



BUSINESS PAPER

ORDINARY MEETING OF COUNCIL

To be held on

Wednesday, 27 November 2024
4:00 PM

at

Armidale Council Chambers

Members

Councillor Sam Coupland
Councillor Kay Endres
Councillor Paul Gaddes
Councillor Eli Imad
Councillor Susan McMichael
Councillor Todd Redwood
Councillor Dorothy Robinson
Councillor Rob Taber
Councillor Bradley Widders

AGENDA

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16	Close of Ordinary Meeting	

Item:	5.1	Ref: AINT/2024/56024
Title:	Minutes of Previous Meeting held 23 October 2024	Container:
	ARC16/0001-9	
Responsible Officer	General Manager	
Author:	Melissa Hoult, Executive Officer	
Attachments:	1. Draft OCM Minutes - 23 October 2024	

RECOMMENDATION:

That the Minutes of the Ordinary Council meeting held on 23 October 2024 be taken as read and accepted as a true record of the meeting.

Item:	6.1	Ref: AINT/2024/56100
Title:	Mayoral Minute - Amendment to December 2024 Ordinary Council Meeting Date	Container: ARC16/0025-7
Responsible Officer	General Manager	
Author:	Sam Coupland, Mayor	
Attachments:	Nil	

1. Purpose

The purpose of this Mayoral Minute is to recommend the December 2024 Ordinary Council meeting be brought forward to 11 December 2024 instead of the resolved 18 December 2024 meeting date.

2. MAYOR'S RECOMMENDATION:

That the December 2024 Ordinary Council Meeting date be amended from 18 December 2024 to 11 December 2024.

Background

Council's Code of Meeting Practice requires Council, by resolution, to set the frequency, time, date and place of its Ordinary Meetings.

Under section 365 of the *Local Government Act 1993*, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.

On 9 October 2024 Council resolved (168/24) the following meeting schedule for the 2024/25 financial year:

- Wednesday 23 October 2024
- Wednesday 27 November 2024
- Wednesday 18 December 2024
- Wednesday 26 February 2025
- Wednesday 26 March 2025
- Wednesday 23 April 2025
- Wednesday 28 May 2025
- Wednesday 25 June 2025.

In recognition of the upcoming Christmas break as well as allowing staff to finalise actions after the December meeting, it is proposed that the December 2024 meeting be held on Wednesday 11 December 2024, rather than the adopted date of Wednesday 18 December 2024.

Item:	7.1	Ref: AINT/2024/56180
Title:	Ethical Decision Making and Conflicts of Interest	Container:
	ARC16/0001-9	
Responsible Officer	General Manager	
Author:	Melissa Hoult, Executive Officer	
Attachments:	Nil	

1. Purpose

The purpose of this report is to guide Councillors in making ethical decisions and managing conflicts of interest in line with the *Local Government Act 1993*. It aims to maintain transparency, integrity and public trust in council operations by outlining their responsibilities and the process for declaring interests.

This report will be a standing item presented to each meeting as a reminder around conflicts of interest and the basis for declarations.

2. OFFICERS' RECOMMENDATION:

That Council note the report.

3. Background

This report outlines the ethical obligations for Councillors, reminding them of the Oath or Affirmation taken under the *Local Government Act 1993* when elected. It emphasises the importance of making ethical decisions by considering legality, consistency with policies, and potential conflicts of interest. This report also discusses two types of conflicts – pecuniary and non-pecuniary – and the steps to identify and disclose them to ensure transparency and integrity in council meetings. Councillors are advised to declare any interests at the earliest opportunity, with forms available for such disclosures. This helps maintain public trust and the integrity of their roles.

4. Discussion

Oath or Affirmation of Office

Councillors are reminded of the Oath or Affirmation taken of office, made under section 233A of the *Local Government Act 1993* when elected.

Ethical decision making

- Is the decision or conduct legal?
- Is it consistent with Government policy, Council's objectives and Code of Conduct?
- What will the outcome be for you, your colleagues, the Council, anyone else?
- Does it raise a conflict of interest?
- Do you stand to gain personally at public expense?
- Can the decision be justified in terms of public interest?
- Would it withstand public scrutiny?

Conflict of interest

A conflict of interest is a clash between private interest and public duty. There are two types of conflict:

- **Pecuniary** – regulated by the *Local Government Act 1993* and Office of Local Government
- **Non-pecuniary** – regulated by Codes of Conduct and policy. ICAC, Ombudsman, Office of Local Government (advice only). If declaring a Non-Pecuniary Conflict of Interest, Councillors can choose to either disclose and vote, disclose and not vote or leave the Chamber.

The test for conflict of interest

- Is it likely I could be influenced by personal interest in carrying out my public duty?
- Would a fair and reasonable person believe I could be so influenced?
- Conflict of interest is closely tied to the layperson's definition of 'corruption' – using public office for private gain.
- Important to consider public perceptions of whether you have a conflict of interest.

Identifying problems

1st Do I have private interests affected by a matter I am officially involved in?

2nd Is my official role one of influence or perceived influence over the matter?

3rd Do my private interests' conflict with my official role?

Local Government Act 1993 and Model Code of Conduct

For more detailed definitions refer to the Local Government Act 1993, Chapter 14 Honesty and Disclosure of Interest and Model Code of Conduct.

Disclosure of pecuniary interests / non-pecuniary interests

Under the provisions of Section 440AAA(3) of the Local Government Act 1993 (pecuniary interests) and the Model Code of Conduct it is necessary for you to disclose the nature of the interest when making a disclosure of a pecuniary interest or a non-pecuniary conflict of interest at a meeting.

A Declaration form should be completed and handed to the General Manager as soon as practicable once the interest is identified. Declarations are made at Item 3 of the Agenda: Declarations - Pecuniary, Non-Pecuniary and Political Donation Disclosures, and prior to each Item being discussed: The Declaration Form can be downloaded at [Disclosures and Declarations of Interest at Meetings](#).

Item:	7.2	Ref: AINT/2024/51184
Title:	Appointment of Councillor representatives to Council Committees and Panels	Container: ARC16/0001-9
Responsible Officer	General Manager	
Author:	Melissa Hoult, Executive Officer	
Attachments:	Nil	

1. Purpose

The purpose of this report is to formally appoint councillor representatives to committees/panels.

2. OFFICERS' RECOMMENDATION:

That Council:

- a. formalise the appointment of Councillor representatives to committees/panels as follows:
 - i. Aboriginal Advisory Committee – Cr Widders
 - ii. Access Advisory Committee – Cr Robinson
 - iii. Local Bushfire Management Committee – Cr Taber
 - iv. Armidale Regional Sports Council (Advisory) – Cr Endres
 - v. Local Area Traffic Committee – Cr McMichael
 - vi. NSW Public Library Association Zone – Cr McMichael
 - vii. Project Zero30 – Cr Redwood
- b. And that as other opportunities or invitations to committees present, the Mayor determine representation and report back to Council at the next available opportunity.

3. Background

The appointment of councillor representatives to various committees is a crucial aspect of ensuring effective governance and community representation. These appointments facilitate the involvement of councillors in specialised areas, allowing for informed decision-making and enhanced oversight.

4. Discussion

Council is involved in a range of committees, statutory or otherwise, which requires the representation of councillors.

The selection process for appointing councillor representatives involves evaluating the skills, interests, and expertise of councillors to match them with appropriate committees. This process aims to optimise the contributions of councillors and ensure that committees benefit from diverse perspectives and knowledge.

Committees are often used by Council to obtain expert advice on complex matters. Advisory committees are a structured way for individual citizens to share their opinions and perspectives, study issues, and develop recommendations in a focused, small group structure. An Advisory Committee does not require a delegation and has no decision-making powers; it is advisory only.

It should be noted that Advisory committees of Council fulfil a separate and distinct function from the Key Pillar Working Groups (KPWG's) and Statutory Committees such as the Audit, Risk and Improvement Committee and the Traffic Committee.

Committees will adhere to and operate in accordance with their relevant terms of reference (TOR).

5. Implications

5.1. Strategic and Policy Implications

Ultimately the key objective of committees is to ensure improved alignment and outcomes with the objectives of the Community Plan.

5.2. Risk

Council must comply with its responsibilities to engage with the local community under the *Local Government Act 1993*. Committee representation should be compliant with the Act.

5.3. Sustainability

Committees assist Council in meeting its sustainability objectives by:

- Promoting more efficient and improved service delivery through collaboration and inclusive participation.

5.4. Financial

Aside from Sports Council, the committees do not have operating budgets.

Budget Area:	Nil						
Funding Source:	Nil						
Budget Ref: (PN)	Description	Approved Budget	Actual	Committed	Proposed	Total Forecast Expenditure	Remaining Budget
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

6. Consultation and Communication

The appointment process includes consultation with councillors to ensure that appointments are made transparently and inclusively.

7. Conclusion

Appointing councillor representatives to committees is essential for effective governance and community representation. By carefully matching councillors' skills and interests with committee needs, the council can enhance its decision-making processes and better serve the community.

It is recommended that Council formalise the appointment of Councillor representatives to the various Committees/Panels.

Item:	7.3	Ref: AINT/2024/58759
Title:	Reintroduction of 'Community Plan - Key Pillar Working Groups'	Container: ARC16/0001-9
Author:	James Roncon, General Manager	
Attachments:	Nil	

1. Purpose

This report proposes an alternative structure to Council Committees with the reintroduction of 'Community Plan - Key Pillar Working Groups' (KPWGs). KPWGs will encourage Councillor participation and will have capacity to include community groups, aiming to enhance community engagement and involvement in decision-making, while influencing policy direction in a more relaxed environment.

2. OFFICERS' RECOMMENDATION:

That Council;

- a. Set a date for the first 'Community Plan Roundtable' to establish a direction for the Key Pillar Working Groups that is consistent with the Community Plan. Invitations will be extended to other community groups to join the Roundtable process.
- b. That the 'Community Plan Roundtable' meets quarterly, serving as the reporting line for the Key Pillar Working Groups.
- c. That the General Manager forms the Key Pillar Working Groups as optional for Councillors to lead and participate in.
- d. The Mayor liaises with individual Councillors to determine their interest in KPWG membership, with a report to be presented at the February 2025 Ordinary Meeting of Council.

3. Background

During the previous term of Council, Key Pillar Working Groups were established with Councillors assigned to the following groups;

- Growing Region KPWG
- Connected Region KPWG
- Future Region KPWG
- Liveable Region KPWG
- Enriched Region KPWG
- Strong Region KPWG

These groups were formed to include both Councillors and community groups, aiming to enhance community engagement and involvement in decision-making. This approach allowed for an informal setting to influence policy direction.

A quarterly report was presented to Council to update Councillors on the progress of each KPWG.

4. Discussion

Section 355(b) of the *Local Government Act 1993* allows Councils to establish Committees. These committees must adhere to the same rules and provisions as the Council, including the code of conduct and meeting practices. The KPWG model enhances community outcomes by:

1. Improving the former committee structure.
2. Establishing a Community Roundtable chaired by the Mayor, with representation from KPWGs and other stakeholder groups.
3. Aligning KPWG terms of reference with Community Plan objectives (CP).
4. Appointing two Councillors, one Executive Leadership Team (ELT) member, and administrative support to each KPWG.
5. Sharing workloads among Council members and staff at the KPWG level.
6. Engaging with interested community groups and drawing in required expertise.
7. Bringing in subject matter experts as needed.
8. Providing a “Board” like feel to Council, focusing on stakeholder objectives.
9. Enhancing relationships with the community.
10. Including additional interest groups, such as a Youth Council, in the Community Roundtable.
11. Focusing on one CP objective per quarter and engaging interest groups/community on the issue.
12. Holding one or two meetings per quarter plus a community engagement session.
13. Having each KPWG Chair represent their group at the Community Roundtable.
14. Involving Councillors and staff in policy development from the grassroots level.
15. Sharing KPWG workloads among all members as per the terms of reference.

This approach requires goodwill and time but is designed to be agile and allow participants to bring their own style to the working group level without formal meeting protocols. Formalities and protocols will resume at the Roundtable and Council levels.

5. Implications

5.1. Strategic and Policy Implications

KPWG’s will enhance Council’s engagement with the ARC community and will address the Community Plan objectives more effectively.

5.2. Risk

Council must comply with its responsibilities to engage with the local community under the *Local Government Act 1993*. Reinstating the KPWG model will ensure ongoing compliance.

5.3. Sustainability

The KPWG model enhances environmental, social, and economic sustainability by engaging and partnering with the local community in developing and implementing new initiatives.

5.4. Financial

Effective engagement requires adequate resourcing. Current resources are sufficient to support the planning and re-launch of the KPWGs in this new council term.

6. Consultation and Communication

The engagement model for this project is outlined above.

7. Conclusion

KPWG's offers to restore a model of engagement that is aimed at building a genuine and productive partnership with the local community. It is recommended that the KPWG's be re-established through to September 2026.

Item:	7.4	Ref: AINT/2024/56101
Title:	Council Actions Report October 2024 - November 2024	Container: ARC16/0001-9
Responsible Officer	General Manager	
Author:	Melissa Hoult, Executive Officer	
Attachments:	1. 20 Nov 2024 Actions Report	

1. Purpose

The purpose of this report is to inform Councillors on the work carried out by Council Officers to implement Council resolutions.

2. OFFICERS' RECOMMENDATION:

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

3. Background

This is a standard monthly report.

4. Discussion

The resolutions outlined in the attachment have been previously adopted by Council. This report is designed to track progress on implementation from October 2024. Actions marked complete will be reported to Council once and then removed from subsequent reports.

5. Implications

5.1. Strategic and Policy Implications

The strategic and policy impacts of each of the resolutions are varied and were outlined in the original reports to Council.

5.2. Risk

The risks of each of the resolutions are varied and were outlined in the original reports to Council.

5.3. Sustainability

The sustainability impacts of each of the resolutions are varied and were outlined in the original reports to Council.

5.4. Financial

The financial impacts of each of the resolutions are varied and were outlined in the original reports to Council.

6. Consultation and Communication

This report informs Councillors and the community and increases transparency.

7. Conclusion

The information is for noting only.

Item: 8.1 **Ref:** AINT/2024/57040
Title: Cash and Investment Report 31 October 2024 **Container:** ARC17/1711
Author: Ann Newsome, Chief Financial Officer
Attachments: Nil

1. Purpose

Regulation 212 of the NSW *Local Government (General) Regulations 2021* requires the responsible accounting officer of a council to provide the Council with a written report, setting out details of all money that the council has invested under section 625 of the Act, to be presented each month and must include in the report, a certificate as to whether or not the investment has been made in accordance with the Act, the Regulations and the Council's investment policies.

This Cash and Investment report provides details of cash and investments held by Council for the month to 31 October 2024, and certifies compliance with Council's Investment Policy and the *Local Government Act 1993* and Regulations.

2. OFFICERS' RECOMMENDATION:

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

3. Background

As at the date of the report, Council held \$132,118,281 in investments and \$11,426,125 in cash, giving a combined total of \$143,544,406.

Discussion

Cash & Investment Balances	Oct-24	Sept-24	Movement
<u>Cash at Bank</u>			
NAB General Account	-	-	-
NAB Cash At Call	9,969,769	5,848,650	4,121,119
AMP Saver Account	20,346	20,295	52
NAB Trust Fund	1,436,009	1,430,603	5,407
Total Cash	11,426,125	7,299,548	4,126,578
<u>Investments</u>			
NSW Treasury Corp (T-Corp) Investment Management (IM) Fund	11,088,281	11,032,282	59,759
Term Deposits	127,030,000	128,030,000	(7,000,000)
Total Investments	132,118,281	139,062,282	(6,940,241)
Total Cash & Investments	143,544,406	146,361,830	(2,813,663)

Summary of term deposit movements:

<u>Investments Redeemed</u>		<u>Investments Rolled</u>		<u>Investment New</u>	
Institution	Amount \$	Institution	Amount \$	Institution	Amount \$
NAB	\$7,000,000				
Total	\$7,000,000	Total		Total	

Funds from term deposit maturities are held in the NAB Cash at Call account and pending cashflow requirements, are invested in further term deposit investments. New investments and maturities during the month are detailed above.

Market expectations of future RBA rate rises appeared to have steadied, with a market expectation of a reduction in rates towards the end of the calendar year.

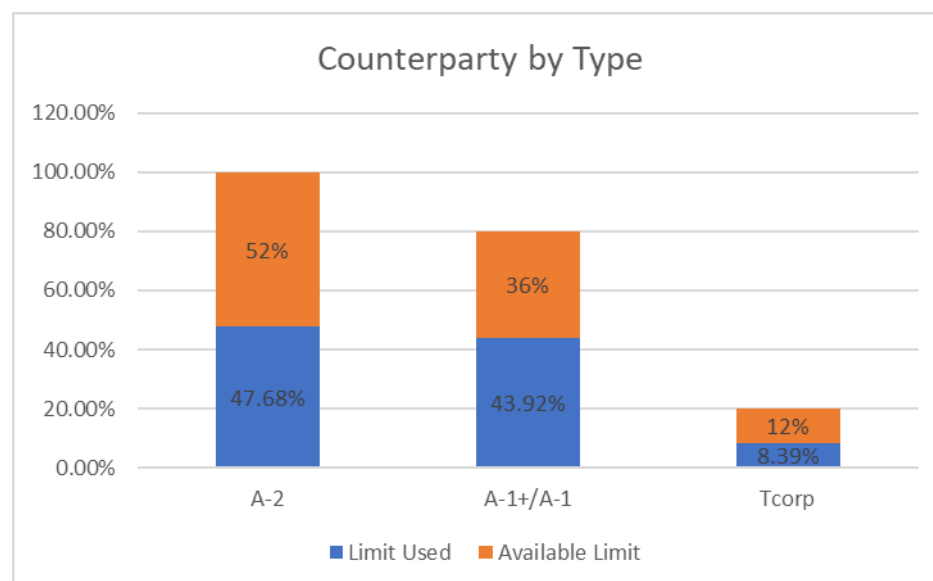
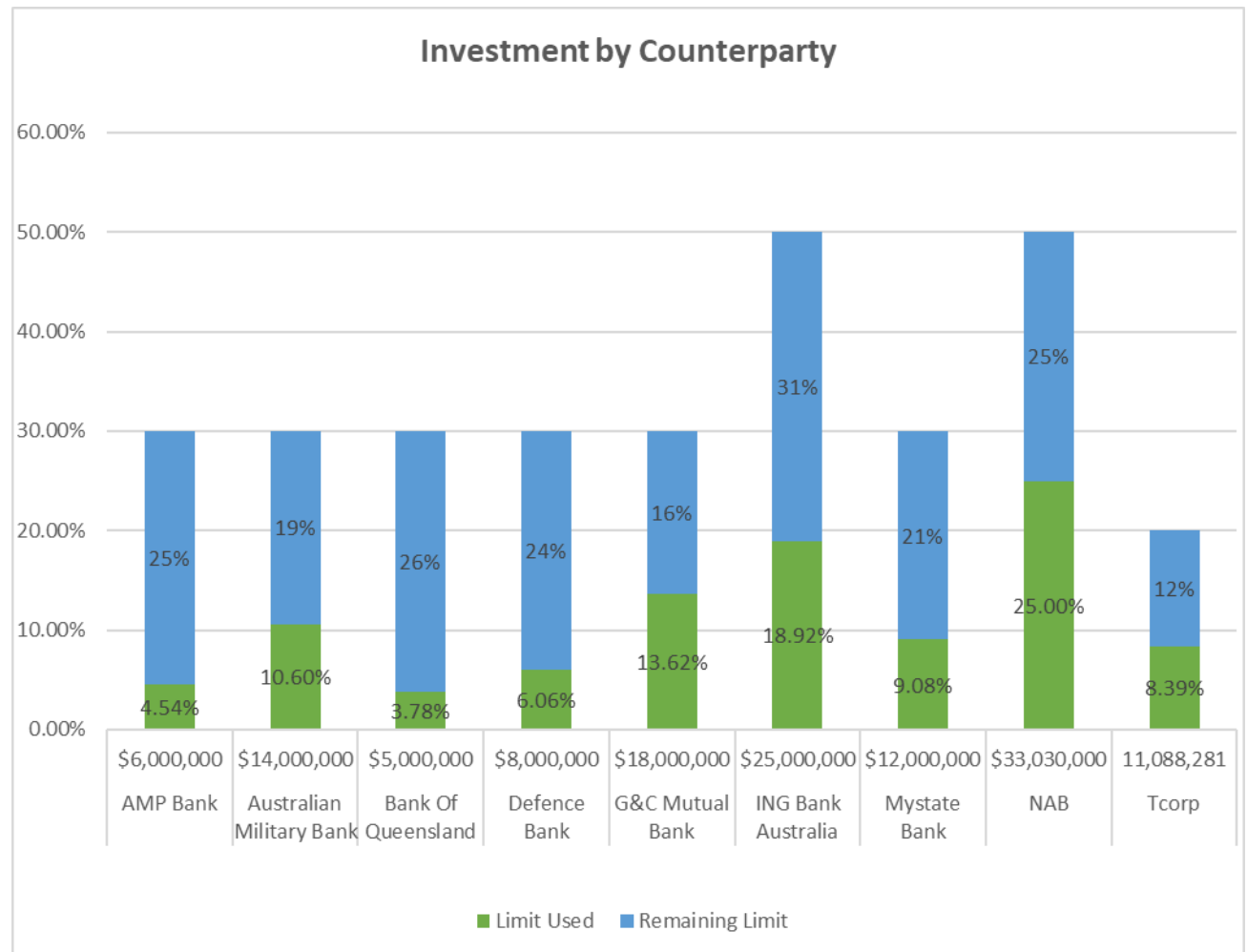
Council continues to monitor investment markets and continues to take a conservative position holding cash reserves, along with reviewing longer term investment options to take advantage of higher returns.

Investment Revenue Earned

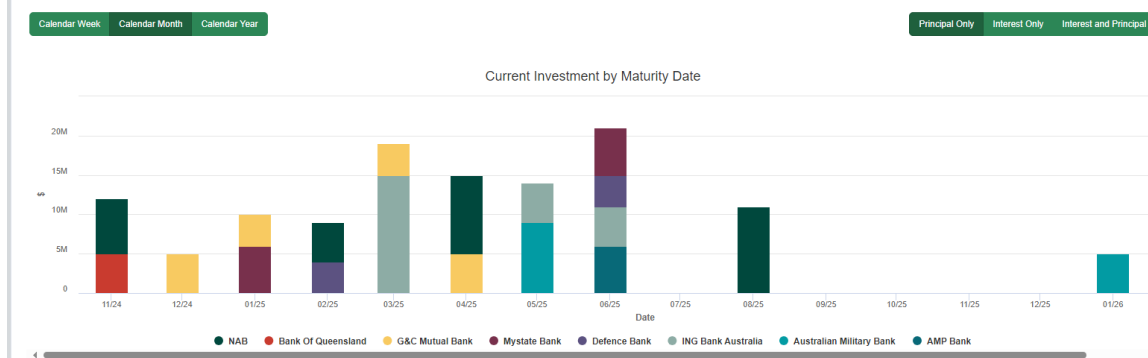
	Oct-24	Sept-24	Movement
Interest Received – Bank Accounts			
NAB General Account	717	26	690
NAB Cash At Call	12,241	26,371	(14,130)
AMP Saver Account	52	57	(4)
NAB Trust Fund	5,407	5,386	20
Interest Received on Bank Accounts	18,417	31,841	(13,424)
Interest Received - Investments			
NSW Treasury Corp (T-Corp) Investment Management (IM) Fund	59,777	95,737	(35,960)
Term Deposits	237,786	162,206	75,526
Interest Received - Investments	297,563	257,997	39,566
Total Interest Received	315,980	289,837	26,142

Note 1: Council holds an investment in the NSW T-Corp IM Fund – Short Term Income Fund.

Investments are diversified across a range of institutions, with funds invested to ensure the portfolio is aligned with the Investment Policy.



Holdings

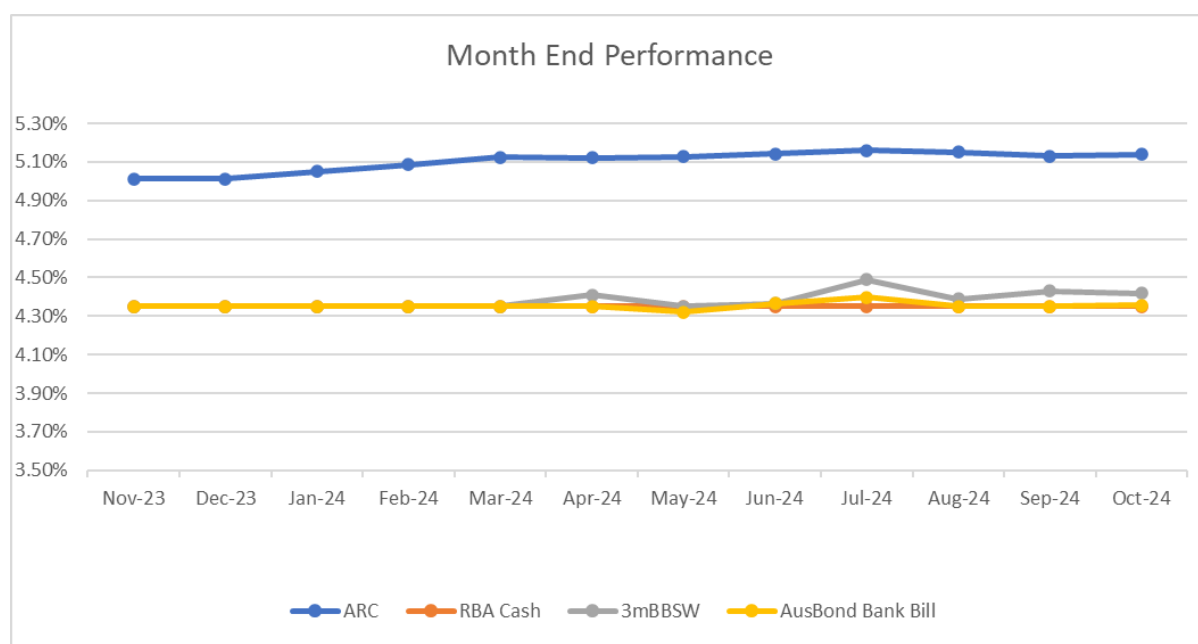


Certification:

I, Ann Newsome, Chief Financial Officer, hereby certify that the above investments have been made in accordance with the Regulation (Section 212), the *Local Government Act 1993* (the Act) (Section 625), and Council's Investment Policy (the Policy).

Investment Yield

Account vs RBA Cash vs 3m BBSW vs Bloomberg AusBond Bank Bill Index							
Term	Account	RBA Cash	Outperformance	3m BBSW	Outperformance	AusBond Bank Bill	Outperformance
1m	5.13 %	4.35 %	0.78 %	4.40 %	0.73 %	4.36 %	0.78 %
3m	5.14 %	4.35 %	0.79 %	4.40 %	0.75 %	4.35 %	0.79 %
6m	5.13 %	4.35 %	0.78 %	4.40 %	0.73 %	4.36 %	0.77 %
12m	5.06 %	4.35 %	0.71 %	4.38 %	0.68 %	4.34 %	0.71 %



4. Implications

4.1. Strategic and Policy Implications

All of Council's investments for the period are in accordance with:

- Council Investment Policy
- *Local Government Act 1993* – Section 625

- *Local Government Act 1993* – Order of the Minister dated 12 January 2011
- *The Local Government (General) Regulation 2021* – Reg 212

The investment of surplus funds must remain in line with Council's Investment Policy. This will ensure sufficient working capital is retained and restrictions are supported by cash and investments that are easily converted into cash. Cash management complies with the *NSW Local Government (General) Regulation 2021*.

The Investment Policy relates to:

- Council's Community Plan 2022-2032 theme category of "Strong Region – Engagement and Responsibility" and related strategy of "Manage public resources responsibly and efficiently for the benefit of the community."
- Council's Delivery Program 2022-2026 includes initiatives S2.3.2 "Maintain financial sustainability by meeting Performance Ratios and Fit for the Future Benchmarks, while ensuring sustainable cash reserves to support service levels and assets" and S2.3.5 "Manage our assets responsibly to ensure greater lifespan and usability and to reduce financial burden".
- Council's Operational Plan 2023-24: Asset Management, Finance and Procurement, Governance, Strategy and Risk.

4.2. Risk

Council invests in Term Deposits, Cash and the NSW Treasury Corporation Short Term Investment Fund which is a managed fund product. Rates of return on these investments are generally higher than the Bank Bill Swap (BBSW) Index. However, there will be lag between these rates if the BBSW moves quickly either up or down. Movement up may show as the BBSW being high as older council investments are held at lower historic rates. Conversely as the BBSW drops councils longer term investments maybe locked into higher rates of returns giving council a return advantage.

The recent history of increases in the official cash rate is detailed below:

Date	Rate Increase	Cash rate target %
November 2023	0.25%	4.35%
December 2023	-	4.35%
February 2024	-	4.35%
March 2024	-	4.35%
April 2024	-	4.35%
May 2024	-	4.35%
June 2024	-	4.35%
July 2024	-	4.35%
August 2024	-	4.35%
September 2024	-	4.35%
October 2024	-	4.35%

Council's responsibility is to ensure working capital is retained and restrictions are supported by cash.

Council considers effective risk management practices exist over its cash and investment holdings.

4.3. Sustainability

Council utilises an online Portfolio Platform to manage its investments and investment register. The number of investments has been rationalised allowing for more efficient internal investment management to be performed. Communication is performed by electronic means, resulting in efficiencies of processes and a reduction in the use of paper.

4.4. Financial

Budget Area:	Financial Services						
Funding Source:	General Fund (untied revenue) Water Fund (externally restricted) Sewer Fund (externally restricted)						
Budget Ref: (PN)	Description	Approved Budget	Actual	Committed	Proposed	Total Forecast Income/Expense	Remaining Budget
210815.1.1760. 165.1670 260005.3.2590. 165.1660 280010.2.3310. 165.1650	Interest Income on Investments	\$5,274,000	\$1,081,986			\$5,274,000	\$4,192,013
210815.1.1760. 333.2430	Subscriptions	\$47,000	\$14,573	Nil	Nil	\$47,000	\$32,150

Restricted & Unrestricted Funds

As at 30 June 2024, total restricted and unrestricted funds were fully funded by cash and investments.

Calculated Position at 30 June 2024

\$'000	General	Water	Sewer	Total
External Restrictions	40,012	31,501	33,208	104,721
Internal Restrictions	36,346			36,346
Total Restrictions	76,358	31,501	33,208	141,067
Unrestricted	4,685			4,685
Total Funds	81,043	31,501	33,208	145,752

As at the date of the report, total restricted and unrestricted funds were fully funded by cash and investments.

Calculated Position at report date (unaudited & draft only)

\$'000	General	Water	Sewer	Total
External Restrictions	40,012	30,579	32,650	103,241
Internal Restrictions	33,101			33,101
Total Restrictions	73,113	30,579	32,650	136,342
Unrestricted	7,203			7,203
Total Funds	80,315	30,579	32,650	143,544

5. Consultation and Communication

An Investment Report is required to be tabled at the monthly Ordinary Meeting of Council.

6. Conclusion

The Cash and Investment Report provides an overview of cash and investments for the month and demonstrates compliance with Council policy.

Item:	8.2	Ref: AINT/2024/58063
Title:	Presentation of Audited Financial Statements and Audit Reports Year Ended 30 June 2024	Container: ARC16/0001-9
Responsible Officer	Chief Financial Officer	
Author:	Cathryn McFarland, Financial Accountant	
Attachments:	1. FA1685_Annual Financial Statements_YE30 June 2024_signed 31 Oct 2024 2. Public Notice - Presentation of Financial Statements	

1. Purpose

Council's annual financial reports for the year ended 30 June 2024 have been completed, audited and submitted within the required timeframe and are now attached for presentation to Council and the Public as required by the *Local Government Act 1993*.

2. OFFICERS' RECOMMENDATION:

That Council note the report on the presentation of the audited Annual Financial Statements for the year ended 30 June 2024.

3. Background

Sections 413 to 419 of the *Local Government Act 1993 (NSW)* contain the requirements for the preparation, audit and presentation of the annual financial reports required by the NSW Office of Local Government.

Council is required to prepare and have audited annually the following reports and to submit them to the NSW Office of Local Government with the Auditor's reports thereon:

- General Purpose Financial Report;
- Special Purpose Financial Report (for Council business units subject to National Competition Policy – Water and Sewer Services Funds); and
- Special Schedule – Permissible income for general rates.

Council endorsed the draft financial statements at its meeting of 6 August 2024 and referred the reports to Council's Auditor. The Auditor completed the audits and provided Council with their signed audit reports on 31 October 2024.

As required by section 417 of the *Local Government Act 1993*, the audited financial statements and auditor's reports were submitted to the NSW Office of Local Government on 31 October 2024.

The General Purpose Financial Report, including the notes to the accounts, the Special Purpose Financial Report and Special Schedule for Permissible Income are included as attachment 1. The NSW Auditor General has prepared audit reports, which provide their opinions on the financial reports for the year ended 30 June 2024. A Report on the Conduct of the Audit, also prepared by the Auditor, is included in the financial statement package. A representative from the NSW Audit Office will attend the Councillor briefing on Monday 25 November 2024, to present the auditor's reports.

Council's Audited Annual Financial Statements for the Year Ended 30 June 2024 are ready for presentation to the public. Under section 418 of the Local Government Act 1993, Council is required to present its audited financial statements, together with the auditor's report, to the public having given a minimum 7 days' notice.

The public notice on the following page, and included as attachment 2, has been provided through advertisements placed online and by making the financial statements available on Council's website and available for viewing at Council's offices.

4. Discussion

The public notice, as required by the Local Government Act 1993 (NSW), is provided below. Note that operating result below are inclusive of capital and operating grants. The net operating result before capital grants and contributions is \$4.76 million.

Armidale Regional Council

General Purpose Financial Statements for the year ended 30 June 2024

Public Notice – Presentation of Financial Statements

Public notice – Presentation of financial statements

as per Section 418 (3) of the Local Government Act 1993.

In accordance with Section 418 (3) of the *Local Government Act 1993 (NSW)*, Armidale Regional Council advises that the ordinary Council meeting to be held on 27 November 2024 will include the presentation of the audited Financial Statements and the Auditor's Reports for the year ended 30 June 2024.

A summary of the Financial Statements is provided below.

	2024 \$ '000	2023 \$ '000
Income Statement		
Total income from continuing operations	133,592	140,257
Total expenses from continuing operations	98,465	112,331
Operating result from continuing operations	35,127	27,926
 Net operating result for the year	 35,127	 27,926
 Net operating result before grants and contributions provided for capital purposes	 4,761	 (294)
 Statement of Financial Position		
Total current assets	164,214	148,174
Total current liabilities	(30,813)	(31,821)
Total non-current assets	1,234,418	1,125,803
Total non-current liabilities	(70,581)	(37,047)
Total equity	1,297,238	1,205,109
 Other financial information		
Unrestricted current ratio (times)	6.95	4.04
Operating performance ratio (%)	8.07%	7.85%
Debt service cover ratio (times)	7.09	6.61
Rates and annual charges outstanding ratio (%)	5.02%	4.69%
Infrastructure renewals ratio (%)	125.59%	74.94%
Own source operating revenue ratio (%)	63.33%	54.89%
Cash expense cover ratio (months)	20.45	16.25

In accordance with Section 420 of the *Local Government Act 1993 (NSW)*, any person may make a submission in writing to Council with respect to the Council's Audited Financial Statements or the Auditor's Reports.

Copies of the Audited Financial Statements and the Auditor's Reports may be inspected at:

Internet: www.armidaleregional.nsw.gov.au

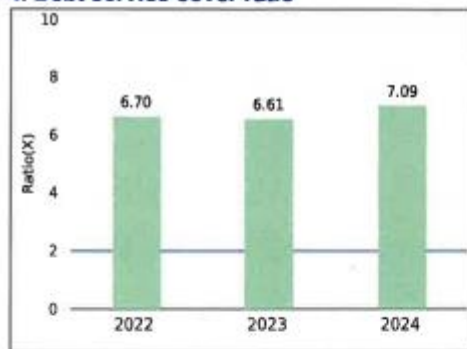
Locations: 135 Rusden Street, Armidale
158 Bradley Street, Guyra

Submissions close one week after the above public meeting has been held (ie close date Wednesday 4 December 2024) and should be addressed to the Auditor.

A number of ratios are used to track councils performance, in 2024 the 6 major ratios meet the guidelines.

<div><div><div>1. Operating performance ratio</div><div><div><div>10</div><div>8</div><div>6</div><div>4</div><div>2</div><div>0</div></div><div><div>Ratio %</div></div><div><div>7.96</div><div>7.85</div><div>8.07</div></div><div><div>2022</div><div>2023</div><div>2024</div></div></div></div><div><div><div>Purpose of operating performance ratio</div><div>This ratio measures Council's achievement of containing operating expenditure within operating revenue.</div></div></div></div> <div><div>Benchmark: — > 0.00%</div><div>Source of benchmark: Code of Accounting Practice and Financial Reporting</div></div>
<div><div><div>2. Own source operating revenue ratio</div><div><div><div>100</div><div>80</div><div>60</div><div>40</div><div>20</div><div>0</div></div><div><div>Ratio %</div></div><div><div>66.78</div><div>54.89</div><div>63.33</div></div><div><div>2022</div><div>2023</div><div>2024</div></div></div></div><div><div><div>Purpose of own source operating revenue ratio</div><div>This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions.</div></div></div></div> <div><div>Benchmark: — > 60.00%</div><div>Source of benchmark: Code of Accounting Practice and Financial Reporting</div></div>
<div><div><div>3. Unrestricted current ratio</div><div><div><div>10</div><div>8</div><div>6</div><div>4</div><div>2</div><div>0</div></div><div><div>Ratio(X)</div></div><div><div>2.27</div><div>4.04</div><div>6.95</div></div><div><div>2022</div><div>2023</div><div>2024</div></div></div></div><div><div><div>Purpose of unrestricted current ratio</div><div>To assess the adequacy of working capital and its ability to satisfy obligations in the short term for the unrestricted activities of Council.</div></div></div></div> <div><div>Benchmark: — > 1.50x</div><div>Source of benchmark: Code of Accounting Practice and Financial Reporting</div></div>

4. Debt service cover ratio



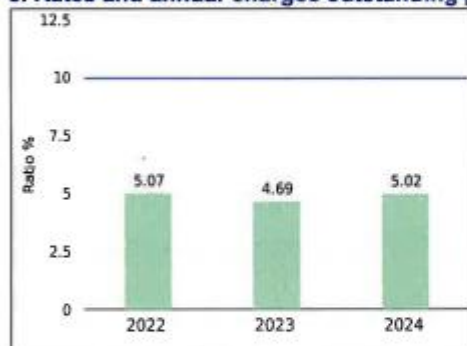
Purpose of debt service cover ratio

This ratio measures the availability of operating cash to service debt including interest, principal and lease payments

Benchmark: — > 2.00x

Source of benchmark: Code of Accounting Practice and Financial Reporting

5. Rates and annual charges outstanding percentage



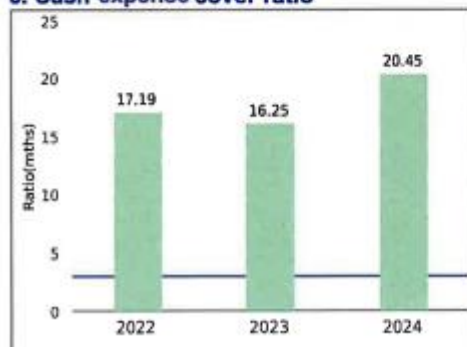
Purpose of rates and annual charges outstanding percentage

To assess the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts.

Benchmark: — < 10.00%

Source of benchmark: Code of Accounting Practice and Financial Reporting

6. Cash expense cover ratio



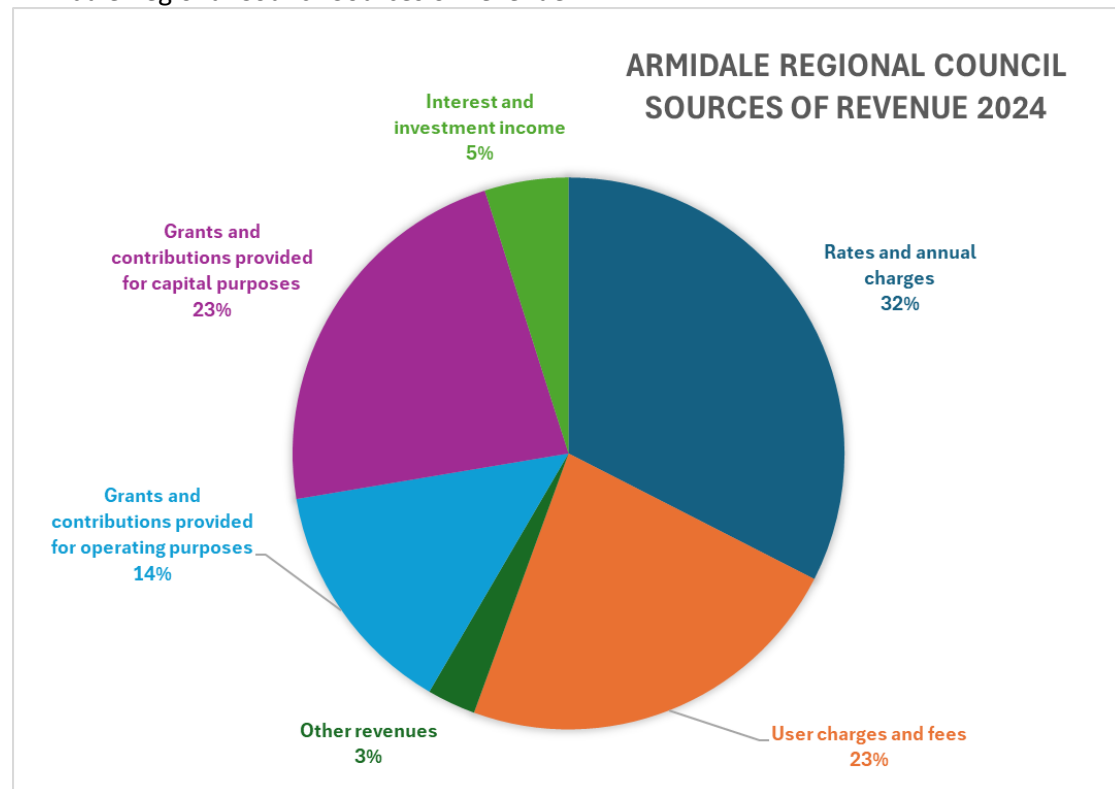
Purpose of cash expense cover ratio

This liquidity ratio indicates the number of months a Council can continue paying for its immediate expenses without additional cash inflow.

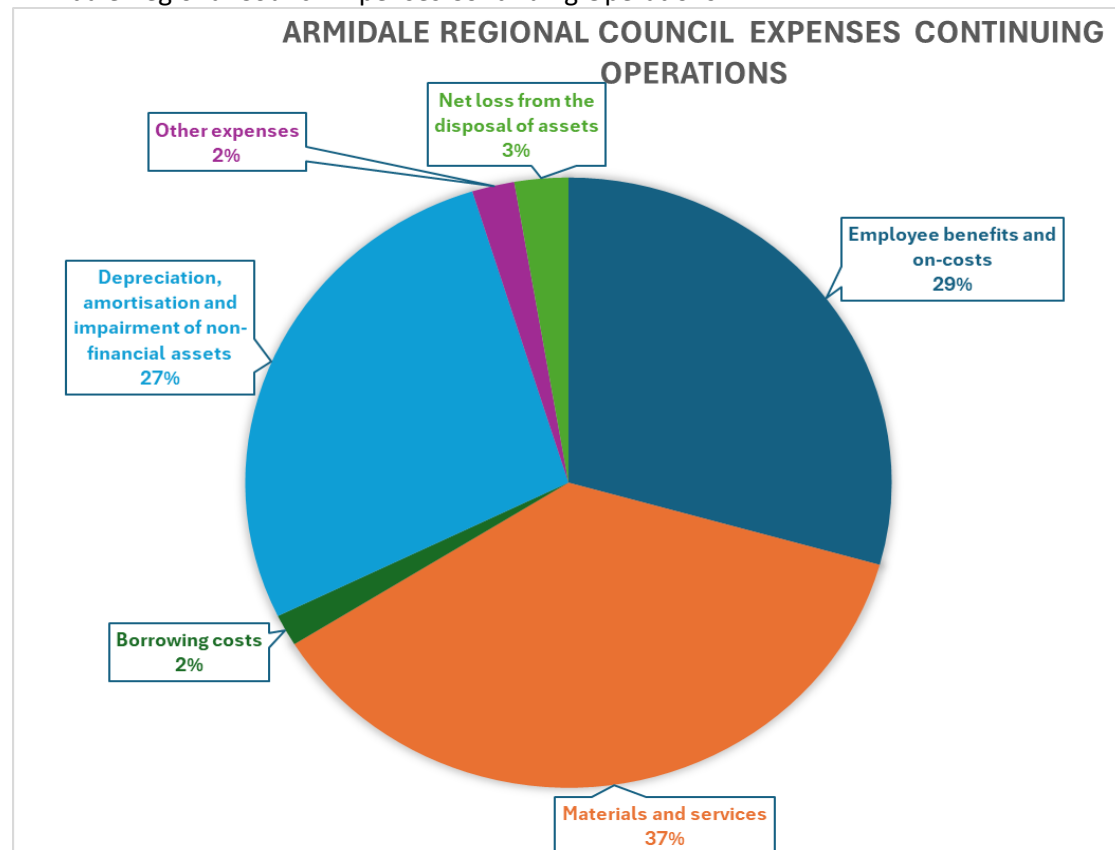
Benchmark: — > 3.00months

Source of benchmark: Code of Accounting Practice and Financial Reporting

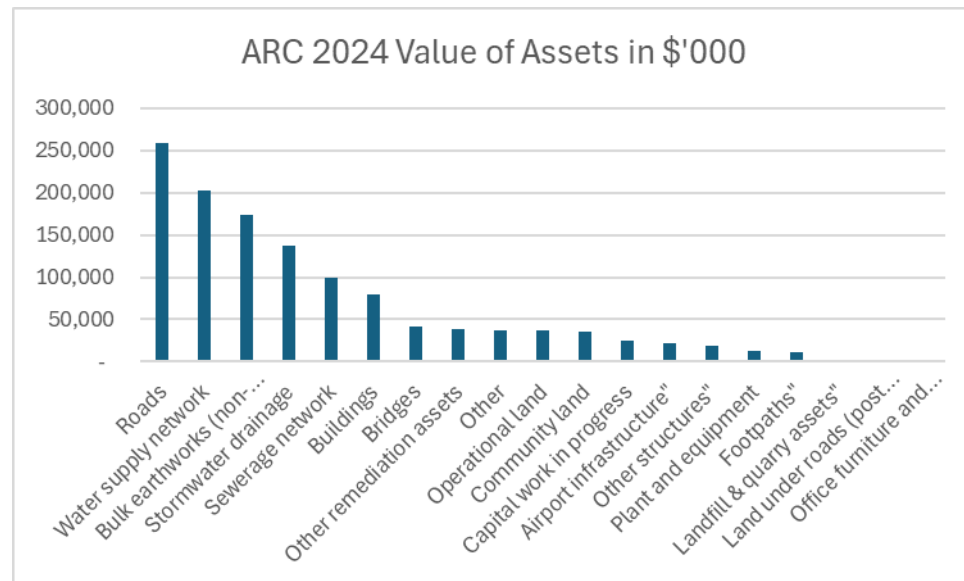
In summary:
Armidale Regional Council Sources of Revenue:



Armidale Regional Council Expenses Continuing Operations:



Armidale Regional Council Value of Assets by Class:



Special Rate Variation Expenditure:

SRV Expenditure 2023/2024	Amount
Building Renewal	
- Lift Maintenance CAB	\$103,925
- Guyra Community Recycling Centre	\$60,401
	\$164,326
Urban Resealing & Heavy Patching Program	
- Kellys Plains Rd - Rehab 500m2	\$251,713
	\$251,713
Rural Resealing & Heavy Patching Program	
- Moredun Rd Rehab section - Seal Ch 3.3 - Ch 7.2kms	\$281,592
- Falconer Rd Resealing - Seg 2 Ch 1.05 to C 3.88kms	\$148,993
- Llangothlin Rd Rehabilitation - New England Highway to the main Llangothlin Rd 1.1km	\$423,283
- Scouler St Reseal , Hillgrove 282 x 4.5m	\$17,643
- Long Swamp Rd Heavy Patching 393m2	\$7,942
- Worra St Urban Rd Upgrade, Guyra 340m	\$532,487
	\$1,411,940
Transport Infrastructure	\$1,663,653
Building	\$164,326
Wages	\$236,116
Total SRV Expenditure 2023-2024	\$2,064,095

5. Implications

5.1. Strategic and Policy Implications

There are no policy implications for Council associated with this report. As required by the *Local Government Act 1993 (NSW)*, the financial reports have been prepared in accordance with:

- The Australian Accounting Standards and Australian Accounting Interpretations issued by the Australian Accounting Standards Board;
- The *Local Government Act 1993 (NSW)* and the Local Government Regulations;
- The Local Government Code of Accounting Practice and Financial Reporting; and
- The Local Government Asset Accounting Manual.

5.2. Risk

Council is required to comply with the requirements relating to Presentation of the Audited Financial Report as set out in the *Local Government Act 1993 (NSW)*. Failure to do so represents a breach of the Act.

5.3. Sustainability

This report contributes to the delivery of the Community Plan 2022-2032 theme category of “Strong Region – Engagement and Responsibility” and related strategy of “Manage public resources responsibly and efficiently for the benefit of the community”.

5.4. Financial

Preparation of Council’s Financial Statements and completion of the annual audit is included in Council’s approved budget each year. For FY2023-24:

Budget Area:	Finance						
Funding Source:	Untied Revenue						
Budget Ref: (PN)	Description	Approved Budget	Actual	Committed	Proposed	Total Forecast Expenditure (to 30/6/2024)	Remaining Budget
210815	Presentation and Audit of the Annual Financial Statements (part of overall Financial Services Unit budget)	\$2,819,803	\$2,426,664			\$2,426,664	\$393,139

2023-24 Operating Result

While a number of key financial indicators are included in the financial statements and reported by way of the public notice, an important key financial indicator is the operating result before grants and contributions provided for capital purposes.

This indicator represents the comparison of recurrent revenues and expenditure. If revenues do not exceed expenditure then Council would theoretically be spending more than it received in the financial period being measured.

The fund results for the year ended 30 June 2024 are as follow:

D1-1 Income Statement by fund

	General 2024 \$ '000	Water 2024 \$ '000	Sewer 2024 \$ '000
Income from continuing operations			
Rates and annual charges	32,546	3,495	7,404
User charges and fees	20,208	10,382	200
Interest and investment revenue	3,407	1,605	1,550
Other revenues	1,833	46	1,162
Grants and contributions provided for operating purposes	18,607	15	3
Grants and contributions provided for capital purposes	25,684	2,905	1,777
Other income	763	–	–
Total income from continuing operations	103,048	18,448	12,096
Expenses from continuing operations			
Employee benefits and on-costs	25,511	2,159	1,222
Materials and services	26,228	5,946	4,041
Borrowing costs	1,146	507	–
Depreciation, amortisation and impairment of non-financial assets	20,216	4,900	1,849
Other expenses	2,092	–	–
Net losses from the disposal of assets	2,489	52	107
Total expenses from continuing operations	77,682	13,564	7,219
Operating result from continuing operations	25,366	4,884	4,877
Net operating result for the year	25,366	4,884	4,877
Net operating result attributable to each council fund	25,366	4,884	4,877
Net operating result for the year before grants and contributions provided for capital purposes	(318)	1,979	3,100

Council's operating result before capital grants and contributions is positive for the water and sewer funds with the general fund showing a loss.

The significant change between the original financial statements presented to Council on 6 August 2024, was the removal of the prior period error impact to prior years.

6. Consultation and Communication

In accordance with section 420 of the *Local Government Act 1993 (NSW)*:

- Any person may make submissions to the council with respect to the council's audited financial reports or with respect to the auditor's reports.
- A submission must be in writing and must be lodged with the council within 7 days after the date on which those reports are presented to the public.
- The council must ensure that copies of all submissions received by it are referred to the auditor.
- The council may take such action as it considers appropriate with respect to any such submission, including the giving of notice to the Director-General of any matter that appears to require amendment of the council's financial reports.

Written public submissions will be accepted from the date of this meeting until Wednesday, 4 December 2024.

A report will be provided to Council at the next available meeting outlining any submissions received. The audited financial statements form part of Council's 2023-24 Annual Report.

Significant changes between the final audited financial statements and those presented to Council on 6 August 2024 were the removal of prior period error of \$7.6 million, that the Auditors determined was not material to the financial statements and was presented through the current year and increased net operating profit result for the year attributable, which was offset by an error identified in the amount recognised as Capital Work in progress. The net effect was:

- an increase of \$474k to the net operating result for the year attributable to Council and
- a decrease to the Net operating result for the year before grants and contributions provided for capital purposes of \$3.7 million.

7. Conclusion

Council's annual financial reports for the year ended 30 June 2024 have been completed, audited and submitted within the required timeframe and are now attached for presentation to Council and the Public as required by the *Local Government Act 1993 (NSW)*.

Item:	9.1	Ref: AINT/2024/57492
Title:	Insurance payable under Lease to Armidale Livestock Selling Agents Pty Limited	Container: ARC23/6054
Responsible Officer	Chief Officer Planning and Activation	
Author:	Annabelle Walsh, Senior Property Specialist	
Attachments:	<ol style="list-style-type: none">1. ALSA Lease 01 July 2018 - 30 June 2023 - signed dated 30 August 2018.2. Armidale PRO calculation from insurer3. Summary Lease Provisions 27 December 20184. Letter -12 October 2018	

1. Purpose

The purpose of this report is to advise Council as to the status of payment of Insurance for the buildings under the lease dated 30 August 2018 between Armidale Regional Council and Armidale Livestock Selling Agents Pty Limited (**ALSA** hereafter) for the Guyra and Armidale Saleyards. Namely, whether the sum of \$70,730.00 including GST which is outstanding and payable should be enforced to be paid pursuant to Council's debt recovery policy or whether the sum of \$53,047.50 be paid and the balance waived pursuant to section 356 of the *Local Government Act 1993*.

2. OFFICERS' RECOMMENDATION:

That Council:

- a. Enforce the sum of \$53,047.50 incl GST being 75% of the insurance payable by ALSA pursuant to the terms of the lease, which is being currently held over, dated 30 August 2018.
- b. Waive the sum of \$17,682.50 incl GST being 25% of the insurance.
- c. Note that ALSA continue to hold over under the terms of the Lease dated 30 August 2018 and a new lease be negotiated and executed when the refurbishment works at the Armidale and Guyra facilities are complete.

3. Background

In July 2023, Council met with directors of ALSA in relation to the renewal of their Lease dated 30 August 2018, which was due to expire on 30 June 2023. At that time, it was agreed a valuation would be carried out to determine a throughput formula and base rent to be calculated and form the basis of a new lease.

It was agreed at this meeting that ALSA would hold over on the same terms of the 2018 Lease only for the rent to increase by 5% not by CPI due to the current market conditions.

After this, it took several months for the engaged valuer to conduct the valuation, since very few sale yards are owned by councils. Council also waited several months for ALSA to provide a throughput formula for consideration.

In March 2024, a review of the lease subject of this report revealed ALSA had never been charged for Insurance that they are liable to pay pursuant to the terms of the Lease signed and dated 30 August 2018 for a period from 1 July 2018 to 30 June 2023. A copy of this Lease is marked annexure “1” to this report.

The sum payable for insurance from 1 July to 30 June 2024 is marked annexure “2” to this report. An invoice was raised on 19 March 2024 for the sum of \$70,730.00 including GST to be paid by ALSA.

Since that time, ALSA have argued that they shouldn’t have to pay the sum outstanding and payable because they weren’t aware that was the agreement and that a summary of lease provisions provided after the lease was signed, noted that Council was to take out insurance for the building and assets. A letter dated 12 October 2018 written by Council’s solicitor at the time states that Council is responsible for insurance for both facilities. In commercial leases such as this, the ordinary course is for the landlord to take out the insurance and seek payment from the lessee as an outgoing.

Noting that the summary of Lease provisions is unsigned and therefore not binding it is also dated 27 December 2018. If it is the case that the parties wanted the lease to be changed to state that ALSA were not to pay for insurance as an outgoing, then they should have instructed their solicitor at the time.

It is a matter of interpretation, noting that Armidale Regional Council will take out insurance, and the ALSA are to reimburse Council for the insurance payable under the lease. The lease clearly states that ALSA are responsible for all outgoings.

The summary of lease provisions and letter are marked as annexures “3” and “4” to this report respectively.

ALSA continue to pay rent month by month and are not in arrears in anyway so far as the rental sum is concerned. The rental sum continues to increase by 5% per annum, as agreed in July 2023 and the provisions of the 2018 lease continue to be observed. The current annual rental, paid quarterly in arrears is \$176,892.72.

At all times, both parties were provided independent legal advice and at no time did ALSA approach ARC to vary the terms of the lease. The lease has been duly executed and observed and is therefore binding.

An invoice for insurance payable by the Lessee can be forwarded to the Lessee at any time during the lease. The fact that it was raised years after, does not render it not payable.

A new lease is recommended after the 9.7 million dollars’ worth of refurbishment works are completed across the Armidale and Guyra facilities at which time a valuation will be carried out and a new lease entered into between the parties.

Council recognises the importance of the tenure of the ALSA and their contribution to the local economy and primary producers and is keen to foster a positive commercial relationship moving forward, hence recommendation c of this report.

4. Implications

4.1. Strategic and Policy Implications

- S2.3 Manage public resources responsibly and efficiently for the benefit of the community.
Manage our assets responsibly to ensure greater lifespan and usability and to reduce financial burden (S2.3.5).

4.2. Risk

- Economic risk. – the loss of \$17,682.50 to the ratepayer.
- Operational risk. – Fees outstanding and payable continue to be missed.
- Reputational risk. – Council inherits a reputation for not enforcing monies outstanding and payable. This is a significant reputational risk. Other commercial Lessees which Council leases commercial buildings to have been invoiced in the same fashion, ie: in bulk for the entire term of the lease at once.
- Corporate risk. – Council not enforcing agreements to which they enter.

4.3. Sustainability

The sum of \$53,047.50 should be enforced on the basis that the legal advice provided states that the cost of litigating this matter in court would outweigh the result. It is not sustainable from financial perspective for Council to carry the insurance of buildings and land of a commercial nature which it leases. It is also common practice for Council to maintain the insurance and seek reimbursement and this is the case under the terms of the Lease.

4.4. Financial

Budget Area:	NA						
Funding Source:							
Budget Ref: (PN)	Description	Approved Budget	Actual	Committed	Proposed	Total Forecast Expenditure	Remaining Budget

The financial implications of the recommended amount being paid will be a loss of \$17,682.50 to Council, however, will maintain the relationship with the lessee and avoid litigation. The lessee is a conglomerate of several profitable businesses and Council is currently in the process of completing 9.7 million dollars' worth of works to the facility, to benefit these businesses. It is to be noted that the ALSA have not, since this invoice has been raised, raised hardship as an issue for inability to pay.

5. Consultation and Communication

Council has, through its solicitor, communicated the need for payment of the outstanding invoice dated 19 March 2024 to which the ALSA offered payment of 50% of the sum payable. Council rejected this offer on the basis that the whole amount is due and payable, and it has been sought from other tenants and it is outside of the Council Officers financial delegation to accept such an offer.

6. Conclusion

This report recommends the enforcement of the sum of \$53,047.50 being 75% of the insurance payable and waiving the sum of \$17,682.50.

Item:	10.1	Ref: AINT/2024/55726
Title:	Code of Conduct Complaint Statistics	Container: ARC24/8009
Responsible Officer	Acting Chief Officer Corporate and Community	
Author:	Stacey Drew, Senior Governance Officer	
Attachments:	1. Annual CoC Statistics 2024 - Armidale Regional Council	

1. Purpose

The purpose of this report is to present to Council the annual the code of conduct complaints statistics in accordance with Council's obligations under clause 11.1 of the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW 2020* (the Procedures).

2. OFFICERS' RECOMMENDATION:

That Council:

- a. Receive and note the annual Code of Conduct Statistics for reporting period 1 September 2023 – 31 August 2024.
- b. Submit the endorsed data to the Office of Local Government via the Office of Local Government online council portal before 31 December 2024.

3. Background

The *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW 2020* (the Procedures) are issued by the Office of Local Government (OLG). Council's Complaints Coordinator must report annually to the Council and to the OLG on a range of complaint statistics within 3 months of the end of September of each year. The reporting format used is provided by the OLG.

4. Discussion

The required reporting concerns complaints about Councillors and the General Manager made under the *Model Code of Conduct for Local Council in NSW 2020* and requires submission of:

- a. the total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September (the reporting period);
- b. the number of code of conduct complaints referred to a conduct reviewer during the reporting period;
- c. the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints;
- d. the number of code of conduct complaints investigated by a conduct reviewer during the reporting period;
- e. without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period;

- f. the number of matters reviewed by the Office during the reporting period and, without identifying particular matters, the outcome of the reviews; and
- g. the total cost of dealing with code of conduct complaints made about Councillors and the General Manager during the reporting period, including staff costs.

Council received six (6) Code of Conduct complaints during the reporting year and there is one outstanding Code of Conduct matter which has been referred to Office of Local Government.

5. Implications

5.1. Strategic and Policy Implications

Reporting of annual statistics fulfils Council's statutory requirements under Part 11 of the Procedures for the *Administration of the Model Code of Conduct for Local Councils in NSW 2020*.

5.2. Risk

Consideration of this report and submission to the Office of Local Government of the annual report ensures that reporting obligations under the Procedures are met.

5.3. Sustainability

Nil.

5.4. Financial

Nil.

Budget Area:	NIL						
Funding Source:							
Budget Ref: (PN)	Description	Approved Budget	Actual	Committed	Proposed	Total Forecast Expenditure	Remaining Budget

6. Consultation and Communication

Council must report annually on code of conduct complaint statistics to the Office of Local Government (OLG) and consults with the department on this requirement, if appropriate.

7. Conclusion

Council's consideration of this report and the referral of the statistics to the Office of Local Government ensures that Councils reporting obligations under the Procedures are fulfilled.

Item:	10.2	Ref: AINT/2024/57517
Title:	Annual Report 2023/2024 and State of the Region Report 2022-2024 Container: ARC24/8009	
Responsible Officer	Acting Chief Officer Corporate and Community	
Author:	Michaela Giandomenico, Senior Advisor Corporate Planning and Reporting	
Attachments:	1. ARC Annual Report 2024 2. ARC State of the Region Report 2022-2024	

1. Purpose

The purpose of this report is to provide Council with the Armidale Regional Council Annual Report 2023/2024 and State of the Region Report 2022-2024.

2. OFFICERS' RECOMMENDATION:

That Council endorse the Armidale Regional Council Annual Report 2023/2024 with the appended Armidale Regional Council State of the Region Report 2022-2024.

3. Background

The *Local Government Act 1993 Section 428(1)* requires Council to prepare and publish an annual report within 5 months of the end of each financial year. The report is to present Councils achievements in implementing its delivery program. Further s428(2) requires that in the year of an ordinary election the annual report must also report on achievements in implementing the Community Strategic Plan over the previous term.

The 2023/2024 Annual report is made up of three sections being:

Part A - Community Report Card

Part B - Statutory Information as required by section 217 of the *Local Government (General) Regulation 2021*

Part C - Audited Financial Statements for 2023/2024 Financial Year

The State of the Region Report 2022-2024 (formerly referred to as End of Term Report) is appended to the Annual Report

Subject to Council's endorsement, the documents will be available on Councils website, at the Administration building and at Councils libraries in Armidale and Guyra.

4. Discussion

The Armidale Regional Council Annual Report is a key point of accountability between council and its community. Its focus is to report on progress of the Delivery Program and Operational plan. The Annual Report also contains the audited Financial Statements for the 2023/2024 Financial Year and the statutory information prescribed by section 217 of the *Local Government (General) Regulation 2021*.

The Armidale Regional Council State of the Region Report 2022-2024 focuses on what has been achieved by the Council over its preceding term. It outlines a range of services, projects,

programs and indicators which provide a picture of progress towards the vision and aspirations laid out in the 'Advancing our Region Community Plan 2022-2032' (CSP).

The State of the Region provides an opportunity for the incoming Council to reflect on the Armidale Region community's progress towards achieving the priorities of the CP during the preceding term.

5. Implications

5.1. Strategic and Policy Implications

The report provides a reference point for new Councillors in considering the preparation of the Delivery Program for the new term of Council.

5.2. Risk

Nil.

5.3. Sustainability

Nil.

5.4. Financial

Budget Area:							
Funding Source:							
Budget Ref: (PN)	Description	Approved Budget	Actual	Committed	Proposed	Total Forecast Expenditure	Remaining Budget
Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil

The cost associated with the preparation of the Annual Report and the State of the Region is included in the operational budget.

6. Consultation and Communication

Consultation with Council Chief Officers and Service Leaders was undertaken in preparation of the Annual Report and the State of the Region Report.

7. Conclusion

The Armidale Regional Council Annual Report 2023/24 and State of the Region Report 2022-2024 shows the significant achievements and challenges recorded during the financial year and the preceding Council term.

While it satisfies a regulatory requirement, the report is a valuable resource to assist the community to understand the services and facilities that the Council provides. It is recommended that Council endorse the 2023/2024 Annual Report and State of the Region Report 2022-2024 for public release.

Item:	10.3	Ref: AINT/2024/58506
Title:	Civic and Ceremonial Functions and Representation Policy - For Adoption (Post Public Exhibition)	Container: ARC24/9257
Author:	Aimee Hutton, Acting Chief Officer Corporate and Community	
Attachments:	<ol style="list-style-type: none">1. Public Submissions - Draft Civic and Ceremonial Function and Representation Policy (redacted)2. Civic and Ceremonial Functions and Representation Policy - November 2024	

1. Purpose

At the July 2024 Ordinary Meeting of Council, Council endorsed to place the Civic and Ceremonial Function and Representation Policy on public exhibition for a period not less than 28 days, and to receive a further report at the end of the consultation period.

This report is to inform Councillors of the feedback received during the public exhibition period, and to provide a recommendation on the adoption of the policy.

2. OFFICERS' RECOMMENDATION:

That Council:

- a. Note the 24 submissions received during the public consultation period, in relation to the draft Civic and Ceremonial Functions and Representation Policy.
- b. Adopt the final Civic and Ceremonial Functions and Representation Policy which excludes the changes proposed in the draft policy, as attached to this report.
- c. Endorse further community consultation in relation to the erection of signs at all main road Armidale city limit entrances, recognising Armidale as the Ancestral Home of the Anaiwan people, before commencing works.
- d. Endorse community consultation across the local government area in relation to the acknowledgement of Aboriginal people and how ancestral lands should be recognised.

3. Background

At the September 2023 Ordinary Meeting of Council, Council resolved to acknowledge the Armidale township as the ancestral home of the Anaiwan people. It was also resolved that in addition to the erection of signage at the main road entrances to Armidale, at Council events within the Armidale township, it would be acknowledged that the event was being held on the ancestral home of the Anaiwan people (Minute No. 117/23).

At a subsequent Councillor workshop on 11 December 2023, it was discussed and understood that a policy position in relation to recognition be reached before the erection of the signage.

Outside of the recognition of Anaiwan people within the Armidale township, a policy position on signage and ceremonial function throughout the remainder of the Armidale Regional Council Local Government Area cannot be established at this time, without more extensive community consultation.

Following the July 2024 Ordinary Meeting of Council, the draft Civic and Ceremonial Functions and Representation Policy was placed on public exhibition. This draft policy had amended wording in relation to any Acknowledgement of Country occurring within the Armidale township, that it should reference Armidale as the ancestral home of the Anaiwan people.

4. Discussion

During the public exhibition period, 24 submissions were received.

5 submissions were against the proposed changes to the policy.

18 submissions were in favour of the proposed changes to the policy.

1 submission was unclear.

Despite there being a clear majority in favour of the changes, the submissions received against indicate this policy decision by Council could have a negative and divisive social impact within the community, it may potentially create financial disadvantage, as well as cause reputational damage to Council.

For the information of Councillors, during recent community engagement in relation to the draft Reconciliation Action Plan, 4 submissions were received that referenced Council's decisions in relation to Aboriginal recognition. 3 submissions were against Council's decision to acknowledge a single group, while 1 submission was in support of Council's decision to recognise the Anaiwan people.

Overall, strong opposing community opinions were demonstrated throughout the public exhibition period of the draft policy. Without further extensive community consultation, determining a policy or strategic position in relation to the acknowledgement and recognition of Aboriginal people is potentially divisive. As such, Council is recommended to take a more neutral policy position in order to allow more community consultation to be undertaken in this space. Community consultation should extend across the entire Armidale Regional Council local government area, to ensure a broad and inclusive approach.

In addition, it is recommended that Council endorse additional community consultation in relation to the erection of Aboriginal recognition signage at the main Armidale city limit entrances before this work is undertaken.

5. Implications

5.1. Strategic and Policy Implications

This policy will provide guidance for Council staff when acknowledging Aboriginal people at Council events held within the Armidale town boundaries.

Additional community consultation will help to inform future policy and strategic decisions in relation to the acknowledgement and formal recognition of Aboriginal people and their ancestral home.

5.2. Risk

Reputational Risk – The decision to exclusively acknowledge a single group of Aboriginal people within the Armidale town boundaries potentially poses a risk to Council's reputation, as well as potentially damaging relationships with the wider Aboriginal community.

Legal Risk – Exclusively acknowledging the Ancestral Home of only one Aboriginal group within the LGA, may expose Council to legal risk relating to financial loss and/or discrimination.

5.3. Sustainability

Not Applicable

5.4. Financial

Budget Area:	Nil						
Funding Source:							
Budget Ref: (PN)	Description	Approved Budget	Actual	Committed	Proposed	Total Forecast Expenditure	Remaining Budget
	Nil						

6. Consultation and Communication

The draft Civic and Ceremonial Functions and Representation Policy was placed on public exhibition for a period of at least 28 days. During that period 24 submissions were received.

Submissions indicated a division of community opinion in relation to how Aboriginal people are acknowledged and recognised. It is recommended that further community consultation be undertaken to better advise Council's policy and strategic decisions in this space.

7. Conclusion

Given strong opposing community opinions were demonstrated throughout the public exhibition period of the draft policy, it is recommended that a neutral policy position be adopted to allow for more extensive community consultation to be undertaken.

Item:	11.1	Ref: AINT/2024/56962
Title:	Kempsey to Armidale Road Restoration Project (K2A) - Status Report for October 2024 Period	Container: ARC16/0001-9
Responsible Officer	Acting Project Director Kempsey Armidale Road Restoration Project	
Author:	Anton Juodvalkis, Manager Governance K2A	
Attachments:	1. K2A Project Background as at 2024-11-13	

1. Purpose

This report provides a monthly update on the Kempsey – Armidale Road Restoration Project (K2A).

2. OFFICERS' RECOMMENDATION:

That Council note the information contained in this report regarding the Kempsey – Armidale Road Restoration Project.

3. Background

The Kempsey-Armidale Road is a vital transport corridor connecting Kempsey with Armidale, passing through multiple communities. Following significant damage from natural disasters in 2020 and 2022, Council received funding through various programs to restore the road to its pre-disaster condition and improve specific sections. The K2A project represents the largest transport infrastructure project ever undertaken by any NSW Local Government authority.

A detailed background of the project is provided in Attachment 1.

4. Discussion

Project Status and Timeline

The project team has now finalised a revised funding application, including cost estimate and program, which was submitted to Transport for NSW (TfNSW) in early November 2024. This application will be assessed by TfNSW, before being referred for an independent technical review.

To facilitate this application, an exemption is required to the DRFA process which has been submitted to the National Emergency Management Agency (NEMA) by NSW Reconstruction Authority (NSWRA). It is expected that this will be processed by the end of November 2024.

The procurement timeline has been adjusted to commence the Expression of Interest (EOI) process on April 1, 2025, with funding application assessment envisioned to be concluded around the end of Q1 2025. Based on these projections, and assuming approval of the revised funding application, project completion is expected by December 2030.

Oven Mountain Pumped Hydro Development

The project team is conducting weekly discussions with Alinta Energy (owner of the pumped hydro scheme), Kempsey Shire Council (KSC) and TfNSW regarding the Oven Mountain Pumped Hydro Scheme (OMPS) development (which significantly intersects with the K2A project scope) and the KSC recovery works.

The OMPS has separate pathways of approval for the hydro scheme and for the road works. The hydro scheme is classified as a Critical State Significant Infrastructure (CSSI) development which is being assessed by the NSW Department of Planning and the enabling works on the road approval will be processed via application under Section 138 of the *Roads Act (1993)* to Council as the Local Roads Authority.

Council and Alinta have had a regular contact since 2021 and have been sharing information relating to the Kempsey Armidale Road since mid-2023. Alinta has recently provided their 30% design to the K2A team; however, initial review indicates potential concerns with the geotechnical investigation, which may impact both projects.

Alinta have confirmed they have not yet engaged appropriate geotechnical engineering services to define what upgrades are required for the road to support their development. This is a significant risk to their development.

Current Site Works Progress

Significant progress has been achieved on the Fixing Local Roads (FLR) and Fixing Country Roads (FCR) improvement works. Approximately 75% of stormwater works has been completed. Most of the pavement materials have now been stockpiled on site, with pavement works scheduled to commence in November 2024. Despite some weather-related delays in recent months, the overall improvement works remain on track for completion by late December 2024.

Additionally, GHD has commenced re-scoping works at Site 9 (Big Hill) to investigate more cost-effective options. A site inspection was conducted in late October, with a design report and methodology expected to follow. The company is also undertaking risk-to-life assessments at five culvert locations where upslope safety concerns have been identified by the RMCC team.

5. Implications

5.1. Strategic and Policy Implications

The activities discussed in the report align with Advancing Our Region - Your Community Plan 2022-2032 and with Council Delivery Program 2022-2026 as part of:

- **Connected Region – Goal 1:** Ensuring quality infrastructure for safe and easy travel.
 - **C1.1.4:** Partnering with the NSW Government to restore and reclassify the Armidale–Kempsey Road.

5.2. Risk

The current top three risks to the project are:

1. Council not receiving additional funding as per revised application
2. Oven Mountain Pumped Hydro scope impacts on K2A project scope
3. Limited subcontractor availability

The project team maintains comprehensive risk management processes, with regular review of risks. Reporting on the risk profile and top risks is provided to the Steering Committee monthly and Audit, Risk and Improvement Committee quarterly.

Given the progress pathway for the project is subject to the outcome of the exemption application and a funding application, Council and TfNSW conducted a value engineering workshop on Friday 8 November 2024 seeking to understand options and priorities for delivery in the event that full funding as applied for is not forthcoming.

5.3. Sustainability

The new Review of Environmental Factors (REF) has been developed and is pending approval from Council. This updated REF reflects refined project scope including construction methodology, camp accommodation, and operational requirements.

5.4. Financial

Program	Approved Funding	Costs to Date	Committals /Accruals	Funds Received to Date	Net Before Advance Funding	Funds in Advance	Net Cash Position
NDRA AGRN1012	418,530,591.89	23,024,098.42	9,124.20	20,628,449.85	(2,404,773)		
NDRA AGRN898	9,435,336.63	16,561,600.93		11,684,177.00	(4,877,424)		
TOTAL NDRA	427,965,928.52	39,585,699.35	9,124.20	32,312,626.85	(7,282,197)	8,700,000	1,417,803
FLR Flying Fox (2)	4,984,930.00	1,372,462.05		3,489,451.00			2,116,989
FLR Blackbird Flat (3)	2,996,000.00	753,387.91		2,097,200.00			1,343,812
FCR – Big Hill	4,671,083.00	559,752.50		529,082.51			(30,670)
NDRA AGRN11119		37,716.00	1,469.91				(39,186)

The K2A team finalised an application for advance funding through TfNSW under the Tripartite agreement on Friday 15 November. The application was for additional funding is based on the project forecast up until July 2025.

The next application for advance funding will be submitted in March 2025.

6. Consultation and Communication

Recent engagement activities include:

- Preparations for landowner access consultation
- Planning for November community meeting at Lower Creek
- Website updates and design
- Liaison with TfNSW regarding funding application
- Engagement with Australia Post regarding roadside mail deliveries

7. Conclusion

The K2A Project continues to make progress on preliminary works while preparing for the main construction phase. The improvement works are advancing well, with 75% of stormwater works completed. Key priorities include securing additional funding approval, managing Oven Mountain Development impacts, completing improvement works, and finalizing the REF determination. The project team maintains active risk management and stakeholder engagement as essential components of project delivery.

Item:	11.2	Ref: AINT/2024/56985
Title:	Tender - Bridge Maintenance Works	Container: ARC24/6659
Responsible Officer	Acting Chief Officer Assets and Services	
Author:	Cody Wares, Works Engineer	
Attachments:	Nil	

(General Manager's Note: *The report considers the tender recommendation of Bridge Maintenance Works 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. Purpose

The purpose of this report is to seek Councils' endorsement to award contracts for the Request for Tender A2024/12 – Bridge Maintenance Works and to delegate authority to the General Manager to authorise key projects more than \$250,000.00 and to the limit of available funding when required to the suppliers on this panel.

2. OFFICERS' RECOMMENDATION:

That Council:

- a) Endorse the award of RFT A2024/12 Bridge Maintenance Works, to the following panel of suppliers:

Professional Bridge Services Pty Ltd
Evolution Civil Maintenance Pty Ltd
Technical Access Pty Ltd
Bridge Check Australia Pty Ltd

for the period until 1 October 2027, with the option of a further 2 years and within approved bridge maintenance budgets and a total contract value of \$2.4M.

- b) Delegate authority to the General Manager to:
- sign all relevant documents on Council's behalf for the adoption of the tenders
 - authorise multiple orders to the limit of available funding in accordance with the timeframe of this arrangement.
 - extend the period of the contract for 2 years (24) months subject to satisfactory performance

3. Background

Council is responsible for 148 bridge and major culvert structures, including 12 timber bridges that are currently not funded for replacement. Some structures are nearing 100 years old and many are nearing end of life. Ongoing minor works are required to maximise their economic usefulness.

A large proportion of bridges require routine maintenance involving the cleaning of decks, kerbs, “scupper” drains, expansion joints and delineators to ensure user safety and minimise structural deterioration.

Timber bridges at Branch Creek, Oaky River, Boundary Creek and Abington Creek require immediate work involving girder replacement or strengthening to avoid the imposition of further load limits to protect both the structures and users.

Councils’ concrete bridge assets are also aging with some requiring crack sealing and repair of deck joints and spalling.

To address the current backlog of bridge maintenance work and to provide capability to address future needs, a tender was prepared seeking suitable contractors to provide these services. Given the range of skills required, it was identified that a number of experienced contractors would likely be required to be awarded as a panel period contract.

The tender was advertised as a 3-year contract with the option of a further 2 years. It is anticipated that once the first phase of work detailed in the tender document is completed, further works would be completed by panel contractors on a quotation basis.

4. Discussion

In accordance with the *NSW Local Government Act 1993* and *NSW Local Government Regulations 2021*, a Request for Tender (RFT) for Bridges Maintenance Works was advertised Vendor Panel on 12 September 2024.

Council advertised for a period exceeding 21 days on the tender page of the website, social media platforms and Vendor Panel Open Market.

A non-compulsory Tenderer’s meeting was held on the 1 October 2024 with 4 contractor representatives attending.

Tenders closed on the 15 October 2024 with 6 conforming tenders submitted from:

Technical Access Pty Ltd
Evolution Civil Maintenance Pty Ltd
Bridge Check Australia Pty Ltd
Timber Bridge Restoration Pty Ltd
CMEC Civil Pty Ltd
Professional Bridge Services Pty Ltd

An extensive evaluation process was conducted which included reviewing and scoring each of the tenders based on priced and non-priced criteria by the Committee. The tenders were attributed a numerical score on a 0 – 10 scale based against each non-price evaluation criteria before the Committee progressed to the priced criterion. The following assessment criteria and weighting was used:

Price Criterion	Weighting
<i>Price</i>	50 %
Non-Price Criteria	Weighting
<i>Contractors Recent Experience</i>	25 %
<i>Local & Community Contribution</i>	10 %
<i>Management System Capability – Work Health & Safety</i>	5 %
<i>Management System Capability – Quality</i>	5 %
<i>Management System Capability – Environment</i>	5 %

The scores were based on the Committee's assessment of the extent to which the tender satisfied a predetermined evaluation criteria specified in the Request for Tender.

The assessed non-price and price evaluations were completed for 3 schedules of work to reflect the different skill and capabilities being sought:

- I. Routine maintenance involving routine bridge servicing involving crew establishment, providing traffic control, inspecting and noting defects, cleaning delineators, kerbs, scupper drains and deck joints) and tightening bolts in adjoining guardrail.
- II. Specific maintenance work packages for minor works and servicing of 18 bridges located on Regional Roads MR135 –Guyra Road and 1 bridge located on MR124 Bundara Road.
- III. Restoration of Branch Creek, Oaky River, Boundary Creek and Abington Creek timber bridges by strengthening or replacement of timber components to permit the removal of load limits and extend the life of these structure.

Routine Maintenance works

For routine maintenance works, the tendered rates were assessed based on the extended costs of completing a typical 20 bridge service program. The assessed rankings by the evaluation committee were:

Tenderer	Price	Weighted Score	Ranking
Professional Bridge Services	\$47,350	84.7	1
Evolution Civil Maintenance	\$71,502	70.1	2
Technical Access	\$62,400	66.4	3
CMEC Civil	\$102,200	57.5	4
Bridge Check Australia	\$164,700	49.7	5
Timber Restoration Services	\$289,391	43.7	6

Specific Maintenance Works

For the specific maintenance works packages, the tendered prices were assessed for a program of minor works on 19 specific bridges. Whilst this work was predominately routine cleaning, the program also included concrete repairs and crack sealing, removal of accumulated sediments under approach guardrail and other minor works. The assessed rankings were:

Tenderer	Price	Weighted Score	Ranking
Professional Bridge Services	\$129,427	84.7	1
Evolution Civil Maintenance	\$217,046	66.8	3
Technical Access	\$170,500	66.5	2
CMEC Civil	\$268,490	58.4	4
Bridge Check Australia	\$483,780	48.7	5
Timber Restoration Services	\$594,930	46.4	6

Specific Restoration Works

For specific restoration works, a detailed program of timber replacement works as recommended by the most recent Level 3 bridge condition assessment was provided in the tender to replace timber components in bridges located on Oaky River (Wakefield Road, Wollomombi), Branch Creek (Lower Creek Road, Lower Creek), Boundary Creek (Sissions Road, Wollomombi) and Abington Creek (Dulvay Road, Boorolong).

CMEC Civil provided an alternative bid for complete superstructure replacement of between \$150,000 and \$160,000 per bridge, ignoring the additional costs associated with the demolition of the existing bridges and the design and construction of new abutments and road approaches. The committee dismissed this alternative bid for far exceeding the available funding.

Technical Access and Evolution Maintenance did not submit bids for this particular work as they specialise in concrete works.

The Specific Restoration Works also provided tenderers the option to provide prices for in-situ strengthening of the existing deteriorated timber components of Oaky River and Branch Creek bridges rather than replacement. However, the potential cost saving offered by in-situ strengthening was not realised as the prices bid for timber replacement by Professional Bridge Services was lower than all the bids received for in-situ strengthening. For this reason, the in-situ strengthening option was abandoned from further consideration as the Committee also considers timber replacement as a better long-term repair and less likely to incur contract variations and delays due to latent conditions. The assessed rankings were:

Tenderer	Price	Weighted Score	Ranking
Professional Bridge Services	\$204,709	84.7	1
Bridge Check Australia	\$345,110	65.0	2
Timber Restoration Services	\$462,123	57.6	3

Technical Access	No bid	NA	NA
Evolution Civil Maintenance	No bid	NA	NA
CMEC Civil	Alternative bid	NA	NA

The Evaluation Committee identified Professional Bridge Services Pty Ltd as providing the best overall value for the Specific Maintenance Works package and Specific Restoration Works detailed in the tender.

For future works, yet to be identified, scoped, priced but completed in the tender period, the evaluation panel identified the particular specific skills of Professional Bridge Services Pty Ltd and Bridge Check Australia Pty Ltd with regard the maintenance of timber structures and Evolution Civil Maintenance Pty Ltd and Technical Access Pty Ltd with regard concrete repairs as providing adequate capacity for addressing Councils' likely future bridge upkeep needs. Consequently, the evaluation panel recommended that quotations be sought from the following providers for future bridge maintenance works:

Professional Bridge Services Pty Ltd

Evolution Civil Maintenance Pty Ltd

Technical Access Pty Ltd

Bridge Check Australia Pty Ltd

5. Implications

5.1 Strategic and Policy Implications

This project falls under The Operational Plan C1.1 Build and Maintain quality, safe, and accessible roads, footpaths, kerbs, bus stops and parking facilities and C1.1.2 Deliver the 10 year Forward Works Program within resource capability.

5.2 Risk

For this panel arrangement, a series of risk management measures have been included that will assist contract management and instructions to suppliers when Council is requesting services and product in:

- Seeking competition from the selected pre-qualified panel suppliers to provide value in competitive tension and fit for purpose consideration for best value project outcomes for the consideration of Council technical staff and management.
- Pricing will be set for 12 months and subject to review at further intervals based on the evidence supplied. Council will not consider any price rise exceeding CPI. If no pricing review is submitted, then it will be assumed that the pricing on the original tender is current.
- The contractor is required to ensure that the subcontractors are registered and/or licenced (as required by law) in the work which is to be subcontracted and have the relevant policies of insurance.
- Specifications of work is consistent with Australian Standards, those used by Transport for NSW and well-established work practices.
- Economic risk is managed by competitive tension, project planning and economy of scale to partly address cost increases if applicable, and;

- ### 5.3 Sustainability

Current approved and future forecast funding for this work is summarised below. Over the 3 plus 2-year contract period for bridge maintenance works, it is forecast over \$2.4M will be allocated to restore and maintain Councils' bridges.

[illegible]

As with all purchases under Council's Sustainable Procurement and Contracts Policy, Council will commit to the following sustainable objectives in managing this contract in:

- ✓ *The cost and economic impact of the procured product or service,*
- ✓ *The environmental impact,*
- ✓ *Any social and ethical implications, and*
- ✓ The application of good governance

In all cases projects will be financially funded, authorised and managed within its budgeted allocation.

6. Consultation and Communication

The decision and resolution of Council will be distributed via Council's Minutes and communications media releases. Details of the awarded contract will be published in the ARC contract register and uploaded onto the Council website in accordance with *Section 27 of the Government Information (Public Access) Act 2009 (GIPA)*.

Motorists will be advised of bridge works affecting access by variable message boards and local residents will be notified by letter, social media and newsletters at least two weeks prior to the start of works.

7. Conclusion

That Council notes the contents of this report and attached documentation and resolves to award to the primary panel of suppliers as determined as best value as detailed.

Item:	11.3	Ref: AINT/2024/57883
Title:	Installation of Ultrasonic Digital Water Meters ARC23/6299	Container:
Responsible Officer	Acting Chief Officer Assets and Services	
Author:	Mark Byrne, Manager Water & Wastewater	
Attachments:	1. Telstra Budget Proposal Armidale Regional Council Aqualus Water Integration and Rollout Meters V1 IA 15 November 2024- <u>(General Manager's Note: The report considers the proposal 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).</u>	

1. Purpose

The purpose of this report is to seek Council endorsement for Option 2 – Full rollout of Ultrasonic Digital Water Metering Devices as a single project to convert the whole network in a 12-month period spread over two financial years (2024-25 and 2025-2026). Approval to release funds from the Water Reserve, delegate authority to the General Manager to sign all relevant engagement documentation and approve expenditure to the upper limit of the project.

2. OFFICERS' RECOMMENDATION:

That Council

- a) Endorse Option 2 – Full rollout of Ultrasonic Digital Water Metering Devices as a single project to convert the whole network in a 12-month period spread over two financial years (2024-25 and 2025-2026).
- b) Approve the release of \$2,200,000 (excluding GST) from the Water Reserve in the 2024/25 financial year.
- c) Endorses the Procurement Strategy in regard to Telstra and its strategic water partner Taggle Systems Pty Ltd 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 \$4,500,000 (excluding GST).

3. Background

For several years staff have investigated installing Digital 'Smart' Meters at connected properties in the Armidale Regional Council (ARC) water network.

A trial was run a few years ago with Taggle clip-on devices at 200 properties in Armidale and more recently ARC engaged with Telstra, Nucleus3 (N3) and GreenBe in a Proof of Concept (PoC) to provide 50 Smart Water Meters to residents across ARC early in 2024.

The approach taken by Telstra, and then partner (N3), was to run this Project as a Production Rollout, and in this initial phase of the project aimed to set up the core Project Platforms, these being:

- Telstra Internet of Things (IoT) Platform
- GreenBe Customer Engagement and Sustainability Platform (Customer App)
- Installation of 50 x 20mm Ultrasonic Digital Meters

The reason for this approach was that by setting up these platforms in this phase meant subsequent phases only require additional meters to be installed.

The Telstra IoT Platform is built on Cumulocity, which is recognised by MachNation as a best-in-class IoT Application Platform.

The hardware agnosticism of the Telstra IoT Platform provides the basis of a successful IoT deployment, meaning ARC can deploy various devices across use cases including weather stations, parking monitors, landfill gas monitoring, bin monitors and water quality monitors over time. This means ARC will not need disparate systems implemented and can continue to benefit from competition for its future hardware procurement needs that align with Council's *'Brilliant Regions Strategy'*.

Telstra are now partnered with Taggle Systems Pty Ltd who would facilitate the rollout of the Smart Meters linked through the Communications Network (Telstra NB-IoT carriage) and Software Aqualus Water.

4. Discussion

There were 49 meters installed at various homes and businesses in Armidale and Guyra, which provide real-time data on water usage utilising the app developed by GreenBe in consultation with Council. This allowed for the early detection of leaks, preventing water wastage, and reducing the cost burden on the community. 48% of the PoC residents installed the customer-facing app and spent on average just under 13 minutes a day on it.

In only the first 2 months two major leaks were detected, one 110 litres/hour and the other 330 litres/hour, which saved the residents \$635 and \$979 respectively and 380K/L in potential water loss. In that time there were numerous smaller leaks detected as well, 29 in total. (See Tables 1 and 2 below)

Table 1 – Major Leaks

Address	Date Leak Detected	Flow (Liters/hour)	Saved Water (Kl)	Estimated money saved by resident
3 Williams Pl	11/03/2024	110	150	\$ 635.00
12 Donegal Trc	9/04/2023	330	230	\$ 979.00
Total		440	380	\$ 1,614.00

This PoC was rolled out to less than 0.5% of the network and out of the 49 meters installed 60% recorded leaks and 4% (2 out of 49) were a major leak averaging 220L/H. Therefore, based on that 4% and applying it to the whole network this potentially equates to an estimated 93,720L/H in water loss through customers meters.

Keep in mind that these leaks were extensive, and most are almost never this big. Not all smaller leaks were quantified so it is hard to say how much more water, and money, was saved by residents.

It should be understood that water leaks will continue to occur, however residents will be able to detect and act on them a lot quicker.

Table 2 – Minor Leaks and actions taken by staff

Address	Date Detected	Notes
1 Quin Ave	30/3/24, 1/4/24	2 Leaks, no contact with household.
13 Bushel St	31/3/24, 18/4/24, 19/4/24, 18/5/24, 20/5/24	5 Leaks, no contact with household.
95 Golgotha St	4/4/24, 8/4/24, 11/4/24, 22/4/24, 22/5/24	5 Leaks, Liam Crespo spoke to resident on initial leak detection, they are aware of leak and awaiting a plumber, he has since spoken to the resident again about the continued leaks and they are still waiting for a plumber to attend the property.
U3 146 Allingham St	16/4/24, 18/4/24	2 Leaks, no contact with household however water
61 The Avenue	18/04/2024, 10/5/24	2 Leaks, Water truck checked the meter and found that there was a continuous flow of 38l per hour, owners did not believe they had any leaks and called me to enquire, when I checked the meter I found the continuous flow had stopped, When speaking to the owner he explained that the 3rd spare toilet had a small leak and he had turned it off. This coincided with the flow on the meter dropping to 0. When investigating using the Armidale Water App, we were able to see the time when the leak began and the increase in flow of the leak, owners were very impressed and intended to keep a close eye on the app for future leaks.
16 Rosecommon Ave	21/4/24, 22/4/24, 15/5/24	3 Leaks, no contact with household, however water truck check meter on first alarm and found that flow had dropped to 0 on meter.
4 Moore Park Lane	23/4/24, 25/4/24, 9/5/24, 14/5/24.	4 Leaks, Owner had issues with recurring alarm on initial app download, however subsequent alarms all reflect possible leaks. Jock contacted council about possible false alarms but I haven't had any more information since the alarms were confirmed to be correct.
78 Kennedy St	30.3.24, 13/5/24, 16/5/24.	3 Leaks, Owner is aware they had a recurring leak at a tap and in the shower, they use the app and the alarms to address each leak temporarily until they renovate the bathroom.

Going forward there are two options for network rollout:

Option 1

A staged rollout utilizing the annual capital 'Meter Replacement' budget which will be rolled out over 10 years, and ongoing, installing 1,000 plus smart meters per year starting with Guyra.

Benefits:

- No large capital outlay required to install all in one go,
- all meters would not come to their 'end of life' at the same time.

Cost Estimate - \$350,000 per year (hardware), \$127,000 staff (2 x new staff for installations), \$40,000 new vehicle, \$51,000 establishment & integration, \$24 per meter per year subscription.

Total for the first year = \$593,200 Each year after = \$501,000

Option 2

Full rollout as a single project to convert the whole network in a 12-month period spread over two financial years (2024-25 and 2025-2026).

Benefits:

- Meter fleet upgraded.
- Digital meters have a longer useful life than analogue meters.
- All connected residents have the means to monitor their water usage leading to reductions in consumption.

Cost Estimate - \$4,500,000 (excl GST) full installation - includes project management, establishment, hardware, installation, staff training, integration & full subscription for the first year.

There would be a 10-to-12-year payback period based on reduced budget for meter replacement, reduced water loss through the customer meter (\$\$\$ written off each year), savings in treatment costs (less non-revenue water produced) and reduction in energy costs (production and transfer).

The cost of the support system is comparable to the cost of manual meter reading, however the risk to staff associated with manual meter reading is removed and there would be productivity gains as staff are not taken from their normal duties to read meters for two to three weeks every quarter.

Furthermore, the data is live and available for connected residents to monitor and manage their water usage.

5. Implications

5.1. Strategic and Policy Implications

F2. A clean, green, and responsible region.

F2.5. Ensure the community is provided with safe and accessible water and that our water availability is sustainably managed now and into the future.

F2.5.1. Collect, store, treat and distribute quality water in line with community needs, availability, and future requirements.

Water Policy

Brilliant Regions Strategy

5.2. Risk

- **Economic Risk** – costs incurred due to water losses (\$\$\$ written off each year), savings in treatment costs (less non-revenue water produced) and reduction in energy costs (production and transfer).
- **Social Risk** – data is live and available for connected residents to monitor and manage their water usage to avoid unexpected large water notices that could potentially incur financial hardship.
- **Operational Risk** – Live data to alert staff of leaks as they occur and staff can undertake repairs sooner minimising network losses. Negates the need for manual meter reading which minimises WHS risk to staff. Staff can also access live readings for bill finalization.
- **Reputational Risk** – Council being pro-active and assisting residents identify leaks before they escalate.
- **Corporate Risk** – data is live and visible which removes any ambiguity around a customer's usage.

- **Legislative and Regulatory Risk** – with data from customer meters and zone metering, water losses can be tracked for more accurate reporting to our regulators.

5.3. Sustainability

- Council is already partnered with Telstra for all their communication solutions.
- Live meter data that is accessible by all staff that require it.
- Telstra's NB-IoT network allows any smart device to be connected and the data easily accessible by council staff.

5.4. Financial

A transfer from the Water Reserve of \$2.2M (excl GST) is required as this project was not included in the 2024/2025 budget. The Water Reserve currently sits at \$29M.

Budget Area:	Water							
Funding Source:	Water Fund (Reserve)							
Budget (PN)	Ref:	Description	Approved Budget	Actual	Committed	Proposed	Total Forecast Expenditure	Remaining Budget
820032		Capex – Meter Replace	\$250,000	\$0	\$43,636	\$2,450,000	\$2,343,636	\$106,364
Water Reserve 2024/2024 F/Y		Impact on Water Reserve	\$29,000,000	\$0	\$0	\$2,200,000	\$2,200,000	\$26,800,000
Water Reserve 2025/2026 F/Y (forecast)		Impact on Water Reserve	\$30,500,000	\$0	\$0	\$2,300,000	\$2,300,000	\$28,200,000

Note: the balance of the project funding will be part of the 2025/2026 budget submission.

6. Consultation and Communication

Media has gone out about the success of the PoC and a Briefing Note to the General Manager (GM). The next step is a Communications Plan for installation and customer interface pending council approval.

7. Conclusion

Previous issues with installing Smart Meters was connectivity, but with Telstra's NB-IoT network and partnering with Taggle, these concerns are now resolved.

The rollout could be done over a ten-year period but then council would not see the full benefit for some time and manual meter reading would continue until all meters were upgraded.

It is recommended that Council endorsement Option 2 – Full rollout of Ultrasonic Digital Water Metering Devices as a single project to convert the whole network in a 12-month period spread over two financial years (2024-25 and 2025-2026).

This requires the release of funds from the Water Reserve and delegated authority to the General Manager to sign all relevant engagement documentation and to approve expenditure to the upper limit of the project.

Item:	12.1	Ref: AINT/2024/58598
Title:	Improved Community Consultation	Container: ARC16/0025-7
Responsible Officer	General Manager	
Author:	Dorothy Robinson, Councillor	
Attachments:	Nil	

I hereby give notice of my intention to move the following motion at the Ordinary Council to be held on 27 November 2024.

That all submissions in response to public consultations which are not labelled confidential are displayed on council's website within a reasonable period of time.

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Cr Dorothy Robinson

15/11/2024

Background Supporting Information

Local government is often described as the level of government closest to the people. This is why public consultation is a vitally important part of council operations.

Displaying non-confidential submissions on council's 'Your-say' website once council staff have had time to scan them for inappropriate content would greatly improve public confidence and demonstrate that if residents take the time and trouble to make their views known, they will be listened to. Anecdotal evidence suggests that our residents do not always consider this to be the case.

It has now also become standard practice for the NSW Government to provide copies of submissions as they come in. This link to the NSW government website provides an example of how submissions are displayed

<https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=3072#tab-submissions>

As well as improving transparency and accountability, if ARC adopted a similar process, it would allow councillors more time to read submissions and therefore greatly assist our decision-making. For example, 88 pages of submission on the local housing strategy were provided to councillors at 5:07pm on 5 August 2024, with the expectation that councillors would read and consider them before the 'Have your-say' session prior to the meeting at 3:45pm the following day, despite some councillors also attending the official commencement of construction launch event for the Armidale and Guyra Saleyards Upgrade at 11:30am that day.

For electronic submissions, it might be possible to use a form similar to the one used in the NSW Government submission process (e.g.

<https://www.parliament.nsw.gov.au/committees/inquiries/Pages/lodge-a-submission.aspx?pk=3011>) and allow all non-confidential submissions to be uploaded to council's website on a weekly basis.

If the staff member assigned the task of preparing a report to council on the submissions could devote a small amount of time to scanning submissions for inappropriate content, it might save time in the long run, by alerting staff to issues that our residents consider important and allowing time for those issues to be given the consideration they deserve in the final report to

the council meeting. Software is, of course, freely available to scan submission for inappropriate language.

In summary, creating a more efficient system to process submissions, alerting staff to important issues raised in those submissions and therefore allowing more time to deal with those issues if required, will lead to greater public confidence in the submission process. In addition, staff would no longer need to prepare a pdf file of non-confidential submissions for the council meeting, noting that in the case of the Local Housing Strategy, this process was so time consuming it took until 5:07pm the day before the council meeting and that pdf does not appear to have been made available to the public. If council supports this NoM, it would help avoid such situations in future and free councillors from the addition burden of occasionally having to read all the submissions at the last minute, so that councillors are in a much better position to make informed decisions.

Known Legal Implications

Nil.

Budget Implications

Nil.

Strategic Implications

Nil.

Policy Implications

Nil.

General Manager's Comment

Current resourcing of the Engagement team cannot support this extra administration process at this time. The parliamentary office responsible for the bill example provided by Councillor Robinson was contacted over the phone and indicated that there is an additional administrative process to reviewing each and every comment so it is suitable for public display. They work towards having submissions up between one to two weeks of receiving the original submission. Parliamentary administrative staff would far out-weigh the resources ARC could provide for this function and there would need to be a reasonable benefit to the community in doing so.

There is the potential for unintentional bias if submissions are made public during the open consultation. Meaning people could be influenced by other people's submissions.

Council is moving to online submissions through the Engagement HQ platform we currently use on the Your Say Armidale website. Due to other priorities this will not be implemented until the first quarter of 2025.

Once a consultation period is closed, the EHQ platform, through electronic submissions, will generate one consolidated report. This will create administrative efficiencies for responsible officers submitting submissions reports to council.

Item:	12.2	Ref: AINT/2024/58611
Title:	Water Investigation	Container: ARC16/0025-7
Responsible Officer	General Manager	
Author:	Eli Imad, Councillor	
Attachments:	Nil	

I hereby give notice of my intention to move the following motion at the Ordinary Council to be held on 27 November 2024.

That Council commission an urgent and thorough investigation into the Guyra water supply and distribution.

1. The investigation to probe:
 - a. The inlet water feed to the Water Treatment Plant (WTP),
 - b. The outlet treated water at the WTP,
 - c. The tap water at various strategic locations in the distribution network
2. The investigation to include:
 - a. Testing for any contaminants, physical, chemical and biological, and identifying any potential sources of pollution across the network.
 - b. Evaluating the infrastructure of the water distribution system.
 - c. Assessment of the suitability of the water to be used as potable water under the Australian Drinking Water Guidelines.
 - d. Recommendation based on investigation findings.

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Cr Eli Imad

15/11/2024

Background Support Information:

The water quality supplied to the Guyra rate payers was a contentious issue throughout the most recent election campaign where I was presented with multiple complaints. The water quality evidently does not meet the minimum standards under the Australian Drinking Water Guidelines. There have been no prior investigations into the water quality or any recommendation on the suitability of the water supplied as suitable drinking water.

Known Legal Implications:

Nil.

Budget Implications:

The General Manager to consider a proposal to fund the cost of motion.

Strategic Implications:

Nil.

Policy Implications:

Nil.

General Manager's Comment:

Council conducts thorough water testing at all locations and for all parameters mentioned by Cr Imad, ensuring compliance with the Australian Drinking Water Guidelines. Additionally, a risk assessment of the Guyra Water System was carried out last month, facilitated by ATOM Consulting, with participation from NSW Public Health, and officers from the Department of Climate Change, Energy, the Environment and Water.

Item:	13.1	Ref: AINT/2024/58255
Title:	Traffic Advisory Committee - Minutes of the meeting held 12 November 2024	
		Container: ARC16/0168-9
Responsible Officer	Acting Chief Officer Assets and Services	
Author:	Claire Butcher, Transport Administration Officer	
Attachments:	1. Agenda - Traffic Advisory Committee - 12 November 2024 2. Minutes - Traffic Advisory Committee - 12 November 2024	

RECOMMENDATION:

That in relation to the Traffic Advisory Committee Meeting held 12 November 2024, that Council:

- a) Note the Minutes of the Traffic Advisory Committee meeting held on 12 November 2024
- b) Note that the New England Antique Machinery Club – Rally Advertising Run was held from 9.30am until 12.30pm Friday 8 November 2024.
- c) Note that the Black Gully Festival was held at the Black Gully Reserve 9 November 2024.
- d) Endorse the Notice of intention to hold a Public Assembly for the Ulysses Annual Toy Run on 14 December 2024
- e) Endorse the Special Event Transport Management Plan for the temporary road closure of Prisk Street between Manse Street and Ollera Street, Guyra for the 22, 23, and 24 November 2024, for the Annual Guyra Campraft.
- f) That Council seek funding for the relocation of the Children’s Crossing to Northern side of Jewell Avenue and associated required changes to the parking arrangements in Chapel Street, Armidale.
- g) That Council note: TfNSW have requested that Council conduct traffic counts for the consideration of a pedestrian crossing on Barney at the Faulkner Intersection, with further discussions to take place at the next meeting.

1. Purpose:

This report is to provide Council with the agenda, minutes, and action list of the Traffic Advisory Committee (TAC) meeting held on Tuesday 12 November 2024 which details and recommendations to Council for consideration and adoption.

2. Discussion

To consider the recommendation advice provided by the TAC, a Transport for NSW (TfNSW) committee comprising of experts from TfNSW, Police, State Member representative, ARC Councillor and ARC technical officers.

Council is not bound by the advice given by the TAC. However, if Council does wish to act contrary to the unanimous advice of the TAC or when the advice is not unanimous, it must notify TfNSW & the NSW Police and wait 14 days before proceeding.

The TAC has no decision-making powers and is primarily a technical review committee. It only advises the Council on matters for which the Council has delegated authority, being certain prescribed traffic control devices and traffic control facilities.

The Council must refer all traffic related matters to the TAC prior to exercising its delegated functions. Matters related to State Roads or functions that have not been delegated to the elected Council and must be referred directly to TfNSW or relevant organisation. Such matters must not be referred to the TAC.

3. Report:

At its meeting held Tuesday 12 November 2024, the TAC considered six items.

Special Event Transport Management Plan NEAMC - Rally Advertising Run

The New England Antique Machinery Club – Rally Advertising Run occurred from 9.30am until 12.30pm Friday 8 November 2024. The purpose of the run was to promote the New England Heritage Festival.

The route passed through the Uralla Shire Council. Uralla Local Traffic Committee confirmed they had no objection to this event as did Local area Command and ARC. This event was at no cost to either Councils.

Notice to Hold a Public Assembly - Black Gully Festival 9 November 2024

The Black Gully Festival occurred on Saturday November 9, 2024, from 10am to 8pm, in the Black Gully Reserve (behind NERAM on the south side of the creek) at the Moran Parklands. This free, family-friendly event celebrates the vibrant spirit of Armidale as the weather warms up, offering a day filled with music, art, environmental and community engagement. The festival promised an entertaining experience for attendees of all ages.

Notice of Intention to hold a Public Assembly - Ulysses Annual Toy Run 2024.

Ulysses Club Toy Ride is under Police escort with no road closures and is in aid to raise donations for the Salvation Army. The activities will commence at 12.00pm 14 December 2024 from Technology Park at UNE and proceed to the VIC Car Park and finishing at 2.00pm.

All participants will obey the road rules.

Special Event Transport Management Plan - Guyra Campdraft 2024

The Guyra Campdraft is an annual event which will occur from 22, 23, and 24 November 2024. Council has been requested to install a temporary road closure of Prisk Street between Manse Street and Ollera Street, Guyra for the safety of contenders, stock, and the general public.

Request for changes to parking arrangements at Newling School Chapel Street, Armidale

Council received a letter from Stephen Gadd the principal of Newling School raising concerns about pedestrian safety at the Chapel Street entrance to the school.

In early September Council Officer, Graham Earl, met on site with the interested parties including TfNSW and an Edwards Coaches representative

After inspection of the various locations, it was considered that the best option would be to investigate the relocation of the crossing to the northern side of Jewell Avenue with the bus zone immediately to the south of the crossing. This will have minimal impact on of the parking for residents and provide a better service and improved safety for all road users of the facilities.

The No Parking zone to the south of the existing crossing remain in place and to be extended to act as a “kiss and drop” zone. Grant funding is required and will be sort for project to go ahead.

Request for Pedestrian Crossing at Intersection Barney and Faulkner Streets, Armidale

Council received correspondence regarding a request for a pedestrian crossing at the intersection of Barney and Faulkner Streets, Armidale. Council has requested that the Traffic Advisory Committee consider this request. This request has previously been investigated in 2010, 2015, and again in 2021. The road concerned is a State Classified Road, and thus any request for modification to the carriageway must be approved by TfNSW.

Traffic and pedestrian assessments previously carried out for justification of a pedestrian crossing were not sufficient to meet the warrant and was previously rejected.

TfNSW have request a new pedestrian survey to be undertaken by Council and be referred back to the next Traffic Advisory Committee meeting. However, if the survey doesn't meet the requirements, TfNSW is happy to support installation of a secondary pedestrian control device at this location at the cost to TfNSW as the road owner and as per TfNSW technical direction.

4. Strategic Directions:

The function of the TAC aims to maintain safe and effective traffic facilities on the road network to industry and legislative standards.

The activities and recommendations align with Advancing Our Region - Your Community Plan 2022-2032 and with Council Delivery Program 2022-2026 as part of:

Connected Region – Transport and Technology

- C1. Quality infrastructure makes it safe and easy to travel around our region.
 - C1.1 Build and maintain quality, safe, and accessible road transport infrastructure including roads, footpaths, kerbs, bus stops and parking facilities.
- C2. Transport and technology that enable connectivity both locally and outside the region.

C2.1 Provide access to public and private transport services that link our community to our local towns and villages, other regions, our local attractions, and lifestyle infrastructure.

5. Relevant Legislation

- *Roads Act (1993)*
- *Road Transport (Safety and Traffic Management) Regulations (1999)*
- *Road Rules (2008)*, and
- A guide to the delegation to Council for the Traffic (Guidelines)

6. Financial Implications

TfNSW Block Grant.

TfNSW provides block grants to Council as a contribution towards the cost of works on Regional Roads, under the terms of the Block Grant Agreement. Block Grants may be spent on preservation, restoration and enhancement works to the extent provided for in the Block Grant Agreement.

Every council has entitlement to an annual block grant. The grant comprises a roads component and a supplementary component (both available for works on Regional Roads) and a traffic

facilities component (which may be spent on works on Regional Roads as well as traffic facilities on Local Roads).

Budget Area:	At the cost to the organisers						
Funding Source:	N/A						
Budget Ref: (PN)	Description	Approved Budget	Actual	Committed	Proposed	Total Forecast Expenditure	Remaining Budget
N/A	Guyra Campdraft 2024. Installation and removal of traffic control.	Nil	Nil	Nil	\$434.81	Nil	Nil

The road closure will be installed by Council at the cost to the organisers. There is no financial cost to Council associated with the closure.

7. Conclusion

That Council note the minutes of the Traffic Advisory Committee (TAC) meeting held on Tuesday, 12 November 2024 and the recommendations made to Council be considered for endorsement.

Item:	14.1	Ref: AINT/2024/57878
Title:	Malpas Dam	Container: ARC16/0001-9
Responsible Officer	General Manager	
Author:	Dorothy Robinson, Councillor	
Attachments:	Nil	

1. Purpose

The purpose of this report is to provide a response to submitted "Questions for Which Notice Has Been Given" provided by Cr Robinson.

2. OFFICERS' RECOMMENDATION:

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

3. Question

"If Council got means to raise the Malpas wall first and had the funds to do it, could Council start construction within six or 12 months from now or would Council have to wait two years until the end of the funding deed runs out."

Background Support Information

Nil.

General Manager's Comment

Response to Question:

Due to the value of the projects, each exceeding the \$30 million threshold set by State Government, both projects (Malpas and Oaky) are considered to be State Significant infrastructure.

Therefore, both projects are subject to the same planning approval timeframe, with the Environmental Impact Statement (EIS) and approvals taking up to two years.

Item:	14.2	Ref: AINT/2024/58621
Title:	Council Owned Property Guyra	Container: ARC16/0025-7
Responsible Officer	General Manager	
Author:	Eli Imad, Councillor	
Attachments:	Nil	

1. Purpose

The purpose for this report is to provide a response to submitted “Questions for Which Notice Has Been Given” provided by Cr Imad.

2. OFFICERS’ RECOMMENDATION:

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

3. Question

Does Council still maintain ownership of residential property in Guyra formerly owned by the former Guyra Shire Council for the purpose of providing doctors with living residence.

Background Support Information

Nil.

General Manager’s Comment

Armidale Regional Council owns residential property in Guyra both currently and in the past. A more detailed response will be provided once the above matter has been investigated.