RESOLVED

That Council:

- a. Note the proposed sale of the two Crown lots being Lot 209 DP755824 and Lot 70022 DP94112, to the adjoining owners from The Crown to the adjoining landowners at the landowners cost;
- b. Endorse the relocation of Wards Mistake Road reserves to the current bridge and road alignment adjoining the Gara River, through a process of land swap with the adjoining owners; and
- c. Delegates authority to the General Manager to execute all necessary documentation to facilitate the realignment of the road reserves.

Moved Cr Redwood

Seconded Cr Robinson

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

11.2 Kempsey Road Status Report

Ref: AINT/2023/26258 (ARC23/6087)

150/23

RESOLVED

That Council note information within the report regarding the Kempsey –Armidale Road Restoration Project following the Steering Committee held Thursday 19 October 2023.

Moved Cr Widders

Seconded Cr McMichael

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

11.3 Gazettal Of Roads For Utility Installation

Ref: AINT/2023/26380 (ARC23/6129)

151/23

RESOLVED

That Council:

- a. Endorse for the following Crown Road Reserves to be transferred to Council:
 - i. Ollera Street Guyra – Oban Street to Robinsons Lane;
 - ii. Robinsons Lane Guyra – Ollera Street to Baldersleigh Road;
 - iii. Baldersleigh Road Guyra – Robinson Lane to Charles Lane;
 - iv. Ross Street Armidale – Braun St to Spring Hill Lane; and
- b. Delegate to the General Manager the authority to execute all documents and actions necessary to complete the transfer.

Moved Cr McMichael

Seconded Cr Redwood

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

11.4 Update - Gates and Stock Grids on Public Roads POL087

Ref: AINT/2023/27632 (ARC16/0652)

152/23

RESOLVED

That Council:

- a. Note the update report; and
- b. Note that the Connected Region Key Pillar Working Group requested that Policy POL087 - Gates and Stock Grids on Public Roads be deferred to the November 2023 Ordinary Council Meeting.

Moved Cr O'Connor

Seconded Cr Redwood

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

12. NOTICES OF MOTION

Nil.

13. COMMITTEE REPORTS

13.1 KPWG - Minutes of meetings held July 2023 - October 2023

Ref: AINT/2023/24503 (ARC16/0001-8)

153/23

RESOLVED

That the following Minutes of the Key Pillar Working Group meetings held from July 2023 to October 2023 be noted;

- Growing Region KPWG meeting held 20 June 2023
- Enriched Region KPWG meeting held 22 June 2023
- Growing Region KPWG meeting held 18 July 2023
- Connected Region KPWG meeting held 3 August 2023
- Future Region KPWG meeting held 3 August 2023
- Enriched Region KPWG meeting held 10 August 2023
- Growing Region KPWG meeting held 1 September 2023
- Growing Region KPWG meeting held 11 September 2023
- Connected Region KPWG meeting held 18 September 2023
- Growing Region KPWG meeting held 19 September 2023
- Growing Region KPWG meeting held 10 October 2023

Moved Cr Gaddes

Seconded Cr Redwood

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

13.2 Traffic Advisory Committee - Minutes of meeting held 3 October 2023

Ref: AINT/2023/26249 (ARC16/0168-8)

154/23

RESOLVED

That in relation to the report "Armidale Regional Council Traffic Advisory Committee Minutes – 3 October 2023", that Council;

- a) Endorse the temporary road closures of Dangar Street and Faulkner Street Armidale 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 2023' celebrations, Thursday 30 November 2023;
- b) Endorse the road closure of Bradley Street between McKenzie Street and the Police station, Guyra for the purpose of conducting the Remembrance Day service and opening of Mandala Garden and Remembrance Park 11 November 23;
- c) Endorse the Special Event Transport Management Plan for the Guyra Christmas Carnival 2023 and associated road closures of Bradley Street between Mackenzie Street and Ollera Street, Guyra between 3pm and 10pm on Friday 1 December 2023;
- d) Endorse the changes to the pedestrian crossings in Rusden Street Armidale outside the Civic Administration Building and on Trevenna Road Armidale (UNE), to become raised flat top hump crossings; and
- e) Endorse the Special Event Transport Management Plan New England Antique Machinery Rally Advertising Run 10 November 2023 involves seven tractors travelling a return route from the Armidale showgrounds south along Canambe Street, into Mann Street, into Castledoyle Road, Fosters Road, Long Swamp Road, Edwards Lane, Dangarsleigh Road, Knobs Road, Simmonds Road Armidale, and return via the same route.

Moved Cr McMichael

Seconded Cr O'Brien

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

14. QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN

Nil.

PROCEDURAL MOTION

155/23

RESOLVED

a) That Council move into closed Session to receive and consider the following items:

15.1 Assets and Services Project Management Procurement Pathway. (AINT/2023/24366) - ***(General Manager's Note: The report considers commercial rates provided by consultants 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 Armidale Road Restoration Project - GeoLink. (AINT/2023/25269) - ***(General Manager's Note: The report considers tender information 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 O'Brien

Seconded Cr Redwood

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

Council entered Closed Session at 05:09pm.

Council returned to Open Session at 05:22pm.

RESUMPTION OF MEETING

156/23

RESOLVED

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

Moved Cr O'Connor

Seconded Cr Robinson

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

15. CLOSED SESSION

15.1 Assets and Services Project Management Procurement Pathway

Ref: AINT/2023/24366 (ARC23/6170)

157/23

RESOLVED

That Council:

- a. Endorse the addition and extension of contracts for engineering and project professionals in lieu of available resources under Council's existing Professional Services Panel Contract including;
 - I. Simon Flannery, SJ F Civil Project Management Pty Ltd
 - II. Stuart Collett, GHD Pty Ltd
 - III. Ian Giblett of 5G Management
 - IV. Graham Macpherson of MACPHERSON DESIGN PTY LTD; and
- b. Delegate authority to the General Manager to execute all documentation in relation to the engagements.

Moved Cr McMichael

Seconded Cr Gaddes

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

15.2 Kempsey Armidale Road Restoration Project - GeoLink

Ref: AINT/2023/25269 (ARC23/6087)

158/23

RESOLVED

That Council:

- a) Endorse the extension of the contract RFT ARC21/4499 "Provision of Panel for Kempsey Road Reconstruction Works" for the period of the contract to its expiry on 31 March 2024;
- b) Delegate authority to the General Manager to authorise expenditure under the contract to an upper limit of funding available for the project as approved by the Adminstrating Agency Transport for NSW (TfNSW); and
- c) Delegate authority to the General Manager to execute documentation associated with the contract.

Moved Cr McMichael

Seconded Cr Galletly

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

There being no further business the Mayor declared the meeting closed at 05:23pm.