

HILLTOPS COUNCIL ORDINARY MEETING MINUTES

22 April 2020, commencing at 4.30pm

Held in the Hilltops Council, Young Chamber 189 Boorowa Street, Young

ATTENDANCE

Mayor Cr Brian Ingram

COUNCILLORS

Cr Gregory Armstrong
Cr Tony Flanery
Cr John Horton
Cr Christopher Manchester
Cr Rita O'Connor
Cr Margaret Roles
Cr Matthew Stadtmiller
Cr Wendy Tuckerman
Cr John Walker
Cr Antony Wallace

STAFF

Anthony O'Reilly	General Manager
David Rowland	Acting Director Sustainable Growth
John Osland	Director Infrastructure
John Hughes	Director Strategy and Organisational Performance

APOLOGIES

Nil

PUBLIC FORUM

Mr William Chapman – CPC Surveyors

- Item 12.5 - 20/79 – 2018/DA-00014: Residential Subdivision - Two (2) Lots into Twenty-Four (24) Lots and New Road

5. SYMPATHY EXPRESSIONS

That staff and members of the public be upstanding for a minutes' silence to express our sympathy on the passing of:

Gwenneth Briggs, Joan Robinson, William Fensom, Lorna Parkman, Leonard Apps, William Nicolls, James Cusack, Simon Jasprizza, Barry Braddon, Ronald Thurtell, William Windred, Neville Wood, Colin Causer, Geoffrey Gravenmaker, Austin Whittaker, Robert Berry, Elizabeth Smith

Moved: Mayor Brian Ingram

General Manager

Mayor

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6. CONFIRMATION OF MINUTES

6.1 – 20/72 – CONFIRMATION MINUTES HILLTOPS COUNCIL ORDINARY MEETING 25 MARCH 2020

20/81 – RESOLVED:

That Council:

- a) Confirm the Minutes from the Hilltops Council Ordinary Meeting dated 25 March 2020 as a true and accurate record.*

Councillors: Manchester/Horton

Unanimous

7. DISCLOSURES OF INTEREST

Cr Tuckerman – Declared a non-pecuniary interest - Mayoral Minute 8.1 – COVID-19 Financial Support

- Option E – Make a declaration, not participate in the debate and not vote.

8. MAYORAL MINUTE

8.1 – COVID-19 FINANCIAL SUPPORT

20/82 RESOLVED:

That Hilltops Council:

- (a) Calls on the Federal Government and NSW Government to urgently deliver comprehensive and multifaceted financial support and stimulus packages to local government to enable them to continue to operate effectively and provide essential services during the COVID-19 pandemic;*
- (b) Calls for the packages to include the following measures:*
 - *Increasing Financial Assistance Grants payments to 1% to help councils maintain essential functions and services, acknowledging the increased costs and mounting revenue losses arising from COVID-19 as well as giving councils capacity to provide hardship assistance to businesses and residents.*
 - *Immediate financial assistance to support council employees, especially in early education and care.*
 - *Providing stimulus funding to councils for projects that will help sustain council operations and boost local economies. This could be achieved through increasing or bringing forward funding under existing funding programs or introducing new programs.*
 - *Increased access to TAFE, VET and other apprenticeship opportunities that council staff can undertake to address skill shortages, especially for staff in non-essential services who are unable to be redeployed;*

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- (c) Commends the NSW and Federal Governments on their stewardship during this crisis and commits to working in partnership to protect community health and sustain local economies through this crisis;*
- (d) Write to the Local Federal and State Members Steph Cooke MP, Wendy Tuckerman MP, Prime Minister the Hon Scott Morrison MP, NSW Premier the Hon Gladys Berejiklian MP, Federal Treasurer the Hon Josh Frydenburg MP, NSW Treasurer the Hon Dominic Perrottet MP, NSW Local Government Minister the Hon Shelley Hancock MP, Federal Minister for Local Government the Hon Mark Coultan, Federal Opposition Leader the Hon Anthony Albanese, NSW Opposition Leader Jodi McKay MP, Federal Shadow Minister for Local Government Jason Clare MP and NSW Shadow Minister for Local Government Greg Warren MP to confirm their support for increased financial assistance and stimulus funding for local government to help councils maintain essential services and employment during the COVID-19 pandemic;*
- (e) Endorses Local Government NSW's sector-wide campaign to obtain financial assistance, employment support and stimulus funding for the local government sector;*
- (f) Advise LGNSW President Linda Scott of the passage of this Mayoral Minute; and*
- (g) Receive and endorse the Mayor's report.*

Councillors: Ingram/O'Connor

For: Councillors: Ingram, Armstrong, Flanery, Horton, Manchester, O'Connor, Roles, Stadtmiller, Wallace
Against: Councillor: Walker

Cr Tuckerman – Declared a non-pecuniary interest – did not participate in the debate and did not vote.

12.5 - 20/79 – 2018/DA-00014: RESIDENTIAL SUBDIVISION - TWO (2) LOTS INTO TWENTY-FOUR (24) LOTS AND NEW ROAD

20/83 – RESOLVED:

That Council:

- (a) Defer the matter to give sufficient time for the applicant to respond to Council's request for information and for a further report to be brought to Council.*

Councillors: Horton/Stadtmiller

Unanimous

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9. MAYORAL REPORTS

20/84 RESOLVED:

That Council:

(a) Receive and note the Mayors engagements, April 2020.

ENGAGEMENT DATES

26 March	Mayoral Video Update
30 March	Meeting with General Manager
2 April	Meeting with General Manager
3 April	Meeting with General Manager
6 April	Councillor Zoom Meeting
7 April	LEP Workshop via Zoom
15 April	Meeting with General Manager
22 April	Hilltops Council Ordinary Meeting

Councillors: Armstrong/Flanery Unanimous

10. COUNCILLOR REPORTS

10.1 - 20/74 - COUNCILLOR – MEETINGS ATTENDED

20/85 RESOLVED:

(a) That the reports be read and noted.

Councillor John Horton

6 April	Zoom Introduction and training session
7 April	LEP Meeting via Zoom
22 April	Hilltops Council Ordinary Meeting

Councillor Rita O'Connor

6 April	Zoom Introduction and training session
7 April	LEP meeting via Zoom
22 April	Hilltops Council Ordinary Meeting

Councillor Margaret Roles

6 April	Zoom Introduction and training session
7 April	LEP meeting via Zoom
22 April	Hilltops Council Ordinary Meeting

Constituent related matters

Councillor John Walker

Meetings as minuted

22 April	Hilltops Council Ordinary Meeting
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Councillor Tony Flanery

6 April Zoom Introduction and training session
22 April Hilltops Council Ordinary Meeting

Councillor Gregory Armstrong

6 April Zoom Introduction and training session
7 April LEP meeting via Zoom
22 April Hilltops Council Ordinary Meeting

Councillor Antony Wallace

22 April Hilltops Council Ordinary Meeting

Councillor Matthew Stadtmiller

Meetings as minuted
22 April Hilltops Council Ordinary Meeting

Councillor Wendy Tuckerman

6 April Zoom Introduction and training session
22 April Hilltops Council Ordinary Meeting

Councillor Christopher Manchester

Meetings as minuted
6 April Zoom Introduction and training session
7 April LEP meeting via Zoom
22 April Hilltops Council Ordinary Meeting

Councillors: Flanery/O'Connor Unanimous

11. COMMUNITY RECOGNITION SCHEME

20/86 RESOLVED:

That Council:

(a) Acknowledge all health professionals and those people involved in the provision of services ongoing to the community during these very difficult times.

Councillors: Armstrong/Ingram Unanimous

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12. GENERAL MANAGER'S REPORT

12.1 - 20/75 – CASH AND INVESTMENT REPORT

20/87 RESOLVED:

That Council:

(a) Receive the Statement of cash and investments as at 31 March 2020.

Councillors: Manchester/Horton Unanimous

12.2 – 20/76 – OUTSTANDING RATES AND CHARGES COLLECTION REPORT

20/88 RESOLVED

That Council:

(a) Receives and notes the report.

Councillors: O'Connor/Horton

For: Councillors: Ingram, Armstrong, Horton, Manchester, O'Connor, Roles, Stadtmiller,
Tuckerman, Walker, Wallace
Against: Councillor: Flanery

12.3 – 20/77 – DEVELOPMENT APPLICATION STATISTICS FOR MARCH 2020

20/89 RESOLVED:

That Council:

(a) Receive and note the status and processing times for Development Applications and Complying Development Certificates as at 31 March 2020.

Councillors: Manchester/Roles Unanimous

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12.4 - 20/78 – SUBMISSION TO DRAFT PROPOSED STATE HERITAGE REGISTER LISTING OF THE SITE OF THE LAMBING FLAT ANTI-CHINESE RIOT SITE AND ASSOCIATED BANNER, YOUNG

20/90 RESOLVED:

That Council:

- (a) Supports a heritage listing with amended proposed curtilage boundary (in accordance Map A, attached) as the preferred option to be submitted to Heritage Council of NSW; and*
- (b) Is to receive a further report upon completion of the consideration of the listing by Heritage Council of NSW, summarising feedback, and any recommended changes to the draft State Heritage Register nomination to the Lambing Flat Anti-Chinese Riot Site and Associated Roll-Up No Chinese Banner.*

Councillors: O'Connor/Horton

For: Councillors: Ingram, Armstrong, Horton, Roles, Stadtmiller, Tuckerman

Against: Councillors: Flanery, Manchester, O'Connor, Walker, Wallace

12.6 - 20/80 – WATER METERS SALE TO BRIBBAREE PROGRESS ASSOCIATION

20/91 RESOLVED:

That Council:

- (a) Provide water meters to the Bribbaree Progress Association at the instore cost price where such meters will be connected to the Bribbaree water supply*

Councillors: Walker/Manchester Unanimous

12.7 - 20/81 – DESIGN AND CONSTRUCTION OF AN INCLUSIVE PLAYGROUND IN YOUNG – PROJECT UPDATE

Point of order called and upheld. Matter not dealt with and no vote taken

12.8 – 20/82 – HILLTOPS WORKS REPORT

20/92 RESOLVED:

That Council:

- (a) Receive and note the information provided on works completed and works planned.*

Councillors: Horton/Manchester Unanimous

General Manager

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12.9 - 20/83 – ACTION SUMMARY REPORT

20/93 RESOLVED:

That Council:

- (a) Note the status of Council resolutions from the Action Plan; and*
- (b) Endorse the removal of completed items from the Action Plan.*

Councillors: Manchester/Flanery Unanimous

CORRESPONDENCE FOR INFORMATION

INFORMATION

12.10 – 20/84 – MEDIA RELEASES AND OFFICE OF LOCAL GOVERNMENT CIRCULARS

20/94 RESOLVED:

That Council:

- (a) Note the media releases and dates of release from February 2020 – March 2020. All Hilltops Council media releases can be found on the Hilltops Council website: <https://hilltops.nsw.gov.au/>; and*
- (b) Note the Office of Local Government Circular and date of release for March 2020. All Office of Local Government Circular releases can be found on the Office of Local Government website:*

<https://www.olg.nsw.gov.au/Councils/essential-information-and-publications/circulars-for-Council>

Councillors: Manchester/Horton Unanimous

13. QUESTIONS WITH NOTICE

13.1 – 20/85 – REQUEST FOR INFORMATION

20/95 RESOLVED:

That Council:

- a) Receive and note the report;*
- b) Provide a 6 month extension to licence fees on food and beverage businesses within Hilltops Region; and*
- c) Pro rata all fees and charges for sporting clubs for use of grounds for the 2020 season based upon the weeks available to them.*

Councillors: Flanery/Stadtmiller

For: Councillors: Armstrong, Flanery, Manchester, O'Connor, Roles, Stadtmiller,
Tuckerman

Against: Councillors: Ingram, Horton, Walker, Wallace

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14. NOTICE OF MOTION RESCISION

Nil

15. CONFIDENTIAL MATTERS

15.1 - 20/86 – EXCLUSION OF THE PRESS AND PUBLIC

20/96 RESOLVED:

That Council;

- a) Resolve into Closed Council to consider business identified, together with any late reports tabled at the meeting; and*
- b) Pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above;*
- c) The correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act 1993.*

Councillors: Walker/Flanery

Unanimous

ITEM 1: COMMERCIAL MATTER

This item is classified CONFIDENTIAL under section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it.

ITEM 2: COMMERCIAL MATTER

This item is classified CONFIDENTIAL under section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it.

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15.2 - 20/87 – TENDER 525 OF 2020, SUPPLY AND DELIVERY OF ONE (1) USED, SIDE LOADING, DUAL CONTROL, COMPACTION GARBAGE TRUCK

20/97 RESOLVED:

That Council:

- (a) Accept the tender of Superior Pak for the supply and delivery of one 2017, Demonstrator, Isuzu FXY1500 Cab Chassis fitted with 24m3 Raptor SL Side loading Waste Compaction Unit, in the amount of \$279,778.00 inclusive of GST (\$254,344.00 ex GST); and*
- (b) Sell Asset 1000377, 2008, Iveco Garbage Truck through Pickles Auctions, as they are the appointed sole supplier for Vehicle Disposal Services for the NSW Government, through the NSW Government Contract 603 - Disposal of Motor Vehicles. The current truck will not be auctioned until after receiving the replacement unit. Approximate sale value \$20,000-\$25,000.*

Councillors: Walker/Manchester Unanimous

15.3 - 20/88 – AWARD OF CONTRACT 485 of 2019 – BOOROWA SKATEPARK CONSTRUCTION

20/98 RESOLVED:

That Council:

- (a) Receive and note the report including the potential delay in delivery of works in response to COVID-19;*
- (b) Enter into negotiations with V.F.G Skateparks Pty Ltd (ABN: 51 313 640 046), in accordance with cl. 178(3)(e) of the Local Government (General) Regulations 2005, to revise the scope of works to align to the available budget allocation, with a view of entering into contract conditional of bank guarantee or comparative form of security being provided to Council; and*
- (c) Delegate to the General Manager the authority to execute all necessary documentation associated with the execution.*

Councillors: Manchester/Horton Unanimous

20/99 RESOLVED:

That Council:

- (a) Move out of Closed Council and resolutions made in Closed Council were read and moved as a block in Open Council; and*
- (b) That the resolution of the Council in confidential session be adopted.*

Councillors: Horton/Manchester Unanimous

General Manager

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17. CONCLUSION OF THE MEETING – proposed next meeting

NEXT MEETING

The next ordinary meeting of Council scheduled to be on Wednesday, 27 May 2020, Young Chambers and video conference, commencing at 4.30pm.

TERMINATION

There being no further business the meeting closed 6.15pm

General Manager

Mayor