



ORDINARY MEETING OF COUNCIL

Held on

Wednesday, 24 July 2024
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), Ms Aimee Hutton (Acting Chief Officer Corporate and Community), Mr Daniel Boyce (Chief Officer Planning and Activation), Mr Darren Schaefer (Acting Chief Officer Assets and Services), Ms Ann Newsome (Chief Financial Officer), Mr Alex Manners (Project Director Kempsey Rd), Ms Stacey Drew (Senior Governance Officer) and Ms Melissa Houtl (Executive Officer).

MINUTES

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- 15.4 Fairview Estate Drainage 20
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(General Manager's Note: The report considers grant funding values 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).

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(General Manager's Note: The report considers the General Manager's Performance Review and is deemed confidential under Section 10A(2)(a) of the Local Government Act 1993, as it deals with personnel matters concerning a particular individual).

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

Name	Item	Nature of Interest	Reason/Intended Action
Clr Mepham	15.4	<input type="checkbox"/> Pecuniary <input checked="" type="checkbox"/> Non Pecuniary – Significant Conflict <input type="checkbox"/> Non Pecuniary – Non Significant Conflict	Reason: Related parties with respect to Fairview. Intended action: Leave the Chamber
Clr Packham	8.2	<input checked="" type="checkbox"/> Pecuniary <input type="checkbox"/> Non Pecuniary – Significant Conflict <input type="checkbox"/> Non Pecuniary – Non Significant Conflict	Reason: Casual supplier of goods to Council. Intended action: Leave the chamber
Cr Packham	9.3	<input type="checkbox"/> Pecuniary <input type="checkbox"/> Non Pecuniary – Significant Conflict <input checked="" type="checkbox"/> Non Pecuniary – Non Significant Conflict	Reason: Resident of Foothills and a proponent of re-opening Link Rd. Intended action: Remain in the Chamber
Cr Widders	15.12	<input type="checkbox"/> Pecuniary <input type="checkbox"/> Non Pecuniary – Significant Conflict <input checked="" type="checkbox"/> Non Pecuniary – Non Significant Conflict	Reason: Employee of Dept of Climate Change, Energy, the Environment and Water Intended action: Remain in the Chamber

5. CONFIRMATION OF MINUTES

5.1 Minutes of Previous Meeting held 26 June 2024 *Ref: AINT/2024/30931 (ARC16/0001-8)*

123/24

RESOLVED

That the Minutes of the Ordinary Council meeting held on 26 June 2024 be taken as read and accepted as a true record of the meeting.

Moved Cr McMichael

Seconded Cr Gaddes

DIVISION The result being:-

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

AGAINST: Nil

ABSTAINED Cr B Widders

The Mayor declared the Motion CARRIED.

6. MAYORAL MINUTE

Nil.

7. REPORTS - GENERAL MANAGER'S OFFICE

7.1 Delegations of the ceremonial and civic functions of the office of the Mayor and status of Advisory Committees

Ref: AINT/2024/27164 (ARC22/5482)

124/24

RESOLVED

That Council delegate to the General Manager Mr James Roncon the authority to carry out the civic and ceremonial functions of the Council/Mayoral office, between Election Day on 14 September 2024 and the holding of the Mayoral election planned for Wednesday 9 October 2024.

Moved Cr O'Brien

Seconded Cr Redwood

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

7.2 Changes to the Local Government Act 1993 (NSW) and impact on Senior Staff nominated positions

Ref: AINT/2024/30232 (ARC16/0001-8)

125/24

RESOLVED

That Council note the report outlining the changes to the *Local Government Act 1993 (NSW)* following the assent of the *Local Government Amendment (Employment Arrangements) Bill 2024* on 31 May 2024 which includes the following changes to the Act:

- The concept of 'senior staff' has been removed from the *Local Government Act 1993 (NSW)*.
- Councils can no longer determine positions within their organisation structure as 'senior staff' positions.
- The employment terms of Executive Team Members, excluding the general manager, will now be governed by the *Local Government (State) Award*.
- The general manager will make decisions regarding the employment of Executive Team Members without the council's governing body's involvement.

Moved Cr O'Connor

Seconded Cr Widders

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

7.3 Council Actions Report January 2022 - July 2024 *Ref: AINT/2024/30933 (ARC16/0001-8)*

126/24

RESOLVED

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

Moved Cr Gaddes

Seconded Cr McMichael

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

7.4 Local Government Election 2024 - Caretaker Period

Ref: AINT/2024/32177 (ARC16/0001-8)

127/24

RESOLVED

That Council;

- a. note the caretaker period from Friday, 16 August 2024 to Friday, 13 September 2024 (inclusive).
- b. note the requirement that all council-provided equipment, including computer devices be returned to the Executive Office by close of business (5pm) Thursday 15 August 2024.

Moved Cr Widders

Seconded Cr Redwood

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

7.5 New England Weeds Authority Update

Ref: AINT/2024/39982 (ARC16/0463-2)

128/24

RESOLVED

That Council:

- a) notes the attached report of 8 July 2024 from the New England Weeds Authority (NEWA) Interim Administrator Mr John Rayner
- b) confirms agreement that the New England Weeds Authority (NEWA) be dissolved, with a target date of November 2024
- c) authorises the General Manager to develop a working agreement and arrangement for future service delivery which includes consideration of a new entity via a Lead Council Model
- d) notes that an Interim Administrator's Report will be provided to the Minister for Local Government and a decision will be made about whether the Board will be suspended for a further three months from 17 August 2024; and
- e) supports the extension of the Interim Administrator for a further three months beyond 17 August 2024.

Moved Cr Galletly

Seconded Cr O'Connor

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

7.6 Social Media Policy

Ref: AINT/2024/30231 (ARC17/1938-2)

129/24

RESOLVED

That Council:

- a. That Council endorse the Draft Social Media Policy (attached) to be placed on public exhibition for a period of 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 the policy be adopted.

Moved Cr Redwood

Seconded Cr Galletly

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

8. REPORTS - FINANCE

8.1 Cash and Investment Report 30 June 2024

Ref: AINT/2024/30596 (ARC17/1711)

130/24

RESOLVED

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

Moved Cr Galletly

Seconded Cr Gaddes

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

Cr Paul Packham left the meeting, the time being 4:27 PM

8.2 Procurement Policy Renewal - ARC Sustainable Procurement and Contracts Policy

Ref: AINT/2024/35989 (ARC16/1041)

131/24

RESOLVED

That Council:

- a. Note the internal consultation comments
- b. Adopt the ARC Sustainable Procurement and Contracts Policy.

Moved Cr O'Brien

Seconded Cr Widders

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

Cr Paul Packham returned to the meeting, the time being 04:28 PM

9. REPORTS - PLANNING AND ACTIVATION

9.1 Commencement of process to formally name Guyra Memorial Park

Ref: AINT/2024/26036 (ARC21/4728)

132/24

RESOLVED

That Council:

- a. Endorse the request from the combined Guyra Clubs and Organisations to progress naming a section of land along Bradley Street/Lagoon Road to the south of Apex Park Guyra as 'Guyra Memorial Park'.
- b. Endorse the naming request for 'Guyra Memorial Park' for public exhibition for a period of not less than 28 days.
- c. Receive a further report once the submission period closes to consider any submissions received.

Moved Cr Mephram

Seconded Cr O'Connor

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

9.2 Finalisation of Planning Proposal No 24 for 90 Kurrawatha Ave

Ref: AINT/2024/39556 (ARC23/6428)

133/24

RESOLVED

That Council:

- a. Endorse the Planning Proposal to amend the current minimum lot size from 1 and 4 hectares to 4,000m² and 6,000m², on part of the land at 90 Kurrawatha Avenue, Armidale (Part Lot 200 DP 1277689).
- 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 McMichael

Seconded Cr Redwood

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

9.3 Reopening of Link Rd/New England Highway intersection

Ref: AINT/2024/39904 (ARC23/6411)

134/24

RESOLVED

That Council note the report and continue to investigate connection of the Northern Growth Area with the the New England Highway as part of the adopted strategic planning agenda.

Moved Cr O'Connor

Seconded Cr Packham

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

Cr Bradley Widders left the meeting, the time being 04:38 PM

Cr Bradley Widders returned to the meeting, the time being 04:39 PM

9.4 Planning Agreement for Oven Mountain Pumped Hydro Energy Storage

Ref: AINT/2024/39944 (ARC21/4935)

135/24

RESOLVED

That Council:

- a. accept an annual payment of \$600,000 (in 2023 dollars and adjusted annually for CPI) for the development's operational life from commencement of operation as the general terms of a proposed Planning Agreement received from the proponent of Oven Mountain Pumped Hydro Energy Storage.
- b. Delegate authority to the General Manager to negotiate and enter into a Heads of Agreement for proposed road upgrade works for the Project in the Kempsey-Armidale Road upgrade.

Moved Cr Robinson

Seconded Cr Redwood

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

10. REPORTS - CORPORATE AND COMMUNITY

10.1 2023-2024 Annual Report of the Audit, Risk and Improvement Committee

Ref: AINT/2024/23706 (ARC24/7459)

136/24

RESOLVED

That Council note the content of the ARIC Annual Report.

Moved Cr Gaddes

Seconded Cr Redwood

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

10.2 Public Exhibition of Draft Civic and Ceremonial Function and Representation Policy

Ref: AINT/2024/39851 (ARC21/4718)

137/24

RESOLVED

That Council:

- a. Endorse the draft Civic and Ceremonial Function and Representation Policy for public exhibition for a period not less than 28 days.
- b. Receive a further report at the conclusion of the exhibition period.

Moved Cr Widders

Seconded Cr O'Brien

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

Council has been adjourned for five minutes at 4:48pm.

Council recommenced at 4:54pm.

11. REPORTS - ASSETS AND SERVICES

11.1 Installation of Second Weighbridge - Tender Recommendation

Ref: AINT/2024/29592 (ARC24/6700)

138/24

RESOLVED

That Council:

- a. Accept the tender for \$257,271.35 (including GST) from JNC Group Indigenous Contractors Pty Ltd for the civil work required to install a second weighbridge at the Long Swamp Road Waste Management Facility.
- b. Endorse additional funding of \$220,806 to be made available from Council's Waste Reserve to support the contract and specified costs required to complete the weighbridge installation.

Moved Cr Redwood

Seconded Cr Galletly

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

11.2 Tender - Site Auditor Remediation Offsite Areas Former Armidale Gasworks

Ref: AINT/2024/30600 (ARC23/5759)

139/24

RESOLVED

That Council

- a. Endorse the award of RFT A2023/08 Site Auditor Remediation Offsite Areas Former Armidale Gasworks, to Geosyntec Consultants Pty Ltd, ABN 23154745525, schedule of rate engagement estimated value \$350,000, to start works in August 2024.
- b. Authorise the General Manager to approve variations to contract A2023/08 within the value of or his delegation and to authorise all documents related to the contract.

Moved Cr Galletly

Seconded Cr McMichael

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

11.3 Public Exhibition of Curtis Park Playground Expansion Concept Report

Ref: AINT/2024/34784 (ARC24/7033)

140/24

RESOLVED

That Council:

- a. Endorse the Curtis Park Playground Expansion Concept Report for public exhibition for a period of no less than 28 days.
- b. Delegate authority to the General Manager to make any minor amendments to the Curtis Park Playground Expansion Concept Report prior to public exhibition.
- c. Receive a further report once the submission period closes to consider any submissions received and revise the concept report.

Moved Cr Robinson

Seconded Cr Redwood

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

11.4 Kempsey Road Status Report - July 2024

Ref: AINT/2024/38977 (ARC20/3770)

141/24

RESOLVED

That Council note information within the Status Report – July 2024 regarding the Kempsey–Armidale Road Restoration Project.

Moved Cr Widders

Seconded Cr O'Brien

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

12. NOTICES OF MOTION

Nil.

13. COMMITTEE REPORTS

13.1 Traffic Advisory Committee - Minutes of the meeting held 2 July 2024

Ref: AINT/2024/31659 (ARC16/0168-9)

142/24

RESOLVED

That in relation to the Traffic Advisory Committee Meeting held 2 July 2024, that Council:

- a) Note the Minutes of the Traffic Advisory Committee meeting held on 2 July 2024
- b) Endorse the use of Council local roads and trails around Dumaresq Dam by the Armidale Athletics Club to conduct the annual Duval Dam Busters Trail Run 22 September 2024.
- c) Note the proposed rolling road closure route for the NAIDOC Street March at 10.30am on 12 July 2024, has been retracted until a more suitable date can be advised.
- d) Endorse rolling road closures associated with the Ulysses Rally Run from Bellevue Park at the University of New England to Rugby League Park in Dumaresq Street, Armidale on 29 March 2025.
- e) Endorse the road closure of Dangar St, Armidale between Dumaresq Street and Kirkwood Street for the purpose of holding the Spanner's Motor Show to beheld on Sunday 8 September 2024.
- f) Endorse the Special Event Transport Management Plan for the Armidale Light Festival 2024, and associate road closure of Tingcombe Lane Armidale.

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

14.1 Responses to Submissions on the Budget and Operational Plan

Ref: AINT/2024/39907 (ARC16/0025-7)

143/24

RESOLVED

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

Moved Cr Robinson

Seconded Cr McMichael

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

14.2 Code of Conduct Complaints

Ref: AINT/2024/39927 (ARC16/0025-7)

144/24

RESOLVED

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

Moved Cr Galletly

Seconded Cr McMichael

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

PROCEDURAL MOTION

145/24

RESOLVED

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

- 15.1 Confidential Tender Recommendation - Armidale Sportsground Carpark Upgrade. (AINT/2024/26979) - **(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).*
- 15.2 Tender Recommendation - Armidale Pedestrian and Bicycle Link Safety Lighting - Stage 2. (AINT/2024/26732) - **(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).*
- 15.3 Oaky Dam Hydro Electric Power Opportunity - Market Sounding. (AINT/2024/29962) - **(General Manager's Note:** *The report considered information pertaining to an Expression of Interest (EOI) 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 Fairview Estate Drainage. (AINT/2024/17243) - **(General Manager's Note:** *The report considers the provision of inter-allotment drainage to existing properties. and is deemed confidential under Section 10A(2)(g) of the Local Government Act 1993, as it deals with advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege).*
- 15.5 Tender Recommendation First Culvert Replacement, Herbert Park Road. (AINT/2024/29829) - **(General Manager's Note:** *The report considers the tender recommendation of First Culvert, Herbert Park Road 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).*
- 15.6 Tender Recommendation for the Design and Construction of Albion Park Suspension Bridge. (AINT/2024/34758) - **(General Manager's Note:** *The report considers the*

recommendation for the award of a tender for the design and construction of Albion Park Suspension Bridge and the commitment of additional funding for the project 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).

- 15.7 Tender Recommendation Kaurala and Two-Mile Waters Bridge Replacement. (AINT/2024/30598) - **(General Manager's Note:** *The report considers the tender recommendation for Kaurala and Two Mile Waters Bridge Replacements 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).*
- 15.8 Boundary Creek Bridge Replacement. (AINT/2024/30599) - **(General Manager's Note:** *The report considers the tender recommendation for Boundary Creek Bridge 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).*
- 15.9 Request for Tender – Plant Hire Services. (AINT/2024/34384) - **(General Manager's Note:** *The report considers commercial 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).*
- 15.10 Period Contract - Cleaning Services at Armidale Regional Airport. (AINT/2024/26824) - **(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).*
- 15.11 Replacement of Ozone Generators at Armidale Water Treatment Plant (WTP). (AINT/2024/30595) - **(General Manager's Note:** *The report contains financial 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).*
- 15.12 National Water Grid (NWG) Funding Application - Armidale Water Security Strategy- Detailed Business Case. (AINT/2024/34157) - **(General Manager's Note:** *The report considers a funding application 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).*
- 15.13 Quarry Supervisor - Variation of Contract. (AINT/2024/38388) - **(General Manager's Note:** *The report considers contractor charging rates 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).*
- 15.14 Kempsey Road Funding Application and Procurement Strategy. (AINT/2024/39852) -

(General Manager's Note: The report considers grant funding values 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).

15.15 Mayoral Minute: General Manager's Performance Review. (AINT/2024/39953) - ***(General Manager's Note: The report considers the General Manager's Performance Review and is deemed confidential under Section 10A(2)(a) of the Local Government Act 1993, as it deals with personnel matters concerning a particular individual).***

- 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'Connor Seconded Cr Robinson

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

Council entered Closed Session at 5:25pm.

Council returned to Open Session at 6:11pm.

RESUMPTION OF MEETING

146/24 **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 Redwood

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

15. CLOSED SESSION

15.1 Confidential Tender Recommendation - Armidale Sportsground Carpark Upgrade

Ref: AINT/2024/26979 (ARC22/5333)

147/24

RESOLVED

That Council:

- a. Accept the tender recommendations from NSW Public Works on awarding Brycon Pty Ltd for the Armidale Sportsground Carpark Upgrade which includes the lump sum tender amount.
- b. Delegate authority to the General Manager to approve expenditure up to the upper funding limit of \$430,000 available for the project from Councils Section 7.12 Developers Construction Fund (\$295,000) and the Local Roads and Community Infrastructure Program Phase 4 (\$135,000).
- c. Delegate authority to the General Manager to execute all documents in relation to the Contract.

Moved Cr Galletly

Seconded Cr McMichael

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

15.2 Tender Recommendation - Armidale Pedestrian and Bicycle Link Safety Lighting - Stage 2

Ref: AINT/2024/26732 (ARC23/6078)

148/24

RESOLVED

That Council:

- a. Accept the tender recommendations from NSW Public Works on awarding JLE Electrical the Armidale Pedestrian and Bicycle Link Safety Lighting – Stage 2 project tender submitted by Large Industries trading as JLE Electrical of \$480,082.68 ex GST
- b. Delegate authority to the General Manager to approve expenditure up to the upper funding limit of \$772,250.00 ex GST available for the project from Council General funds via the Stronger Country Communities Fund Round 5 grant.
- c. Delegate authority to the General Manager to execute all documents in relation to the Contract.

Moved Cr Robinson

Seconded Cr O'Brien

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

15.3 Oaky Dam Hydro Electric Power Opportunity - Market Sounding

Ref: AINT/2024/29962 (ARC24/6535)

149/24

RESOLVED

That Council:

1. Note the opportunity to leverage the Oaky River Dam asset by permitting a Hydro Electric Power Plant to be reinstated and/or constructed.
2. Note the potential benefits to Council and Community.
3. Note the Expression of Interest (EOI) process undertaken by Council officers to explore the potential for the site to date.
4. Commit to continuing to explore the Oaky River Dam opportunity with shortlisted proponents to the point of receiving further feasibility studies. Understanding that this commitment may require engagement of additional resources and expertise as covered in the Operational Budget.
5. Note that the budget allocated in the approved Operational Plan for Renewable Energy Production and Storage of \$590,000 will also be used to:
 - a. investigate supplementary Renewable Energy alternatives in line with the Renewable Energy Action Plan and Project Zero 30 goals.
 - b. pursue other energy optimisation and carbon abatement initiatives for Armidale Regional Council.

Moved Cr Robinson

Seconded Cr Redwood

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

Cr Steven Mepham left the meeting, the time being 05:43 PM

15.4 Fairview Estate Drainage

Ref: AINT/2024/17243 (ARC24/6574)

150/24

RESOLVED

That Council:

1. Note the detailed drainage design including easements to four properties in the Fairview Estate.
2. Note the potential for Reputational, Legislative and Economic risks.
3. Note the costs to the value of \$885,000 (excl GST), as approved in the 2024/25 operational plan and budget.
4. Endorse commencement of Community Consultation with affected residents.

Moved Cr McMichael

Seconded Cr O'Connor

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

Cr Steven Mepham returned to the meeting, the time being 05:45 PM

15.5 Tender Recommendation First Culvert Replacement, Herbert Park Road

Ref: AINT/2024/29829 (ARC24/7436)

151/24

RESOLVED

That Council:

- a. Endorse the award of RFT A2024/36 First Culvert Replacement, Herbert Park Road, to JNC Group Indigenous Contractors Pty Ltd, ABN 71648640886 for the lump sum price of \$360,475.58 (inc. GST), to start works in August 2024 with completion due by December 2024.
- b. Authorise the General Manager to approve variations to contract A2024/36 within the value of the funding grant and/or his delegation and to authorise all documents related to the contract.

Moved Cr Galletly

Seconded Cr Redwood

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

15.6 Tender Recommendation for the Design and Construction of Albion Park Suspension Bridge

Ref: AINT/2024/34758 (ARC24/7402)

152/24

RESOLVED

That Council:

- a. Endorse the award of RFT A2024/42 Design and Construction of Albion Park Suspension Bridge, to Cable Span Australia Pty Ltd ABN 246 506 214 17 for the lump sum contract price of \$768,110.20 (inc. GST), to start works in February 2025 with completion due in May 2025.
- b. Authorise the General Manager to approve variations to contract A2024/42 in accordance with his delegation within the value of the total project funding and/or his delegation and to authorise all documents related to the contract.
- c. Approve the expenditure of \$456,985 (excl GST) from the section 7.12 Developers Contribution Fund.

Moved Cr O'Connor

Seconded Cr Redwood

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 Mayor declared the Motion CARRIED.

15.7 Tender Recommendation Kaurala and Two-Mile Waters Bridge Replacement

Ref: AINT/2024/30598 (ARC24/7242)

153/24

RESOLVED

That Council:

- a. Endorse the award of RFT A2024/32 Kaurala and Two-Mile Waters Bridge Replacement, to Waeger Constructions Pty Ltd, ABN 13 110 364 737 for the lump sum price of \$2,723,050.00 (inc. GST), to start works in December 2024 with completion due by June 2025.
- b. Authorise the General Manager to approve variations to contract A2024/32 within the value of the funding grant and/or his delegation to authorise all documents related to the contract.

Moved Cr McMichael

Seconded Cr Redwood

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

15.8 Boundary Creek Bridge Replacement

Ref: AINT/2024/30599 (ARC24/7437)

152/24

RESOLVED

That Council:

- a. Endorse the award of RFT A2024/37 Boundary Creek Bridge Replacement, to Toisch Pty Ltd, ABN 623 995 764 for the lump sum price of \$1,283,945.30 (inc. GST), to start works in October 2024 with completion due by June 2025.
- b. Authorise the General Manager to approve variations to contract A2024/37 within the value of the funding grant and/or his delegation.

Moved Cr Redwood

Seconded Cr McMichael

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

15.9 Request for Tender – Plant Hire Services

Ref: AINT/2024/34384 (ARC16/0168-9)

153/24

RESOLVED

That Council:

- a. Appoint the tenderers listed in Table 1 to a prequalified panel for the provision of suitable Plant Hire equipment for a two-year term from 1 July 2024 until 30 June 2026.
- b. 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.

Moved Cr Galletly

Seconded Cr Redwood

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

15.10 Period Contract - Cleaning Services at Armidale Regional Airport

Ref: AINT/2024/26824 (ARC23/6268)

154/24

RESOLVED

That the tender submission by Bosa Facility Services provided superior value for money and was recommended for award.

That Council:

- a. Award the Request for Tender (RFT) A2023/52 -Contract for Cleaning Services for the Armidale Regional Airport to Bosa Facility Services as the tender which provided value for money and quality of service.
- b. Accept Bosa Facility Services submission of \$13,200.00 per month (\$156,400.00 annually), combined with added value obtained in establishment of local provision, inventory levels and service provision, provided quality service and proven value for money to Council.
- c. Awards this contract for a two-year period ending 30 June 2026, with an option to extend for a further two (2) x two (2) year periods at the sole discretion of Council.
- d. Accept a budget increase of \$16,400 for cleaning at the first quarterly budget review of the 2024/25 financial year.

Moved Cr Redwood

Seconded Cr McMichael

DIVISION The result being:-

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

AGAINST: Cr P Packham

The Mayor declared the Motion CARRIED.

15.11 Replacement of Ozone Generators at Armidale Water Treatment Plant (WTP)

Ref: AINT/2024/30595 (ARC16/1140)

155/24

RESOLVED

That Council;

- a) Approve the purchase of three new Ozone Generator Units to replace existing and install a redundancy as per Option 2 set out in this report.
- b) Approve the release of \$1,103,200 from the Water Reserve.
- c) Endorses the Procurement Strategy in regard to Xylem Water Solutions Australia be endorsed under Section 55 (3)(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.
- d) Delegate authority to the General Manager to approve expenditure for the project up to the upper limit of \$1,103,200.

Moved Cr Robinson

Seconded Cr O'Brien

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

15.12 National Water Grid (NWG) Funding Application - Armidale Water Security

Strategy-Detailed Business Case

Ref: AINT/2024/34157 (ARC23/6396)

156/24

RESOLVED

That Council

- a) Note the project proposal to co-fund the Armidale Water Security Strategy- Detailed Business Case in accordance with the program application submitted 20 June 2024. Assessment will be considered by the Department of Climate Change, Energy, the Environment and Water (DCCEEW) under the Australian Government's National Water Grid (NWG) Fund Stage 2.
- b) Approve the release of \$2,279,400 from the Water Reserve to co-fund the Armidale Water Security Strategy- Detailed Business Case project as per the application to DCCEEW if NWG funding is secured.
- c) Delegate authority to the General Manager to approve expenditure for the project up to the upper limit of \$4,558,800.
- d) Delegate authority to the General Manager to execute all documents in relation to the project and funding agreement.

Moved Cr Gaddes

Seconded Cr Widders

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 Mayor declared the Motion CARRIED.

15.13 Quarry Supervisor - Variation of Contract

Ref: AINT/2024/38388 (ARC22/5346)

157/24

RESOLVED

That Council:

- a) Extend the temporary services of Armidale Regional Councils incumbent Quarry Supervisor, Adrian Short, for a 12-month period ending 30 June 2025 until permanent recruitment can be made.
- b) Delegate authority to the General Manager to execute all documents in relation to expenditure to the upper limit of their delegation within the allocated transport budget.

Moved Cr McMichael

Seconded Cr Redwood

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

15.14 Kempsey Road Funding Application and Procurement Strategy

Ref: AINT/2024/39852 (ARC23/6208)

158/24

RESOLVED

That Council:

- a. Note the proposed procurement strategy for the engagement of contractors to deliver road restoration works;
- b. Provide delegation to the General Manager to conduct a procurement process in compliance with the *Local Government Act (1993)* pending security of funds under the Disaster Recovery Funding Arrangements;
- c. Note the report regarding the funding arrangements; and
- d. Provide delegation to the general manager to enter into tripartite agreement between transport for New South Wales the New South Wales Reconstruction Authority and execute all documentation in relation to the deed.

Moved Cr Redwood

Seconded Cr Galletly

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

The General Manager and Executive Leadership team left the meeting at 6:00pm

15.15 Mayoral Minute: General Manager's Performance Review Ref: AINT/2024/39953 (RON.J)

159/24

RESOLVED

That Council:

- a. Note and endorse the Review Panels assessment of the General Managers 2023-24 Annual Performance Review as 'Outstanding' with an overall average rating of 9.08 out of 10, noting that 12 of 16 KPI's were assessed as a 'Outstanding (rating of 9-10)' and 4 of 16 KPI's were assessed as 'Exceeds Expectations (rating of 7-8)'.
- b. That the GM's remuneration increase by \$13,500 effective 1 July 2024
- c. Early in the new council term following the September 2024 elections, the Council set the GM's performance criteria for the 2024/25 financial year.

Moved Cr Coupland

Seconded Cr Redwood

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 D Robinson

AGAINST: Cr B Widders

The Mayor declared the Motion CARRIED.

The General Manager and Executive Leadership team returned to the meeting at 6:11pm.

There being no further business the Mayor declared the meeting closed at 6:25pm.