



ORDINARY MEETING OF COUNCIL

Held on

Wednesday, 26 April 2023
4pm

at

Armidale Council Chambers

PRESENT: Councillor Sam Coupland (Mayor), Councillor Todd Redwood (Deputy Mayor, via Zoom), Councillor Paul Gaddes, Councillor Jon Galletly, Councillor Steven Mepham, 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), Mr Mark Byrne (Manager Utilities), Ms Simone Mooketsi (Manager Governance and Strategy), Ms Michaela Giandomenico (Executive Officer) and Ms Melissa Hault (Executive Officer).

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1. **CIVIC AFFIRMATION AND ACKNOWLEDGEMENT OF COUNTRY**
Cr Gaddes 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**
Crs McMichael and Cr O'Brien.

4. **DISCLOSURES OF INTEREST**

Name	Item	Nature of Interest	Reason/Intended Action
Clr Widders	11.1	<input type="checkbox"/> Pecuniary <input type="checkbox"/> Non Pecuniary – Significant Conflict <input checked="" type="checkbox"/> Non Pecuniary – Non Significant Conflict	Reason: Perceived interest. Intended action: Leave Chamber

5. **CONFIRMATION OF MINUTES**

5.1 **Minutes of Previous Meeting held 22 March 2023** Ref: AINT/2023/06819 (ARC16/0001-8)

27/23

RESOLVED

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

Moved Cr Galletly 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 - March 2023** Ref: AINT/2023/07449 (ARC16/0001-8)

28/23

RESOLVED

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

Moved Cr Robinson Seconded Cr O'Connor

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

8. REPORTS - FINANCE

8.1 Debt Recovery Policy and Hardship Policy - Updated

Ref: AINT/2023/07036 (ARC17/1727-6)

29/23

RESOLVED

That Council:

- a. Receive this report in relation to the updated Debt Recovery Policy and updated Hardship Policy; and
- b. Display the Debt Recovery and Hardship Policy on public exhibition for a period of 28 days and receive a further report at the conclusion of the exhibition period.

Moved Cr Galletly

Seconded Cr Robinson

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

9. REPORTS - PLANNING AND ACTIVATION

9.1 Establishment of Leash-Free Areas in Guyra

Ref: AINT/2022/49006 (ARC22/5018)

30/23

RESOLVED

That Council:

- a. Note the submissions received regarding the two (2) proposed leash-free areas for Guyra.
- b. Endorse Lot 701 DP 94244 (South Guyra Park, Sandon Street South Guyra) as a leash-free area.
- c. Receive a further report on the need for a second leash-free area in Guyra, including Lot 7002 DP 94125 (Holts Park, Balblair Street, Guyra), once Lot 701 DP 94244 has been established and has been accessible to the public for a minimum of 12 months.

Moved Cr Mephram

Seconded Cr O'Connor

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

9.2 Public Exhibition of Conflict of Interest Policy for Council Related Development Applications

Ref: AINT/2023/06527 (ARC23/5819)

31/23

RESOLVED

That Council:

- a. Endorse the Draft Conflict of Interest Policy for Council Related Development Applications and place it on public exhibition for a period of 28 days;
- b. Receive a further report following the public exhibition period in the event that submissions are received and/or the Draft Conflict of Interest Policy is proposed to be amended;
- c. Authorise the adoption of the Draft Conflict of Interest Policy in the event that no submissions are received and no changes are made to the draft policy.

Moved Cr Robinson

Seconded Cr Widders

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

10. REPORTS - CORPORATE AND COMMUNITY

10.1 Integrated Planning and Reporting - Delivery Program 2022-2026 and Operational Plan 2022-2023 Progress Report - March 2023

Ref: AINT/2023/06282 (ARC22/5145)

32/23

RESOLVED

That Council note the status of the Operational Plan 2022-2023 and Delivery Program 2022-2026 Progress Report as at 30 March 2023.

Moved Cr Packham

Seconded Cr O'Connor

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

Cr Bradley Widders left the meeting, the time being 04:21 PM

11. REPORTS - ASSETS AND SERVICES

11.1 Request to Waive Fees for Supply of Gravel for Newara Aboriginal Corporation

Ref: AINT/2023/05546 (ARC16/0959)

33/23

RESOLVED

That Council waive the costs and charges for the Nēwara Aboriginal Corporation for the provision of gravel for construction of an access road to 328 Fleetwood Road up to a value of \$5,000 Excl. GST.

Moved Cr O'Connor

Seconded Cr Robinson

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

Cr Bradley Widders returned to the meeting, the time being 04:23 PM

11.2 Public Exhibition of Gates and Stock Grids on Public Roads Policy

Ref: AINT/2023/06741 (ARC16/0652)

34/23

RESOLVED

That Council:

- a. Note the revised Policy POL087 – Gates and Stock Grids on Public Roads;
- b. Endorse the placement of revised Policy POL087 on public exhibition for 28 days;
- c. Run concurrent community engagement sessions in line with the public exhibition period, auspice by the Connected Region key pillar working group;
- d. Refer the outcomes of the public exhibition period and the community engagement sessions to the Connected Region key pillar working group and finalise the draft policy for determination by Council;
- e. Note, following that above, the implementation of the policy through the commencement of removal of obsolete grids and gates and the issue of new permits in accordance with the Roads Act (1993) following appropriate consultation with landholders.

Moved Cr Gaddes

Seconded Cr Packham

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 7 February 2023

Ref: AINT/2023/03353 (ARC16/0330-2)

35/23

RESOLVED

That the Minutes of the Sports Council Committee meeting held on 7 February 2023 be noted and that Council:

- a. Note the committee's agreement to commit \$4,900 incl. GST towards the rectification of drainage issues at the front of the Moran Oval grandstand, to be funded from the Sports Council Sports Development Fund;

Moved Cr Galletly

Seconded Cr Mephram

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

13.2 Access Advisory Committee - Minutes of meeting held 23 February 2023

Ref: AINT/2023/05781 (ARC16/0524-3)

36/23

RESOLVED

That the Minutes of the Access Advisory Committee meeting held on 23 February 2023 be noted.

Moved Cr Widders

Seconded Cr O'Connor

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

13.3 Traffic Advisory Committee - Minutes of the meeting held 4 April 2023

Ref: AINT/2023/06303 (ARC16/0168-8)

37/23

RESOLVED

That in relation to the report "Armidale Regional Council Traffic Advisory Committee Minutes – 4 April 2023", that Council:

- a) Endorse the requested road closures of Taylor Street from Dumaresq Street to Donnelly Street and Kirkwood Street between Taylor Street and Douglas Street from 7.30am until 6pm on Sunday 4 June 2023 for the Jack Vallance Memorial Junior Football (Soccer) Carnival.
- b) Endorse change of parking layout in Dangar Street between Barney Street and Rusden St, Armidale adjacent to the emergency vehicle access in for St Marys School, be changed from a Bus Zone to No Parking.

Moved Cr Widders

Seconded Cr Galletly

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

13.4 Audit, Risk and Improvement Committee - Minutes of the meeting held 7 March 2023

Ref: AINT/2023/06377 (ARC23/5778)

38/23

RESOLVED

That Council note the Minutes of the ARIC meeting held on 7 March 2023.

Moved Cr O'Connor

Seconded Cr Gaddes

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

13.5 Traffic Advisory Committee - Minutes of meeting held 7 March 2023

Ref: AINT/2023/06510 (ARC16/0168-8)

39/23

RESOLVED

That in relation to the report "Armidale Regional Council Traffic Advisory Committee Minutes – 7 March 2023", that Council:

- a) Endorse the temporary road closures of Faulkner Street Armidale from Dumaresq Street to Beardy Street and the connecting intersections with Moore Street, East Mall and Rusden Street roundabout for the Armidale 2023 Anzac Day March and Commemoration Service to be held on Tuesday 25 April 2023.
- b) Endorse the rolling road closure of Bradley Street Guyra from MacKenzie Street to the Southern side of the Hall will allow the crowd to gather outside the Soldier's Memorial Hall at 163 Bradley Street for the service for the annual Anzac Day Dawn Service will occur on Tuesday, 25 April 2023 between 5.30 am and 7.00 am, in accordance with the provided traffic control plan.
- c) Endorse the rolling road closures of Bradley Street from MacKenzie Street to the Southern side of the Hall will allow the crowd to gather outside the Soldier's Memorial Hall at 163 Bradley Street for the annual Anzac Day March held on Tuesday, 25 April 2023 between 10.00am and 12.30pm, in accordance with the provided traffic control plan.
- d) That Council note the endorsement of the temporary road closure of Canambe Street between Dumaresq and Kirkwood Street for the Armidale & New England Show that was held from 6:30pm Thursday 2 March until 10pm on Sunday 5 March 2023.
- e) Note the requested road closures and route options for the 2023 Autumn Festival Parade Route of :
 - i. Dangar and Faulkner Street Armidale including Tingcombe Lane, from Barney Street to Rusden Street be closed from 7am for the staging of the Autumn Festival Parade.
 - ii. Faulkner Street between Dumaresq and Kirkwood Streets will be closed from 7am and remain closed for the duration of the Autumn Festival Parade.
 - iii. Route Option A –
The closure of Faulkner Street Armidale, from Barney Street to Kirkwood Street disassembling in Faulkner between Civic and Curtis Park.
 - iv. Route Option B –
The closure of Faulkner Street Armidale, from Barney to Rusden Street, turning left into Rusden Street, right into Dangar Street following into Moore Street, left into Faulkner disassembling in Faulkner between Civic and Curtis Park.
- f) Endorse the Special Event Transport Management Plan for the Armidale Cycling Club's 2023 Weekly Race and the use of the Armidale Regional local roads, of Boorolong Road, Dangarsleigh Road/Enmore Road, Bundarra Road and Long Swamp Road.

Moved Cr Widders

Seconded Cr Galletly

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

14. QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN

14.1 Water Charges, Water Security and Willingness to Pay

Ref: AINT/2023/07371 (ARC16/0025-7)

40/23

RESOLVED

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

Moved Cr Robinson

Seconded Cr Packham

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

PROCEDURAL MOTION

41/23

RESOLVED

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

- 15.1 Engagement of Contractor - Construction of Bakers, Boorolong and Laura Bridges. (AINT/2023/04213) - ***(General Manager's Note: The report considers tender submission and financial 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).***
- 15.2 Heavy Patching 2023 Contract Award - Confidential. (AINT/2023/04600) - ***(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).***
- 15.3 Tender Recommendation - Waterfall Way Guard Rail Installation and Repair Contract. (AINT/2023/05077) - ***(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).***
- 15.4 Shoulder Grading and Table Drain Cleaning Contract Recommendation. (AINT/2023/05840) - ***(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).***
- 15.5 Tender Recommendation - Provision of Waste and Organics Collection Services. (AINT/2023/06374) - ***(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 Gaddes

Seconded Cr Galletly

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

Council entered Closed Session at 4:42pm.

Council returned to Open Session at 4:59pm.

RESUMPTION OF MEETING

42/23

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 Galletly

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

15. CLOSED SESSION

15.1 Engagement of Contractor - Construction of Bakers, Boorolong and Laura Bridges

Ref: AINT/2023/04213 (ARC22/5432)

43/23

RESOLVED

That Council;

- (a) Accept the tender submitted by Bedrule Pty Ltd trading as TOBCO of \$6,761,516.22 Excl. GST to construct Bakers, Boorolong and Laura Creek Bridges;
- (b) Delegate authority to the General Manager to approve expenditure up to the upper funding limit of \$8,611,899.23 Excl. GST available for the project from Council general funds and via the local government funding streams of: Fixing Country Bridges, Bridge Renewal Program and the Roads to Recovery program; and
- (c) Delegate authority to the General Manager to execute all documents in relation to the Contract.

Moved Cr Widders

Seconded Cr Mepham

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

15.2 Heavy Patching 2023 Contract Award - Confidential *Ref: AINT/2023/04600 (ARC23/5781)*

44/23

RESOLVED

That Council:

- a. Endorse recommendations to engage Stabilcorp Pty Ltd for delivery of essential heavy patching works to the forecasted value of \$683,998 excl. GST.
- b. Delegate authority to the General Manager to approve expenditure for the project and contractor up to the upper limit of available budget; and
- c. Delegate authority to the General Manager to execute all documents in relation to the Contract and to delegate contract and financial management including requests for variation within Council accordingly.

Moved Cr Mepham

Seconded Cr Widders

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

15.3 Tender Recommendation - Waterfall Way Guard Rail Installation and Repair Contract

Ref: AINT/2023/05077 (ARC22/5479)

45/23

RESOLVED

That Council:

- a. Accept the submission provided by Western Safety Barriers Pty Ltd as tendered for guard rail installation, repair and removal for the period from 27 April 2023 to 30 April 2026 with an option for a one-year extension;
- b. Delegate authority to the General Manager to approve expenditure for the project and contractor up to the upper limit of available budget for the current and next four Financial Years 2023-2024, 2024-2025, 2025-2026 and 2026-2027; and
- c. Delegate authority to the General Manager to execute all documents in relation to the Contract.

Moved Cr Robinson

Seconded Cr Widders

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

15.4 Shoulder Grading and Table Drain Cleaning Contract Recommendation

Ref: AINT/2023/05840 (ARC23/5775)

46/23

RESOLVED

That Council;

- a. Endorse recommendations to engage Brycon Civil Pty Ltd for delivery of roadside shoulder grading and table drain maintenance works to the forecast value of \$1,990,000 Excl. GST. Brycon Civil Pty Ltd represent the best technical, financial and value for money recommendation of the council Evaluation Panel;
- b. Delegate authority to the General Manager to approve expenditure for the project and contractor up to the upper limit of available budget; and
- c. Delegate authority to the General Manager to execute all documents in relation to the Contract.

Moved Cr Mepham

Seconded Cr O'Connor

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

15.5 Tender Recommendation - Provision of Waste and Organics Collection Services

Ref: AINT/2023/06374 (ARC22/5484)

47/23

RESOLVED

That Council:

- a. Accept the submission provided by JR Richards as tendered for provision of Waste and Organics Collection Services for Armidale Regional Council (ARC), for the period of 1 February, 2024 to 31 January, 2032 with up to two 1-year extension options until 31 January 2034;
- b. Delegate authority to the General Manager to approve expenditure for the project for Financial Years 2023-2024 to 2031-2032 up to the limit of approved budget; and
- c. Delegate authority to the General Manager to execute all documents in relation to the Contract and to delegate contract and financial management.

Moved Cr Gaddes

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 5:03pm.