



ORDINARY MEETING OF COUNCIL

Held on

Wednesday, 28 June 2023

4pm

at

Armidale Council Chambers

PRESENT: Councillor Sam Coupland (Mayor), Councillor Todd Redwood (Deputy Mayor), Councillor Paul Gaddes, Councillor Jon Galletly, 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), Ms Annie Harris (Executive Manager People & Culture), Mr Alex Manners (Chief Officer Assets and Services), Ms Ann Newsome (Chief Financial Officer), Ms Michaela Giandomenico (Executive Officer) and Ms Melissa Hout (Executive Officer).

MINUTES

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- 1. CIVIC AFFIRMATION AND ACKNOWLEDGEMENT OF COUNTRY**
Cr Redwood delivered the Civic Affirmation and Cr Mepham 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**
Cr McMichael
- 4. DISCLOSURES OF INTEREST**

Name	Item	Nature of Interest	Reason/Intended Action
Clr O'Connor	10.1	<input type="checkbox"/> Pecuniary <input type="checkbox"/> Non Pecuniary – Significant Conflict <input checked="" type="checkbox"/> Non Pecuniary – Non Significant Conflict	Reason: \$5 membership of one of the grant recipients. Intended action: Remain in the Chamber

5. CONFIRMATION OF MINUTES

5.1 Minutes of Previous Meeting held 24 May 2023 *Ref: AINT/2023/10462 (ARC16/0001-8)*

64/23

RESOLVED

That the Minutes of the Ordinary Council meeting held on 24 May 2023 be taken as read and accepted as a true record of the meeting.

Moved Cr Redwood **Seconded Cr O'Brien**

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

5.2 Minutes of Previous Extraordinary Meeting held 16 May 2023

Ref: AINT/2023/10989 (ARC16/0001-8)

65/23

RESOLVED

That the Minutes of the Extraordinary Council meeting held on 16 May 2023 be taken as read and accepted as a true record of the Meeting.

Moved Cr Redwood **Seconded Cr O'Brien**

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

6. MAYORAL MINUTE

6.1 Mayoral Minute - Damaging Increase in Emergency Services Levy Costs

Ref: AINT/2023/11197 (ARC16/0001-8)

66/23

RESOLVED

- a. That Council writes to the Treasurer, the Minister for Emergency Services, the Minister for Local Government and local State Member(s):
 - i. Expressing Council's strong opposition to the NSW Government's last minute decision to impose an enormous Emergency Services Levy (ESL) cost increase on councils for 2023/24 by scrapping the ESL subsidy for councils and at a time after Council has publicly advertised its Operational Plan and annual budget to the community;
 - ii. Noting that as a consequence of the unannounced 73% increase in the State Emergency Service budget and an 18% increase in the Fire and Rescue NSW budget, Council's approved SRV rate increase to provide essential community services and infrastructure has been significantly eroded.
 - iii. Advising that the Government's decision may/will lead to a reduction in important local services and/or the cancellation of necessary infrastructure projects;
 - iv. Calling on the NSW Government to take immediate action to:
 - i. restore the ESL subsidy in 2023/24
 - ii. urgently introduce legislation to decouple the ESL from the rate peg to enable councils to recover the full cost
 - iii. develop a fairer, more transparent and financially sustainable method of funding critically important emergency services in consultation with local government.
 - v. Council writes to the Chair of the Independent Pricing and Regulatory Tribunal (IPART) advising that Council's forced emergency services contribution is manifestly disproportionate to the 2023/24 rate cap, which has resulted in additional financial stress.
 - vi. Council writes to the President of LGNSW seeking the Association's ongoing advocacy to bring about a relief in the burden of Councils' emergency services contribution.

Moved Cr Coupland

Seconded Cr Gaddes

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

7. REPORTS - GENERAL MANAGER'S OFFICE

7.1 Council Actions Report January 2022 - May 2023 *Ref: AINT/2023/11041 (ARC16/0001-8)*

67/23

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.

7.2 2023 Christmas Closure and Ordinary Council Meeting Cycle for the remainder of 2023/24 Financial Year Calendar

Ref: AINT/2023/11084 (ARC16/0001-8)

68/23

RESOLVED

That Council:

- a. That the Council shutdown period for the Administration Centres and Depots be from close of business Friday 22 December 2023 and reopening Monday 8 January 2024.
- b. That Council advertise the shutdown period for the Administration Centres and Depots and that this advertisement also includes the operating hours for all other facilities during this period.
- c. That the Ordinary Council Meeting cycle for the remainder of the 2023/24 financial year calendar be scheduled for the fourth Wednesday of each month as follows:
 - Wednesday 28 February 2024, in Armidale
 - Wednesday 27 March 2024, in Armidale
 - Wednesday 24 April 2024 in Armidale
 - Wednesday 22 May 2024 in Armidale
 - Wednesday 26 June 2024 in Armidale
- d. That the time for the Ordinary Council meetings to commence is 4pm.

Moved Cr Mepham

Seconded Cr O'Connor

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

8. REPORTS - FINANCE

8.1 2022-23 Third Quarter Budget Review

Ref: AINT/2023/08935 (ARC20/4361)

69/23

RESOLVED

That Council:

- a. Note the 2022-2023 Third Quarter Budget Review.
- b. Note the proposed revised 2022-2023 operating surplus/ (deficit) budget as per table below:

Fund	Operating Surplus / (Deficit) ('000)			
	ORIGINAL	QBR 1	QBR 2	QBR 3
General	(\$3,193)	(\$4,708)	(\$4,899)	(\$2,892)
Water	\$1,285	\$1,632	\$1,637	\$1,680
Sewerage	\$912	\$1,739	\$1,765	\$1,944
Consolidated Result	(\$996)	(\$1,337)	(\$1,496)	\$732

- c. Resolve to adopt the amendments in the 2022/23 budget in accordance with the Quarterly Budget Review Statement for the period 1 January to 31 March 2023 tabled in the attachments.

Moved Cr Galletly

Seconded Cr Redwood

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

8.2 Debt Recovery Policy and Hardship Policy - Updated

Ref: AINT/2023/11903 (ARC17/1727-6)

70/23

RESOLVED

That Council adopt the Debt Recovery Policy and Hardship Policy.

Moved Cr O'Brien

Seconded Cr Galletly

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

8.3 Adoption of the final Integrated Planning and Reporting documents and Making of the Rates for 2023-2024

Ref: AINT/2023/10501 (ARC23/5895)

71/23

RESOLVED

That Council:

- a. Endorse the following documents pursuant to the requirements of the *Local Government Act 1993 (NSW)*:
 - i. Operational Plan and Budget 2022-2023
 - ii. Revenue Policy 2023-2024
 - iii. Fees and Charges 2023-2024
- b. Note that community submissions received during the public exhibition period (Wednesday, 17 May to Wednesday, 14 June 2023) are attached to this report;
- c. Note that Council was notified by IPART on 15 June 2023 that its application for a permanent 50% (58.8% cumulative including rate peg) Special Rate Variation was approved to be implemented over three years including increases of 16.67% in each of 2023-24 and 2024-25, and 16.66% in 2025-26.
- d. Note that the Long-Term Financial Plan was revised and adopted at the Extraordinary Council Meeting of 30 January 2023 as part of Council's application process for a Special Rate Variation and will be revised in early in the 2023-2024 financial year.
- e. Note that, as part of Council's application to IPART for a Special Rate Variation, Council committed to phase out the Waterfall Way Landfill levy annual charge of \$155 per year over a three-year period (2023-2024 to 2026-2027).
- f. Note that any statutory fees and charges that have not yet been announced for 2023-2024 will be updated and implemented once notification is received.
- g. Formally make rates and charges for the 2023-2024 financial year (1 July 2023 to 30 June 2024 inclusive) as follows:
 - i. Council adopt the addition of the following for application to Ordinary Rates:
 - A 16.67% Special Rate Variation in 2023-2024 as part of the 50% (58.8% including rate peg) permanent Special Rate Variation (SRV) to be implemented over three years as determined by the Independent Pricing and Regulatory Tribunal. This includes increases of 16.67% in each of 2023-24 and 2024-25, and 16.66% in 2025-26.
 - 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 indicative average percentage change, including the rate peg 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	2022-2023	2023-2024	2024-2025	2025-2026
Residential	Guyra	2.53%	17.20%	18.54%	16.76%
Residential	Village	0.73%	8.21%	13.20%	10.27%
Residential	Non-Urban	5.58%	18.59%	7.14%	15.16%
Business	Guyra	2.15%	15.65%	16.56%	16.60%
Business	Village	10.65%	19.04%	-23.10%	10.61%
Farmland	Guyra	6.45%	25.46%	27.18%	17.83%
Farmland	Guyra Intensive	8.18%	16.79%	17.63%	16.95%

Former Armidale Dumaresq Council categories/sub-categories:

Category	Sub Category	2022-2023	2023-2024	2024-2025	2025-2026
Residential	Armidale	2.02%	17.37%	17.46%	16.99%
Residential	Armidale (Non-Urban)	2.07%	18.10%	20.90%	16.55%
Residential	Wollomombi	-4.52%	19.87%	-34.25%	7.88%
Residential	Ebor	1.47%	19.58%	-6.47%	10.21%
Residential	Hillgrove	1.73%	-3.71%	-14.21%	10.10%
Business	Armidale	1.56%	18.34%	17.38%	16.90%
Business	Non-Urban	-9.19%	14.58%	21.67%	17.81%
Mining	Armidale	4.92%	18.32%	18.11%	16.95%
Farmland-	Armidale	-0.70%	12.58%	5.02%	16.47%

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

Rate Category	Base Rate \$	Base Rate %	Ad Valorem
			Rate in \$
Residential			
Residential - Armidale	\$470	34.40%	0.004576
Residential - Guyra	\$240	37.52%	0.004334
Residential - Wollomombi	\$230	38.69%	0.008420
Residential - Ebor	\$230	43.70%	0.004200
Residential - Hillgrove	\$230	40.58%	0.004885
Residential - Non-Urban (Armidale)	\$230	16.47%	0.002973
Residential - Non-Urban (Guyra)	\$230	22.37%	0.003404
Residential - Village (Guyra)	\$215	49.09%	0.003118
Farmland			
Farmland - Armidale	\$1,000	25.75%	0.001361
Farmland - Guyra	\$1,000	23.24%	0.001073
Farmland - Intensive	\$1,150	14.18%	0.004721
Mining			
Mining	\$1,000	14.90%	0.064530
Business			
Business - Armidale	\$880	15.45%	0.011873
Business - Guyra	\$410	37.06%	0.008961
Business - Non-Urban (Armidale)	\$190	18.35%	0.002193
Business - Village (Guyra)	\$190	37.98%	0.004422

- iv. That the water access charge can increase but only to a maximum of 3.7% in line with the allowable rate peg increase.

Charge Description	Charge
Water Access Charge	\$338

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 Kilotre
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	4.6
Intensive Horticulture – Treated Bulk Water Flat Rate	N/A	3.1

- 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	\$555.00
Vacant Residential - Sewerage Access Charge	\$555.00
Residential - Multiple Occupancy (each additional Occupancy)	\$555.00
Non-Residential - Sewerage Access Charge	
- Minimum Rate	\$555.00
- *Ad Valorem Rate upon connection	\$0.00305
Vacant Non-Residential - Sewerage Access Charge	\$555.00
Each Additional Urinal	\$102.00
Each Additional Water Closet	\$196.00

* 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.
- Non-Residential properties will be charged the minimum amount while unconnected, upon connection properties will be charged the minimum amount or the ad valorem amount (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	\$467.00
- Additional 140lt Waste Service	\$176.00
- Additional 240lt Organics Service	\$176.00
- Vacant Domestic Waste Management Charge	\$165.00
- Domestic Waste Service - 240lt (Guyra Only)	\$615.00
Commercial Waste Management	
- Commercial Waste Service (1 x 240lt red lid bin) – Collected Weekly	\$467.00
- Additional Commercial Bin (@full cost of Waste Service)	\$467.00
- Commercial Organics 240lt Service – Collected Weekly	\$176.00
- Commercial Organics 240lt Service – Collected 2 x Weekly	\$264.00
- Commercial Recycling Service – Collected Weekly	\$182.00
Rural Waste Management	
- Rural Waste Management Charge - former Armidale Dumaresq Council LGA	\$155.00
- Rural Waste Management Charge - former Guyra Shire Council LGA	\$155.00
Regional Landfill	
- Regional Landfill Levy	\$105.00
- Regional Landfill Operation Charge	\$77.00

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.

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 9.0% per annum.

- h) That council, promptly conduct a review of the Delivery Program prioritisation and allocation with consideration of the successful application for a Special Rate Variation. At the same time Council will review the Operational Plan and determine if any FY2023 projects are to be carried over into FY2024.

Moved Cr Redwood

Seconded Cr Gaddes

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

Adoption of the final Integrated Planning and Reporting documents and Making of the Rates for 2023-2024 Part 2 – Procurement Piece

MOTION TO DEFER

That the proposed procurement of Dattner Group and TechnologyOne be deferred to the July 2023 Ordinary Council Meeting.

Moved Cr O'Connor

Seconded Cr Gaddes

DIVISION The result being:-

FOR: Crs P Gaddes, S Mepham, M O'Connor, P Packham and D Robinson

AGAINST: Crs C Coupland, J Galletly, D O'Brien, T Redwood and B Widders

As Chair, the Mayor had the casting vote and declared the Motion to Defer LOST.

72/23

RESOLVED

That Council:

- Continues to endorse the sole supplier Procurement Strategy of The Dattner Group to continue to provide high level and specialist consultancy services and consistent approach to achieve Councils culture change objective as part of the "Restore and Thrive" Strategy.
- Endorses the Procurement Strategy in regard to The Dattner Group be endorsed under Section 55(i) of the *Local Government Act 1993* (the Act) (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 satisfactory result would not be achieved by inviting tenderers.
- Endorses the Procurement Strategy in regard to TechnologyOne Ltd be endorsed under Section 55(i) of the *Local Government Act 1993* (the Act) (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 satisfactory result would not be achieved by inviting tenderers.

Moved Cr Galletly

Seconded Cr O'Brien

DIVISION The result being:-

FOR: Crs S Coupland, J Galletly, S Mepham, D O'Brien, T Redwood and B Widders

AGAINST: Crs P Gaddes, M O'Connor, P Packham and D Robinson

The Mayor declared the Motion CARRIED

9. REPORTS - PLANNING AND ACTIVATION

9.1 Review of Property Addressing & Naming our Roads & Places Policy and Register of Pre-Endorsed Road and Places Names *Ref: AINT/2023/06595 (ARC23/5697)*

73/23

RESOLVED

That Council:

- a. Endorse the reviewed *Property Addressing and Naming our Roads and Places Policy* for public exhibition for a period of 28 days.
- b. Seek submissions for the reviewed Register of Pre-Endorsed Road and Place Names for a period of 28 days.
- c. Receive a further report once the submission period closes to consider any submissions received.

Moved Cr O'Connor

Seconded Cr Redwood

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

9.2 Armidale Local Environmental Plan 2012 - Planning Proposal 22 - Schedule 5 Environmental Heritage Housekeeping Amendment *Ref: AINT/2023/10162 (ARC23/5894)*

74/23

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. Forward the endorsed Planning Proposal to the *NSW Department of Planning and Environment* with a request for Gateway Determination and exhibit the proposal in accordance with that determination.
- c. Seek authorisation from the *NSW Department of Planning and Environment* for Council to be the local plan-making authority.

Moved Cr Robinson

Seconded Cr Redwood

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

**9.3 Planning Agreement with Enerparc Australia Pty Ltd associated with the
Tilbuster Solar Farm**

Ref: AINT/2022/49972 (ARC20/4376)

75/23

RESOLVED

That Council:

- a. Agrees to publicly notify, for a minimum period of 28 days, the Planning Agreement (PA) between Council and the Developer of the Tilbuster Solar Farm which proposes that the Developer make the following contributions:
 - i. A lump sum payment of monetary contributions of \$1,529,000 for public purposes determined by Council; and
 - ii. Provision of funding for community engagement process to co-design the benefit sharing strategy for the Community Benefit Fund.
- b. The General Manager is authorised to do all things necessary to arrange the public notification of the PA.
- c. Following the public exhibition period, a report be presented to Council for further consideration, if any submissions are received.
- d. Council agrees to enter into the PA if no submissions are received during the public exhibition period, without any further report to Council being required, and the Council delegates to the General Manager the authority to execute all documents and do all other things necessary to enter into the PA on behalf of Council, and to effect the registration of the PA on the title to the land to which it applies.

Moved Cr Galletly

Seconded Cr Robinson

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

10. REPORTS - CORPORATE AND COMMUNITY

10.1 Community Small Grants allocation of funds 2022-2023 Financial Year

Ref: AINT/2023/11514 (ARC16/0443-7)

76/23

RESOLVED

That Council approve the distribution of \$20,000 budgeted under the 2022-2023 Community Small Grants Program for the following organisations:

Grant Recipient	Program Delivery	Grant \$ (max \$3000.00)
Bald Blair P & C	Yoga Wellbeing get together's	\$3000.00
Armidale Pipe Band	Recruit and train new drumming corps	\$3000.00
St Marks UNE	Extended family foster children holiday camp	\$3000.00
ZONTA Club of Armidale	Young Women making a difference program	\$2975.00
Bangladesh Cultural Society	Annual Cultural Program	\$2750.00
Armidale Spinners and Weavers	Replacement of display cabinets for community events	\$2000.00
Armidale Crafty Quilters	Hire of Kent House	\$1500.00
Helping Children and Families Association	Recruitment and training of volunteers and services to additional families	\$1000.00
Guyra Campdraft Committee	Guyra Campdraft 2023	\$775.00
TOTAL	9 ORGANISATIONS	\$20000.00

Moved Cr Packham

Seconded Cr O'Brien

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

10.2 Aboriginal Advisory Committee Report

Ref: AINT/2023/11541 (ARC16/0605)

77/23

RESOLVED

That Council note the Minutes of the Aboriginal Advisory Committee meeting held on 6 June 2023

Moved Cr Widders

Seconded Cr Redwood

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

11. REPORTS - ASSETS AND SERVICES

11.1 Kempsey Road Status Report

Ref: AINT/2023/11368 (ARC20/4322)

78/23

RESOLVED

That Council note information within report regarding the Kempsey–Armidale Road Restoration Project following the Steering Committee held Thursday 8 June 2023.

Moved Cr Robinson

Seconded Cr O'Brien

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

11.2 Adoption of Gates and Stock Grids on Public Roads Policy

Ref: AINT/2023/11904 (ARC16/0652)

79/23

RESOLVED

- a) Defer consideration of the Gates and Stock Grids on Public Roads Policy POL087 to the Ordinary Council Meeting for September 2023;
- b) run community engagement sessions auspiced by the Connected Region Key Pillar Working Group;
- c) refer the outcomes of the public exhibition period and the community engagement sessions to the Connected Region Key Pillar Region Working Group and finalise the draft policy for determination by Council.
- d) Note, following the 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 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 Sports Council Committee - Minutes of the meeting held 6 June 2023

Ref: AINT/2023/11227 (ARC16/0330-2)

80/23

RESOLVED

That the Minutes of the Sports Council Committee meeting held on 6 June 2023 be noted and that Council:

- a. Note the Minutes of the Sports Council Committee meeting held on 6 June 2023;
- b. Note the committee's decision to seek community support towards the extension of the Active Kids program.

Moved Cr Galletly

Seconded Cr Redwood

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

13.2 Sports Council Committee - Minutes of the meeting held 12 April 2023

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

81/23

RESOLVED

That Council:

- a. Note the Minutes of the Sports Council Committee meeting held on 24 March 2022;
- b. Note the budget allocated to fixing any damages incurred at Armidale Sports Ground following the Big Chill festival.
- c. Note the committees support for Armidale and District Cricket Association to reallocate funds from two projects into the Armidale Cricket Clubhouse project only.

Moved Cr Galletly

Seconded Cr Redwood

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

13.3 Traffic Advisory Committee - Minutes of meeting held 6 June 2023

Ref: AINT/2023/11371 (ARC16/0168-8)

82/23

RESOLVED

That in relation to the report "Armidale Regional Council Traffic Advisory Committee Minutes – 6 June 2023", that Council;

- a) Endorse the road closure of Moore Street, Armidale from Dangar Street to Faulkner Street from 6:00am to 8:00am on Thursday 14 September 2023, to provide a safe location for a short gathering where participants will be provided with breakfast.

Moved Cr Redwood

Seconded Cr Robinson

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

13.4 KPWG - Minutes of meetings held March 2023 - June 2023

Ref: AINT/2023/11955 (ARC16/0001-8)

83/23

RESOLVED

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

- Growing Region KPWG meeting held 21 March 2023
- Growing Region KPWG meeting held 4 April 2023
- Enriched Region KPWG meeting held 6 April 2023
- Growing Region KPWG meeting held 18 April 2023
- Enriched Region KPWG meeting held 19 May 2023
- Growing Region KPWG meeting held 6 June 2023

Moved Cr Gaddes

Seconded Cr Galletly

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

14. QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN

14.1 Question for Which Notice Has Been Given - Cr Robinson

Ref: AINT/2023/11890 (ARC16/0025-7)

84/23

RESOLVED

That Council note the response to the Questions for which Notice has been Given provided by Cr Robinson.

Moved Cr Robinson

Seconded Cr O'Connor

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

PROCEDURAL MOTION

85/23

RESOLVED

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

- 15.1 Award of Tender for Rehabilitation of Selected Lengths of Deteriated Sanitary Sewer and Stormwater Pipes. (AINT/2023/10377) - ***(General Manager's Note: The report considers tender information 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).***
- 15.2 Supply of Ready Mixed Concrete - 2 Year Period - Regional Procurement REGPRO102324. (AINT/2023/08823) - ***(General Manager's Note: The report considers a tender 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 5:40pm.

Council returned to Open Session at 5:58pm.

RESUMPTION OF MEETING

86/23

RESOLVED

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

Moved Cr O'Brien

Seconded Cr Robinson

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

15. CLOSED SESSION

15.1 Award of Tender for Rehabilitation of Selected Lengths of Deteriorated

Sanitary Sewer and Stormwater Pipes

Ref: AINT/2023/10377 (ARC23/5721)

87/23

RESOLVED

That Council:

- a) Accept the schedule of rates submission provided by Interflow Pty Ltd as tendered for the Sewer and Stormwater Relining Programs for the 2023/2024, 2024/2025, and 2025/2026 Financial Years;
- b) Delegate authority to the General Manager to approve expenditure to the upper limit of available funding for the project for the 2023/2024, 2024/2025, and 2025/2026 Financial Years; and
- c) Delegate authority to the General Manager to execute all documents in relation to the contract.

Moved Cr Robinson

Seconded Cr Mepham

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

15.2 Supply of Ready Mixed Concrete - 2 Year Period - Regional Procurement

REGPRO102324

Ref: AINT/2023/08823 (ARC23/5814)

88/23

RESOLVED

That Council:

- a. Endorses the panel of two suppliers, being Ducats Earthmoving and Boral Resources, (Armidale Plant) negotiated rates and terms and conditions of the Regional Procurement Tender Process for a period of 24 months from 1 July 2023 to 31 June 2025. A 12-month option for extension may be taken up based on satisfactory performance by the contractors;
- b. Delegate authority to the General Manager to approve expenditure by Council for various fit for purpose infrastructure or road projects for the next two (2) Financial Years 2023-24, 2024-25 and (if option is taken) 2025-26 as provided;
- c. Delegate authority to the General Manager to execute all documents/authority in relation to the Contract and to delegate contract and financial management including cases for variation within Council accordingly; and
- d. Delegate authority to the General Manager to approve and accept 12-month extension if required if seen as a value proposition to Council based on the business case presented.

Moved Cr Galletly

Seconded Cr O'Brien

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

There being no further business the Mayor declared the meeting closed at 6:00pm.