



ORDINARY MEETING OF COUNCIL

Held on

Wednesday, 27 March 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 and Councillor Dorothy Robinson.

IN ATTENDANCE: Mr James Roncon (General Manager), Mr Darren Schaefer (Acting Chief Officer Assets and Service), Mr Daniel Boyce (Chief Officer Planning and Activation), Aimee Hutton (Acting Chief Officer Corporate and Community), Mr Alex Manners (Acting Project Director), Ms Ann Newsome (Chief Financial Officer) and Michaela Giandomenico (Corporate Planning Officer).

MINUTES

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	<i>(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;</i>	

or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret).

- 2.2 Engagement of The Stable Pty Ltd for Water Security Funding Strategy and Business Cases9

(General Manager's Note: The report contains 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).

- 1. CIVIC AFFIRMATION AND ACKNOWLEDGEMENT OF COUNTRY**
Cr O'Brien delivered the Civic Affirmation and Cr McMichael 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**
Mayor stated that Cr Widders had advised that he will not be in attendance.

- 4. DISCLOSURES OF INTEREST**

Name	Item	Nature of Interest	Reason/Intended Action
Clr Packham		<input type="checkbox"/> Pecuniary <input type="checkbox"/> Non Pecuniary – Significant Conflict <input checked="" type="checkbox"/> Non Pecuniary – Non Significant Conflict	Reason: The subject builder of the NEWA facility requiring a bank guarantee is a Director of a Pty Ltd company which is a landlord of commercial operations that I have a beneficial interest in. Intended action: Remain in the Chamber

5. CONFIRMATION OF MINUTES

5.1 Minutes of Previous Meeting held 28 February 2024

Ref: AINT/2024/05071 (ARC16/0001-8)

43/24

RESOLVED

That the Minutes of the Ordinary Council meeting held on 28 February 2024 be taken as read and accepted as a true record of the meeting.

Moved Cr McMichael

Seconded Cr Mepham

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

5.2 Minutes of Previous Extraordinary Meeting held 18 March 2024

Ref: AINT/2024/05414 (ARC18/2692-5)

44/24

RESOLVED

That the Minutes of the Extraordinary Council meeting held on 18 March 2024 be taken as read and accepted as a true record of the Meeting.

Moved Cr McMichael Seconded Cr Mepham

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

6. MAYORAL MINUTE

Item was deferred to later in the meeting. Can be found under item 13.2

7. REPORTS - GENERAL MANAGER'S OFFICE

7.1 Council Actions Report January 2022 - March 2024 *Ref: AINT/2024/05274 (ARC16/0001-8)*

45/24

RESOLVED

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

Moved Cr Robinson Seconded Cr Redwood

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

8. REPORTS - FINANCE

8.1 Cash and Investment Report 29 February 2024 *Ref: AINT/2024/04300 (ARC17/1711)*

46/24

RESOLVED

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

Moved Cr Gaddes Seconded Cr Redwood

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

9. REPORTS - PLANNING AND ACTIVATION

Nil

10. REPORTS - CORPORATE AND COMMUNITY

Nil

11. REPORTS - ASSETS AND SERVICES

Nil

12. NOTICES OF MOTION

Nil

13. COMMITTEE REPORTS

13.1 Sports Council Committee - Minutes of the meeting held 6 February 2024

Ref: AINT/2024/03212 (ARC16/0330-2)

47/24

RESOLVED

That Council:

- a. Note the Minutes of the Sports Council Committee meeting held on 6 February 2024.
- b. Endorse the committee's decision to add undercover seating to the medium project section of the Sports Development Priority list.
- c. Note the changes to the Sports Council Priority List.

Moved Cr Galletly

Seconded Cr McMichael

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

13.2 Mayoral Minute: Security Guarantee for New England Weeds Authority Loan

Ref: AINT/2024/10483 (ARC16/0025-7)

48/24

RESOLVED

That Armidale Regional Council increase its loan guarantee amount to \$382,275.00 in support of the NEWA loan funding request following the decision by Walcha council to conditionally support the NEWA request. Should these conditions be met and the guarantee from Walcha be forthcoming then Armidale Regional Council will reduce its loan guarantee to the original \$316,828.00.

Moved Cr Coupland

Seconded Cr O'Connor

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

14. QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN

Nil.

PROCEDURAL MOTION

49/24

RESOLVED

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

- 1.1 Tender Award - RFT A2023/41 - Supply of Bulk Materials to Armidale Regional Council for a two year period with option - Panel Arrangement. (AINT/2023/28731) - (***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.***)
 - 2.2 Engagement of The Stable Pty Ltd for Water Security Funding Strategy and Business Cases. (AINT/2024/02235) - (***General Manager's Note: The report contains 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.***)
- 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 O'Connor

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

Council entered Closed Session at 4:12pm.

Council returned to Open Session at 4:20pm.

RESUMPTION OF MEETING

50/24

RESOLVED

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

Moved Cr O'Connor

Seconded Cr Robinson

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

15. CLOSED SESSION

1.1 Tender Award - RFT A2023/41 - Supply of Bulk Materials to Armidale Regional Council for a two year period with option - Panel Arrangement

Ref: AINT/2023/28731 (ARC23/6165)

51/24

RESOLVED

That Council:

- a. Endorse the award of RFT A2023/41 – Supply of Bulk Materials to Armidale Regional Council panel tender for a two-year period until 31 March 2026 to:
 1. Karmitch Pty Ltd, T/A Terry Rhodes Earthmoving;
 2. HQG Pty Ltd Trading as Highland Quarries;
 3. Sheridan’s Hard Rock Quarry Pty Ltd;
 4. Metz Quarry, Trading as Rusty Civil and Earthworks;
 5. Ducats Earthmoving Pty Ltd;
 6. Brooklyn Quarry Pty Ltd; and
 7. Regional Quarries Australia Pty Ltd.
- b. Provide delegation to the General Manager to extend the engagements for a further twelve months to 31 March 2027 subject to the performance and satisfaction of the suppliers;
- c. Endorses the procurement strategy under *Section 55 (3)(c) of the Local Government Act (1993)* “a contract entered into by a council with another Council” to allow the General Manager to enter into an agreement with Glen Innes Severn Shire Council for the supply of Quarry Products; and
- d. Provide delegation to the General Manager to execute tender documentation to successful suppliers provided by this panel arrangement to the allowable budget.

Moved Cr Redwood

Seconded Cr O'Connor

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

2.2 Engagement of The Stable Pty Ltd for Water Security Funding Strategy and Business Cases

Ref: AINT/2024/02235 (ARC18/2622)

52/24

RESOLVED

That Council

- a. Endorse the continued engagement of The Stable Pty Ltd to deliver a Regional Water Security Funding Strategy and Business cases;
- b. Endorse an exemption to undertake public tender under Section 55(3)(i) of the *Local Government Act 1993* (the Act) due to extenuating circumstances, the contractor is currently engaged and has partially delivered the scope, a satisfactory result would not be achieved by inviting tenders;
- c. Delegate authority to the General Manager to approve expenditure to the upper limit of available funding for the works; and
- d. Delegate authority to the General Manager to execute all documentation in relation to the contract.

Moved Cr McMichael

Seconded Cr Gaddes

DIVISION The result being:-

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

AGAINST: Crs M O'Connor and D Robinson

The Mayor declared the Motion CARRIED.

There being no further business the Mayor declared the meeting closed at 4:23pm.