



## ORDINARY MEETING OF COUNCIL

Held on

Wednesday, 23 March 2022

4pm

at

Armidale Council Chambers

**PRESENT:** Councillor Sam Coupland (Mayor), Councillor Todd Redwood (Deputy Mayor via Zoom), Councillor Paul Gaddes, Councillor Jon Galletly, Councillor Susan McMichael, Councillor Steven Mepham, 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 via Zoom), Mr Darren Schaefer (Acting Chief Officer Corporate and Strategy), Mr Daniel Boyce (Chief Officer Sustainable Development), Mr Alex Manners (Chief Officer Assets and Services), Ms Ms Jessica Bower (Executive Officer) and Ms Melissa Hoult (Executive Officer).

MINUTES

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

Cr Galletly delivered the Civic Affirmation and the Cr Mepham delivered the Acknowledgement to 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**

Name	Item	Nature of Interest	Reason/Intended Action
Clr Robinson	9.2	<input type="checkbox"/> Pecuniary <input type="checkbox"/> Non Pecuniary – Significant Conflict <input checked="" type="checkbox"/> Non Pecuniary – Non Significant Conflict	Reason: Part owner of land that could conceivably be effected by the change in the LEP proposal.  Intended action: Remain in the Chamber
Clr Packham	9.2	<input type="checkbox"/> Pecuniary <input type="checkbox"/> Non Pecuniary – Significant Conflict <input checked="" type="checkbox"/> Non Pecuniary – Non Significant Conflict	Reason: Rural land owner in the region having the opportunity to engage in the initiatives being presented in item 9.2 should the motion be successful.  Intended action: Remain in the Chamber
Clr O'Connor	9.2	<input type="checkbox"/> Pecuniary <input type="checkbox"/> Non Pecuniary – Significant Conflict <input checked="" type="checkbox"/> Non Pecuniary – Non Significant Conflict	Reason: Part owner of rural land.  Intended action: Remain in the Chamber

**5. CONFIRMATION OF MINUTES**

**5.1 Confirmation of the Minutes of the Ordinary Council Meeting held on 23**

**February 2022**

*Ref: AINT/2022/03653 (ARC16/0001-7)*

**RESOLVED**

That the Minutes of the Ordinary Council meeting held on 23 February 2022 be taken as read and accepted as a true record of the Meeting.

**Moved Cr McMichael**

**Seconded Cr Widders**

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

60/22

## 6. MAYORAL MINUTE

### 6.1 Mayoral Minute - 2022 Federal Election Campaign *Ref: AINT/2022/09069 (ARC16/0025-6)*

61/22

#### RESOLVED

That Council:

- a. Supports the national funding priorities of the Australian Local Government (ALGA), which would contribute an estimated \$6.46 billion per year to Australia's GDP and create 43,444 jobs.
- b. Agrees to support and participate in the Australian Local Government Association's advocacy for their endorsed and the President of the Australian Local Government Association to:
  - i. express support for ALGA's funding priorities
  - ii. identify priority local projects and programs that could be progressed with the additional financial assistance from the Federal Government being sought by ALGA
  - iii. seek funding commitments from the members, candidates and their parties for these identified local projects and programs.

**Moved Cr Coupland**

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

### 6.2 Mayoral Minute - Deferment of the April 2022 and June 2022 Ordinary Council Meetings

*Ref: AINT/2022/09643 (ARC16/0025-6)*

62/22

#### RESOLVED

That Council:

- a. defer the 27 April 2022 Ordinary Council Meeting to 28 April 2022 to allow adequate time for Councillors to review the April Business Paper.
- b. defer the 22 June 2022 Ordinary Council Meeting to 29 June 2022 due to the Australian Local Government Association Conference that is being held in Canberra from 19 – 22 June 2022.

**Moved Cr Coupland**

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

## 7. NOTICES OF MOTION - NIL

## 8. LEADERSHIP FOR THE REGION

### 8.1 Tabling of Disclosure of Pecuniary Interest

*Ref: AINT/2022/04976 (ARC22/4999)*

63/22

#### RESOLVED

That Council note the tabling of Disclosures of Pecuniary Interest and Other Matters by each of the eleven Councillors lodged within 3 months of being elected as required by the *Model Code of Conduct*.

Moved Cr O'Connor

Seconded Cr Galletly

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

### 8.2 Councillor and Staff Interaction Policy for Adoption (Post Public Exhibition)

*Ref: AINT/2022/07053 (ARC17/1770)*

64/22

#### RESOLVED

That Council:

- a. Adopt the Councillor and Staff Interaction Policy post public exhibition which commenced 17 January 2022 for a period of 28 days, noting submissions were not received.

Moved Cr Widders

Seconded Cr Gaddes

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

### 8.3 Code of Meeting Practice for Adoption Post Public Exhibition

*Ref: AINT/2022/07057 (ARC17/1770)*

65/22

#### MOTION

That Council:

- a. Note three submissions were received during the public exhibition period – attached to this report.
- b. Adopt the Code of Meeting Practice

Moved Cr Widders

Seconded Cr McMichael

#### AMENDMENT

That the code of meeting practice be adopted subject to the GM Business Paper Briefing being open to the public.

Moved Cr Robinson

Seconded Cr O'Connor

*DIVISION*

*The result being:-*

**FOR:** *Crs M O'Connor and D Robinson*

**AGAINST:** *Crs S Coupland, P Gaddes, J Galletly, S McMichael, S Mepham, D O'Brien, P Packham, T Redwood and B Widders*

The Motion on being put to the vote LOST.

**RESOLVED**

That Council:

- a. Note three submissions were received during the public exhibition period – attached to this report.
- b. Adopt the Code of Meeting Practice

**Moved Cr Widders**

**Seconded Cr McMichael**

**DIVISION** *The result being:-*

**FOR:** *Crs S Coupland, P Gaddes, J Galletly, S McMichael, S Mepham, D O'Brien, P Packham, T Redwood, D Robinson and B Widders*

**AGAINST:** *Cr M O'Connor*

**The motion on being put to the vote was CARRIED.**

**8.4 Councillor Expenses and Facilities Policy for Adoption Post Public Exhibition Period**

*Ref: AINT/2022/09266 (ARC16/0060-2)*

**MOTION (Split in two parts)**

- a) That Council adopt the draft Councillor Expenses and Facilities Policy as attached to this report, with the following changes:
  - 1) Subject to the stated home office expenses limit, a subscription to the local paper should be considered a valid home office expense
  - 2) ICT expenses allocated to the first year can be carried over to future years, if unspent.
  - 3) that the time limit for making claims totalling under \$100 is extended to 6 months.

**Moved Cr Robinson**

**Seconded Cr O'Brien**

**DIVISION** *The result being:-*

**FOR:** *Crs S Coupland, S McMichael, D O'Brien, M O'Connor, T Redwood, D Robinson and B Widders*

**AGAINST:** *Crs P Gaddes, J Galletly, S Mepham and P Packham*

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

- b) that the proposed budget for 2022-23 is reviewed to see if any savings can be made without affecting the quality of representation, or training and professional development.

*DIVISION The result being:-*

*FOR: Crs D Robinson, P Gaddes and D O'Brien*

*AGAINST: Crs S Coupland, J Galletly, S McMichael, S Mepham, M O'Connor, P Packham, T Redwood and B Widders*

66/22 The Motion on being put to the vote was LOST.

**RESOLVED**

- b) That Council adopt the draft Councillor Expenses and Facilities Policy as attached to this report, with the following changes:
- 4) Subject to the stated home office expenses limit, a subscription to the local paper should be considered a valid home office expense
  - 5) ICT expenses allocated to the first year can be carried over to future years, if unspent.
  - 6) that the time limit for making claims totalling under \$100 is extended to 6 months.

**Moved Cr Robinson**

**Seconded Cr O'Brien**

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

**8.5 Council Actions Report January and February 2022 Ref: AINT/2022/09719 (ARC16/0001-7)**

67/22

**RESOLVED**

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

**Moved Cr O'Connor**

**Seconded Cr Gaddes**

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

**9. GROWTH, PROSPERITY AND ECONOMIC DEVELOPMENT**

**9.1 Public Exhibition of Proposed Lease to UNE of Road Reserve for the Purpose of Paid Parking**

*Ref: AINT/2021/19070 (ARC16/1118)*

68/22

**RESOLVED**

That Council:

- a) Endorse the proposed lease of road reserve to the University of New England (for the purpose of paid parking) for public exhibition for a period of 28 days; and
- b) Receive a further report at the conclusion of the exhibition period.

**Moved Cr Robinson**

**Seconded Cr McMichael**

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

## 9.2 Standard Instrument LEP Agritourism Amendment Order

Ref: AINT/2022/09128 (ARC16/0030-3) Refer to Item 4 for Disclosures of Interest

69/22

### RESOLVED

That Council:

- a. advise the Department of Planning and Environment to incorporate the proposed Farm Stay Accommodation and Farm Gate Premise Clauses (Clauses 5.23 and 5.24), into the *Armidale Dumaresq Local Environmental Plan 2012* and *Guyra Local Environmental Plan 2012*, and to permit 'Agritourism', 'Farm Experience' and 'Farm Gate Premises' in the zones that currently have some form of permissible 'Agriculture'.
- b. once the amendments to the LEP are made, deliver an industry promotion package to inform farmers of opportunities enabled by the new LEP including provision of planning concierge services to assist with any required development application processes within current resources.

Moved Cr Packham

Seconded Cr McMichael

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

## 9.3 Cash and Investment Report 28 February 2022 Ref: AINT/2022/09179 (ARC16/0001-7)

70/22

### RESOLVED

That Council note the Cash and Investment Report for February 2022.

Moved Cr McMichael

Seconded Cr Gaddes

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

## 9.4 2021-2022 Loan Approval

Ref: AINT/2022/09214 (ARC20/4311)

71/22

### RESOLVED

That Council:

- a. Authorise the General Manager on behalf of Armidale Regional Council to borrow from TCorp the sum of \$5,770,000 at a fixed interest rate for a period of twenty (20) years, these borrowings are to fund the contribution for the Puddledock Dam Raw Water Main & Pump Station.
- b. Authorise the Mayor and General Manager to sign loan documents and apply the Common Seal of Council to loan documents as necessary.

Moved Cr Gaddes

Seconded Cr Packham

DIVISION      *The result being:-*

FOR:              *Crs S Coupland, P Gaddes, J Galletly, S McMichael, S Mephram, D O'Brien, P Packham, T Redwood and D Robinson*

AGAINST:        *Crs M O'Connor and B Widders*



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

**9.5 Additional Special Variation 2022-2023**

*Ref: AINT/2022/10245 (ARC21/4910)*

72/22

**RESOLVED**

That Council endorse the preparation of an application for an Additional Special Variation for the 2022-2023 financial year to the maximum permissible level and on a permanent basis, with a view to resolve final approval at the Ordinary Council meeting 27 April 2022 (noting that the figure for the 'Additional Proposed Funding from ASV\*' in the Budget table should read 356,381 and not 356,831).

**Moved Cr Robinson**

**Seconded Cr O'Brien**

*DIVISION The result being:-*

*FOR: Crs S Coupland, P Gaddes, J Galletly, S McMichael, S Mepham, D O'Brien, P Packham, T Redwood, D Robinson and B Widders*

*AGAINST: Cr M O'Connor*

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

**9.6 Employment Zones Reform**

*Ref: AINT/2022/10547 (ARC16/0030-3)*

73/22

**RESOLVED**

That Council:

- a. Endorse the proposed *Armidale Dumaresq Local Environmental Plan 2012* and *Guyra Local Environmental Plan 2012* land use tables in Attachment 1 for inclusion in the Employment Zones Translation Detail, prepared by the Department of Planning and Environment.
- b. Delegate to the General Manager the authority to make any minor amendments to the Employment Zones Translation Detail required by the Department of Planning and Environment.

**Moved Cr McMichael**

**Seconded Cr Gaddes**

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

**10. ENVIRONMENT AND INFRASTRUCTURE**

**10.1 IWCM Strategy - Water Security Assessment and Options Evaluation Report**

*Ref: AINT/2022/10417 (ARC18/2622)*

**MOTION**

That Council:

- a. Note the report from NSW Public Works Advisory; Armidale Regional Council Water Security Assessment and Options Evaluation Report Final R2 – incorporating 2022 growth projection.
- b. Note that Council staff have lodged enquiries with Essential Energy regarding the acquisition of the Oaky River Dam as a potential Water Supply Option.
- c. Adopt the recommendation from Public Works Advisory and Council staff to proceed with the development of options one and two being;
  - i. Oaky River Dam 25ML/Day + 6.5metre raising of Malpas
  - ii. Styx River Dam 25ML/Day + 6.5metre raising of Malpas
- d. Note that, following adoption of recommended options, Council staff along with PWA will commence the preparation of a business case for this project including clarity on funding source, impact on financial and environmental sustainability, impact on operating costs and affordability (including willingness to pay) for residents and businesses, in conjunction with estimates of benefits and costs of additional water savings measures and the predicted savings in water consumption from the roll out of smart water meters and the reduction in consumption patterns since the drought, in accordance with the IWCM Strategy process.

Moved Cr Robinson

Seconded Cr O'Connor

#### **AMENDMENT**

**Moved Cr Packham**

**Seconded Cr McMichael**

That Council:

- a. Note the report from NSW Public Works Advisory; Armidale Regional Council Water Security Assessment and Options Evaluation Report Final R2 – incorporating 2022 growth projection.
- b. Note that Council staff have lodged enquiries with Essential Energy regarding the acquisition of the Oaky River Dam as a potential Water Supply Option.
- c. Adopt the recommendation from Public Works Advisory and Council staff to proceed with the development of options one and two being;
  - i. Oaky River Dam 25ML/Day + 6.5metre raising of Malpas
  - ii. Styx River Dam 25ML/Day + 6.5metre raising of Malpas
- d. Note that, following adoption of recommended options, Council staff along with PWA will commence the preparation of a business case.

*DIVISION      The result being:-*

*FOR:            Crs S Coupland, P Gaddes, J Galletly, S McMichael, S Mephram, D O'Brien, M O'Connor, P Packham, T Redwood and B Widders*

*AGAINST:      Cr D Robinson*

**The Amendment on being put to the vote was CARRIED.**

The Amendment became the Substantive Motion.

**RESOLVED**

That Council:

- a. Note the report from NSW Public Works Advisory; Armidale Regional Council Water Security Assessment and Options Evaluation Report Final R2 – incorporating 2022 growth projection.
- b. Note that Council staff have lodged enquiries with Essential Energy regarding the acquisition of the Oaky River Dam as a potential Water Supply Option.
- c. Adopt the recommendation from Public Works Advisory and Council staff to proceed with the development of options one and two being;
  - i. Oaky River Dam 25ML/Day + 6.5metre raising of Malpas
  - ii. Styx River Dam 25ML/Day + 6.5metre raising of Malpas
- d. Note that, following adoption of recommended options, Council staff along with PWA will commence the preparation of a business case.

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

**11. OUR PEOPLE AND COMMUNITY - NIL**

**12. COMMITTEE REPORTS**

**12.1 Traffic Advisory Committee - Minutes of the meeting held 1 March 2022**

*Ref: AINT/2022/09403 (ARC16/0168-7)*

75/22

**RESOLVED**

That:

- a) Council endorse the Traffic Advisory Committee's recommendation that the road closure requested for the annual ANZAC Day Dawn Service to occur on 25 April 2022 between 5.30 am and 7.00 am, in accordance with the provided traffic control plan.
- b) Council endorse the Traffic Advisory Committee's recommendation that the rolling road closures requested for the annual Anzac Day March to be held on 25 April 2022 between 10.00am and 12.30pm, in accordance with the provided traffic control plan.
- c) Council endorse the Traffic Advisory Committee's recommendation that the temporary road closures for the Armidale 2022 ANZAC Day March and Commemoration Service to occur on Sunday 25 April 2022, for Faulkner Street from Dumaresq Street to Beardy Street and the connecting intersections with East Mall and Rusden Street roundabout, be approved in accordance with the provided traffic control plan.
- d) Council endorse the Traffic Advisory Committee's resolution, that the approval for the Special Event Transport Management Plan for the 'Tour de Rocks' Thursday 7 April, for the occupation and usage of Armidale Regional Council Local Government Area (LGA) local roads only, pending approval for the use of local roads within the LGA of Kempsey Council, and of any regional classified roads from Transport NSW, and any further recommendations from NSW Police.
- e) Council endorse the Traffic Advisory Committee's resolution, that the approval for the

temporary closure of Dangar Street between Dumaresq and Kirkwood Streets, from 6am to 9am on Thursday the 7 April 2022.

- f) That Council note the Traffic Advisory Committee's recommendation that Council staff and Tour de Rocks organisers work together on the use of the Kempsey Road given the current road conditions and unpredictable weather.

AND

Note that subsequent to the meeting, the road is no longer suitable for the event and alternate routes have been investigated by staff, event organisers have ridden the suggested routes for suitability with the final advice being:

The 'Tour de Rocks' charity mountain bike ride will be commencing from the public park (Civic Park) in Dangar Street, Armidale Thursday, 7 April 2022. Day 1 starts at 6am at Civic Park and ends at Wollomombi, 36 km East of Armidale at 5pm. Day 2 of the ride commences at Wollomombi at 8am and ends at Guyra Showground, 85 km North West of Wollomombi at approximately 5pm. The final day of the ride commences at Guyra Showground at 6am and ends at Sport UNE, Armidale, 20 km South of Guyra at approximately 2pm.

- g) That Council endorse the Big Chill Festival which will occur the 14 and 15 May 2022.
- h) That Council endorse the Traffic Advisory Committee's resolution, that the road closures required for the 3 weekends of events for Faulkner Street, between Kirkwood and Dumaresq Street, in conjunction with the Big Chill Festival and, to allow the set up and removal of attractions, including Sunday 8 only, Thursday 12 to Sunday 15 and Thursday 19 – Monday 23 May 2022.
- i) Council endorse the Traffic Advisory Committee's resolution, that a temporary no parking zone to be used for 2 x designated Disability parking spots and a Drop off/ Collection Zone for Taxis and patrons in Dumaresq Street between Faulkner and Danger Street on Saturday 14 and Sunday 15 May in conjunction with the Big Chill Festival, be approved in accordance with the provided traffic control plan.
- j) Council endorse the Traffic Advisory Committee's resolution, to decline the request to install a pedestrian crossing at Butler Street between Rusden Street and Barney Street at this time, until after further investigation can occur and align with the Active Transport Plan.
- k) That the Council Note :
- i. The temporary partial closure of Uralla Road from 21 until 23 February 2022 from 7am to 6pm to enable the removal of high risk street trees. TfNSW approval has been provided with a Road Occupancy Licence (ROL).
  - ii. The tree removal work at Black Mountain which is scheduled to commence on 19 April 2022. TfNSW approval has been provided with a Road Occupancy Licence (ROL).

**Moved Cr McMichael**

**Seconded Cr Gaddes**

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

**14. QUESTIONS ON NOTICE - NIL**

There being no further business the Mayor declared the meeting closed at 5:30pm.