

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

26 September 2018, commencing at 5.30 PM

Held in the Hilltops Council, Harden Chamber, 3 East Street, Harden

## ATTENDANCE

Mayor Cr Brian Ingram

## COUNCILLORS

Gregory Armstrong  
John Horton  
Rita O'Connor  
Margaret Roles  
Matthew Stadtmiller  
Wendy Tuckerman  
John Walker  
Antony Wallace

## STAFF

E Marks	General Manager
L Furness	Executive Director Corporate and Community
L Hackett	Acting Director Sustainable Growth
K Fox	Acting Director Infrastructure Services

## APOLOGIES

Councillor Tony Flanery  
Councillor Christopher Manchester  
Sharon Langman – Director Sustainable Growth

**18/257 RESOLVED:**

*That the apologies be accepted.*

*Councillors: Walker/Roles*

## PUBLIC FORUM

Nil

## **SYMPATHY EXPRESSIONS**

**18/258 RESOLVED:**

*That Council staff and members of the public be upstanding for a minute silence to express our sympathy on the passing of,*

*Gwen Trudgett; Gweneth Foster; Una Shoard; Barbara Duggan; Terry Murphy; Beryl Dunn; Anne Dixon; Stanley Jamieson; Peter Armstrong; Harold Scifleet; Stanley Brooke-Kelly, June Lynch; Aline Johnson; Robert Wiggins*

*Moved: Mayor Ingram*

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General Manager

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Mayor

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## CONFIRMATION OF MINUTES

*18/259 RESOLVED:*

*That the minutes of the Ordinary Meeting of Council held on 22 August 2018, be confirmed as a true and accurate record.*

*Councillors: O'Connor/Roles*

## CONFIRMATION OF MINUTES

*18/260 RESOLVED:*

*That the minutes of the Extraordinary Meeting of Council held on 29 August 2018, be confirmed as a true and accurate record.*

*Councillors: Tuckerman/Roles*

## DECLARATIONS OF INTEREST - CONFLICT OF INTEREST

- Cr Tony Wallace - Non-Pecuniary Interest – 18/217 – Board member of CAMA

Option A – make a declaration, stay in the Chamber, participate in the debate, and vote.

- Cr Greg Armstrong – Pecuniary Interest – 18/222 – Potential Sub-Contractor

Option F – Make a declaration, do not participate in the debate, leave the Chamber upon making the declaration, and not return until the matter is resolved.

- Cr Wendy Tuckerman – Non-Pecuniary Interest – 18/192 – member of the Golf Club and Young Services Club

Option A – make a declaration, stay in the Chamber, participate in the debate, and vote.

- Cr John Horton – Non-Pecuniary Interest – 18/192 – member of the Young Services Club

Option A - make a declaration, stay in the Chamber, participate in the debate, and vote.

- Cr Matthew Stadtmiller – Pecuniary Interest – 18/212 – Part Owner of a local newspaper

Option F – Make a declaration, do not participate in the debate, leave the Chamber upon making the declaration, and not return until the matter is resolved.

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- Mayor Ingram – Non-Pecuniary Interest – 18/192 – member of the Young Services Club

Option A - make a declaration, stay in the Chamber, participate in the debate, and vote.

- Lee Anne Furness – Non-Pecuniary Interest - 18/192 – member of the Young Services Club

Option A - make a declaration, stay in the Chamber, and answer questions if required.

## MAYORAL REPORT

As per business paper

18/182 – CANBERRA REGION JOINT ORGANISATION (CRJO) – INAUGURAL MEETING, 29 JUNE 2018

*18/261 RESOLVED:*

*That Council; note the Mayoral Report from the Canberra Region Joint Organisation (CRJO), inaugural meeting at Canberra, 29 June 2018.*

*Councillors: Armstrong/Walker*

## COUNCILLOR REPORT'S

### JOHN HORTON

As per Business Paper

### GREGORY ARMSTRONG

Meetings as minuted

26 September Hilltops Council Ordinary Meeting – Harden  
Young Swimming Pool Stakeholders  
Young Swimming Pool Development Operators Consultative Meeting  
Young Swimming Pool Community Consultative Committee Meeting  
Young Swimming Pool – update with Council  
Galong Village Meeting

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## MATTHEW STADTMILLER

Meetings as minuted

LEP Meeting – Young

Constituent Meetings

26 September Hilltops Council Ordinary Meeting – Harden

## MARGARET ROLES

Meetings as minuted

Murringo Public School

Galong Village Planning Meeting

Koorawatha Village Meeting

Visitor Information Centre Meeting with representative -  
Jan Ryan

Grants Committee Meeting

LEP Working Committee

26 September Hilltops Council Ordinary Meeting – Harden

## ANTONY WALLACE

Meetings as minuted

Various Council Workshops

26 September Hilltops Council Ordinary Meeting - Harden

## WENDY TUCKERMAN

Meetings as minuted

23 August Hilltops Library JUPA Meeting – Young

24 August Meeting with Boorowa Business Association and Community  
Manager

28 August Community Suicide reference group/ Wellways Meeting

Boorowa Business Association Meeting re: LEP

29 August Extraordinary Council Meeting

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- 4 September Boorowa Showground Users Meeting
- 5 September Bango Windfarm Community Consultative Meeting  
Council Workshop
- 8 September North Sydney Bushcare/ Boorowa Landcare Dinner
- 11 September Boorowa Showground Project Meeting  
Regional Tourism Meeting
- 12 September Koorawatha Community Meeting
- 13 September Hilltops Library JUPA Meeting
- 25 September Hilltops Library JUPA Meeting  
Boorowa Showground Users Groups
- 26 September Hilltops Council Ordinary Meeting – Harden

## **RITA O'CONNOR**

Meetings as minuted

Young and District Multicultural Focus Group – society social event

Regional Tourism Meeting

Jugiong Advancement Group Meeting

- 26 September Hilltops Council Ordinary Meeting – Harden

## **JOHN WALKER**

Meetings as minuted

- 26 September Hilltops Council Ordinary Meeting – Harden

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## COMMUNITY RECOGNITION SCHEME

*18/262 RESOLVED: That Council forward a letter of congratulations to:*

- 1. Young Tennis Centre and Colin Maher, on being nominated for two awards in the upcoming Tennis NSW awards; and*
- 2. Young North Primary School aerobics team for winning the national title in Brisbane.*

*Councillors: Tuckerman/O'Connor*

## GENERAL MANAGER'S REPORT

### 18/183 – ELECTION OF DEPUTY MAYOR

*18/263 RESOLVED:*

*Cr A Wallace; nominated by; Cr Tuckerman/Cr O'Connor*

*That; As there were no further nominations; Cr Wallace is elected unopposed as Deputy Mayor for the next twelve (12) months.*

*Councillors: Armstrong/O'Connor*

### 18/184 – MEETING DATES AND TIMES FOR THE ORDINARY MEETING OF COUNCIL

*18/264 RESOLVED: That Council;*

- 1. Hold eleven (11) ordinary meetings over the 2018/19 term in each month with the exception of January, as listed; and*
- 2. Hold an extraordinary meeting on Wednesday, 8 May 2019 at Young to consider placing the 2019/2020 Budget on public exhibition.*
- 3. Endorse the meeting schedule for the 2018/19 term, including dates and times.*

*Councillors: Horton/O'Connor*

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## 18/185 - DRAFT HILLTOPS LEGISLATIVE COMPLIANCE POLICY

*18/265 RESOLVED: That Council;*

- 1. endorse the Legislative Compliance Policy to be placed on public exhibition for a period of 28 days calling for submissions;*
- 2. if any submissions are received that propose changes, or if there are substantial post public exhibition changes proposed for any other reasons, a report be submitted to Council for consideration detailing the public exhibition outcomes and with further recommendations regarding adoption; and*
- 3. if there are no submissions received proposing changes as a result of the public exhibition, or there are no substantial post public exhibition changes proposed for any other reasons, Council adopt the Legislative Compliance Policy.*

*Councillors: Tuckerman/O'Connor*

## 18/186 - CUSTOMER SERVICES POLICY

### **Motion**

That Council; endorse the Customer Service Policy, Charter and Commitment Statement as attached.

Councillors: Wallace/O'Connor

### **Amendment**

That Council;

1. endorse the Customer Service Policy;
2. undertake community consultation for 2 months; and
3. a report back to Council at a development meeting.

Councillors: Wallace/O'Connor

### **Amendment to the amendment**

That Council; engage external consultants to develop a Customer Service Policy and metrics and undertake community engagement.

Councillors: Armstrong/Horton

**The amendment was put and carried. The amendment becomes the motion.**

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## Motion

That Council; engage external consultants to develop a Customer Service Policy and metrics and undertake community engagement.

Councillors: Armstrong/Horton

**18/266 RESOLVED:**

*That Council; engage external consultants to formulate a Customer Service Policy and metrics and undertake community engagement.*

*Councillors: Armstrong/Horton*

## 18/187 – CARRINGTON PARK HERITAGE NEAR ME GRANT

**18/267 RESOLVED:** *That Council;*

- 1. Accept the \$96,900 grant from the Heritage Near Me program and sign the Funding Agreement; and*
- 2. Undertake community consultation and commence work on the project deliverables within the allocated timeframe.*

*Councillors: Walker/Roles*

## 18/188 - DISTRIBUTION OF COUNCIL'S SPONSORSHIP FUND

**18/268 RESOLVED:** *That Council;*

- 1. Approve the sponsorship committees recommended projects (with conditions), to be funded in the 2018/2019 sponsorship program.*

<i>Applicant</i>	<i>Allocation</i>
<i>Young Society of Artists</i>	<i>\$ 1,500</i>
<i>Hilltops Inc.</i>	<i>\$ 1,000</i>
<i>Young Sports Advisory Committee</i>	<i>\$ 1,250</i>
<i>Young District Cricket Association</i>	<i>\$ 2,500</i>
<i>Young PCYC</i>	<i>\$ 1,000</i>
<i>Young Bowling Club</i>	<i>\$ 2,000</i>
<i>Jugiong Golf Club</i>	<i>\$ 1,000</i>
<i>Young Amateur Swimming Club</i>	<i>\$ 2,500</i>
<i>Jugiong Writers Festival</i>	<i>\$ 3,000</i>
<i>Young Dressage Association</i>	<i>\$ 2,500</i>
<i>Harden Camera Club</i>	<i>\$ 750</i>

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<i>Wombat Parents &amp; Citizens Association</i>	\$	1,500
<i>Young Meals on Wheels</i>	\$	1,000
<i>Friends of Christ Church, Jugiong (Village Map)</i>	\$	1,000
<i>Boorowa Community Landcare Inc.</i>	\$	1,500
<i>Hilltops Choir</i>	\$	1,000
<i>Harden CWA Branch</i>	\$	1,000
<i>Young Local Aboriginal Education Consultative Group</i>	\$	1,000
<i>Young Regional School of Music</i>	\$	1,000
<i>Margaret House - Women's Refuge</i>	\$	2,500
<i>Harden Murrumburrah Rugby League Football Club</i>	\$	750
<i>Hilltops Naked Farmers</i>	\$	1,000
	\$	32,250

2. *Apply any remaining sponsorship budget to a second round in February 2019; and*
3. *Provide funding of \$2,500, to Milvale Progress Association, to cover their annual hall running costs and that this be funded from the Financial Assistance/Donations program budget.*

*Councillors: Horton/Roles*

## 18/189 – CASH AND INVESTMENTS AS AT 31 AUGUST 2018

*18/269 RESOLVED:*

*That the Statement of cash and investments as at, 31 August 2018 be received.*

*Councillors: Armstrong/O'Connor*

## 18/190 – FINANCIAL STATEMENTS – REQUEST FOR EXTENSION

*18/270 RESOLVED:*

*That Council; approve the application for extension of the 2018 Financial Statements to 31 January 2019.*

*Councillors: Tuckerman/Wallace*

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## 18/191 – PUBLIC LIBRARY FUNDING

*18/271 RESOLVED: That Council;*

- 1. Endorse, support and take a lead role in the local activation of the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative, Renew Our Libraries.*
- 2. Note the announcement by the NSW Government on 24 August 2018 of its intention to provide a \$60m funding package for NSW public libraries for the quadrennial period 2019-20 to 2022-23.*
- 3. Make representation to the Member for Cootamundra Stephanie Cooke and Member for Goulburn, Pru Goward MP, in relation to the need for ongoing additional funding from the NSW State Government for the provision of public library services.*
- 4. Write to the Hon. Don Harwin, Minister for the Arts and the Hon. Walt Secord, Shadow Minister for the Arts, calling for bi-partisan support for the provision of ongoing and indexed increases in state funding for NSW public libraries, supported by a sustainable future funding model.*
- 5. Formally advise the NSW Public Libraries Association and Local Government NSW that Council has endorsed the library funding advocacy initiative, Renew Our Libraries.*

*Councillors: Horton/O'Connor*

## 18/192 – SETTING OF A RENTAL FOR THE YOUNG GOLF COURSE

*18/272 RESOLVED: That Council;*

- 1. Endorse the change of leasee of the Young Golf Course from Young Golf Course Ltd to Young Services and Citizens Club Ltd;*
- 2. the rental be set at \$498 per annum; and*
- 3. a review be undertaken of the lease in line with Council's Policy on Leasing and Licensing of Council Land and Buildings Policy every three years commencing in 2021.*

*Councillors: Walker/Roles*

## 18/193 – DEVELOPMENT APPLICATION STATISTICS FOR AUGUST 2018

*18/273 RESOLVED:*

*That Council; receive and note the status and processing times for development applications, as at 31 August 2018.*

*Councillors: Tuckerman/O'Connor*

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## 18/194 – DRAFT PESTICIDE USE NOTIFICATION POLICY AND PLAN FOR OUTDOOR PUBLIC PLACES-V 2.0

*18/274 RESOLVED: That Council;*

- 1. Endorse the Hilltops Draft Pesticide Use Notification Policy and Plan for Outdoor Public Places to be placed on public exhibition calling for submissions for 28 days;*
- 2. If there are substantial changes proposed for any reasons, a report be submitted to Council for consideration detailing the public exhibition outcomes and with further recommendations regarding adoption; and*
- 3. If there are no submissions received proposing changes, or there are no changes proposed for any other reasons, Council adopt the Hilltops Draft Pesticide Use Notification Policy and Plan for Outdoor Public Places.*

*Councillors: Tuckerman/Wallace*

## 18/195 – STATE HERITAGE REGISTER NOMINATION OF THE LOCATION OF THE LAMBING FLAT RIOT IN YOUNG

*18/275 RESOLVED:*

*That Council; acknowledge the heritage significance of the Carrington Park precinct and its potential state significance relating to the Lambing Flat anti-Chinese riots and work with the NSW Heritage Council in progressing the listing while ensuring the design and development of any future library and community facility within the precinct, adequately addresses the heritage significance.*

*Councillors: Armstrong/Stadtmiller*

## 18/196 – PROPOSED NAMING OF NEW ROAD, OFF FORSYTHE AVENUE, YOUNG

*18/276 RESOLVED: That Council;*

- 1. Agree to the proposal to name the new road, Nellee Place, and proceed to advertise the proposed name for 28 days; and*
- 2. Provided no submissions are received in response to the advertising of the proposal, Council proceed to name the new road, Nellee Place.*

*Councillors: Walker/Roles*

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18/197 – 2016/DA-00119 REV02 – RESIDENTIAL AGED CARE FACILITY – 66 DEMONDRILLE STREET YOUNG

**18/277 RESOLVED:**

*That the matter be deferred.*

*Councillors: Tuckerman/Roles*

18/198 – 2001/DA-00016 REV03 – DEAD HORSE GULLY PIGGERY – 3009 MURRINGO ROAD YOUNG NSW 2594

**18/278 RESOLVED:**

*That Council; approve the following modifications, subject to the conditions below.*

*Application no. 2001/DA-00016 REV03*

➤ *Property: Lots 5, 14, 37 - 40, 52, 54, 56, 60, 62, 64 - 65, 79, 90 - 91, 99, 112 - 116, 136, 138 - 142, 150 - 152 and 185 DP 754595, Lots 63, 72, 78, 147, 172 and 183 DP 754607, Lots 1 - 4 DP 240973 and Lots 6 - 8 DP 133424*

*'Dead Horse Gully', 3009 Murringo Road, YOUNG NSW 2594*

➤ *Proposed modification: Replace roofs of six eco sheds from eco-style to panel roofs*

*1. All conditions of the original consent remain in force for the modification and shall be complied with as required.*

*2. The insertion of the following additional conditions of consent:*

*The development being generally in accordance with:*

- *The application to modify the consent, dated 13 August 2018 and following approved plans*

*Drawings prepared by Mundigo Pty Ltd*

<i>Drawing No.</i>	<i>Sheet No.</i>	<i>Name of Plan</i>	<i>Date</i>
<i>DHG-02</i>	<i>-</i>	<i>Site Layout with future liquid feeding system</i>	<i>21/02/2018</i>
<i>BLAN-13-01</i>	<i>-</i>	<i>Layout and elevations for 33m shed</i>	<i>20/06/2018</i>
<i>BLAN-12-01</i>	<i>-</i>	<i>Layout and elevations for 51m shed</i>	<i>20/06/2018</i>

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## *Structural drawings prepared by Tesseract International Pty Ltd*

18-193	G100 Rev A	Structural- shed cover sheet	06/2018
18-193	S100 Rev A	Structural- shed roof framing plan and schedules (51m shed)	06/2018
18-193	S101 Rev A	Structural- shed elevations and section (51m sheds)	06/2018
18-193	S102 Rev A	Structural- shed steelwork details (51m sheds)	06/2018
18-193	S200 Rev A	Structural- shed roof framing plan and schedules (33m shed)	06/2018
18-193	S201 Rev A	Structural- shed elevations and section (33m shed)	06/2018
18-193	S202 Rev A	Structural- shed steelwork details (33m shed)	06/2018

- *Statement of Environmental Effects, undated, submitted on 13 August 2018.*

*Councillors: Walker/Horton*

Record of Councillor Voting on Planning Matters in accordance with Section 375A of the Local Government Act, 1993.

For: Councillors: Ingram; Horton; Stadtmiller; Tuckerman; Walker; Wallace; Armstrong; Roles; O'Connor

Against: Nil

Absent: Councillors: Manchester; Flanery

**18/199 – DA039-2017 DWELLING AT 1861 TARRANTS GAP ROAD, WYANGLA**

*18/279 RESOLVED:*

*That Council; approve the Clause 4.6 variation of the development standard contained in Clause 4.2A of the Boorowa LEP 2012, relating to the minimum lot size for the erection of a dwelling, and approve the following application, subject to the conditions below.*

- *Application No.:* DA039-2017
- *Property:* Lot 21 DP 1201670, 1861 Tarrant's Gap Road, Wyangala
- *Development:* To erect a four (4) bedroom Colorbond dwelling, and a Colorbond shed.

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## *Approved Development*

- The development shall be generally in accordance with Development Application number DA039-2017 submitted by the Applicant and be in accordance with the supporting documentation submitted with that application, including, but not limited to, the following.*

<i>Drawings</i>			
<i>Drawing No.</i>	<i>Issue</i>	<i>Name of Plan</i>	<i>Date</i>
-	-	<i>Floor plan and elevations for dwelling</i>	<i>21/9/2016</i>
-	-	<i>Floor plan and elevations for shed (by Sydney Sheds and garages)</i>	-
-	-	<i>Site plan</i>	-

*Statement of Environmental Effects, undated.*

*Bushfire report, undated.*

*BASIX Certificate No 845542S, dated 10 August 2017.*

*as modified by any conditions of this consent.*

- The development must be setback a minimum of ten (10) metres, measured from the nearest tree trunk, from the established tree line east of the development.*
- All building work must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the Construction Certificate was made).*
- A copy of the stamped approved plans and documentation must be kept onsite for the duration of site works and be made available upon request to either the Certifying Authority or an officer of the Council.*

## **PRIOR TO RELEASE OF CONSTRUCTION CERTIFICATE**

- A Construction Certificate is required to be issued by the Principal Certifying Authority prior to the commencement of any works on site.*
- The building must be designed, constructed and maintained in accordance with Bushfire Attack Level 12.5 standard requirements provided in Australian Standard 3959:2009 Construction of buildings in bush fire-prone areas and Addendum Appendix 3 of the Planning for*

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*Bushfire Protection 2006. The building is to be sited in accordance with condition 2 of this consent. Details demonstrating compliance are to be submitted to the Certifying Authority and approved prior to the issue of a Construction Certificate.*

7. *Pursuant to Section 7.12 of the Environmental Planning and Assessment Act, 1979 the monetary contribution set out in the following table is to be paid to Council prior to the issue of a Construction Certificate. The contribution is current as at the date of this consent and is levied in accordance with the Boorowa Council Section 94A Development Contributions Plan 2012, adopted on 24 November 2014, which may be viewed during on Council's website: [www.hilltops.nsw.gov.au](http://www.hilltops.nsw.gov.au).*

*The contribution payable will be calculated in accordance with the contributions plan current at the time of payment and will be adjusted at the time of payment in accordance with the Consumer Price Index (CPI) (All Groups Index for Sydney) published by the Australian Bureau of Statistic. Contribution amounts will be adjusted by Council each quarter.*

<i>Contribution type</i>	<i>Development value</i>	<i>Levy percentage</i>	<i>Total contribution</i>
<i>Section 7.12 Contribution</i>	<i>\$155,700.00</i>	<i>1%</i>	<i>\$778.50.00</i>

## **PRIOR TO COMMENCEMENT OF WORKS**

8. *The person having the benefit of this consent must obtain a Section 68 approval to carry out sewerage work from Council prior to commencing such works and comply with any conditions of that permit. In this regard, a Section 68 application for the installation and operation of an on-site sewage management system shall be submitted to Council and approved. The system must be of a suitable size and design for the development hereby approved*
9. *The builder or person who does the residential building work must comply with the applicable requirements of Part 6 of the Home Building Act 1989. This requirement may be satisfied by the provision of an Owner/ Builder permit or Home Owner's Warranty Insurance prior to commencement of construction.*
10. *Residential building work within the meaning of the Home Building Act 1989 shall not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being a Council) has given the Council written notice of the following information:*
- (a) *In the case of work for which a principal contractor is required to be appointed, the name, licence number and name of insurer if the principal contractor*

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- (b) *In the case of work to be done by an owner-builder, the name and owner-builder permit number (where required).*

*Changes to the residential building work shall not be carried out unless the Principal Certifying Authority has given the Council written notice of the changes. This condition does not apply to Crown building work as defined.*

11. *A sign must be erected in a prominent position on any site on which building work is being carried out:*
- a) *showing the name, address and telephone number of the principal certifying authority for the work, and*
  - b) *showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and*
  - c) *stating that unauthorised entry to the site is prohibited.*

*Any such sign is to be maintained while the building work is being carried out but, must be removed when the work has been completed.*

12. *No work must commence until:*
- a) *a Principal Certifying Authority has been appointed. Where an Accredited Certifier is the appointed, Council must be notified within two (2) days of the appointment; and*
  - b) *a minimum of two (2) days written notice must be given to Council of the intention to commence work.*

## **DURING WORKS**

13. *Building activities and excavation work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7:00 am and 6:00 pm on weekdays and 8:00 am and 1:00 pm on Saturdays. No work on Sundays or Public Holidays is permitted.*
14. *The carrying out of work during the construction of the development shall be done in such a manner as to not to interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke vapour, steam, soot, ash, waste water, waste products or grit, oil or otherwise.*
15. *All building rubbish and debris, including that which can be windblown, shall be contained on site in a suitable container for disposal at a lawful waste facility. The container shall be erected on the building site prior to work commencing and be maintained for the term of the construction to the completion of the development.*

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16. *Throughout the course of building operations on the land, toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection of a building is being carried out. Toilet facilities are to be provided at a rate of one toilet for every twenty (20) persons or part of twenty (20) persons employed at the site.*
17. *Trees not approved for removal shall be protected from damage during construction. This includes protection from compaction of the ground within the root zone, damage to the trunk or crown of the tree.*
18. *Erosion and sedimentation controls must be in place prior to the commencement of site works and maintained throughout construction activities until the site is landscaped and/or suitably revegetated. The controls shall be in accordance with the details approved by Council and/or as directed by Council Officers. These requirements shall be in accordance with latest publication of Managing Urban Stormwater – Soils and Construction produced by Landcom.*

## *Earthworks*

19. *Any cut or fill on site must be appropriately graded, drained or retained and drained as necessary. Retaining walls greater than 1 metre in height shall be designed by a suitably qualified practising and insured Structural Engineer. The design shall be submitted to and permission to proceed granted by Council prior to work commencing.*
20. *It is a prescribed condition of this consent that if the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the consent shall, at the person's own expense:*
  - a) *Protect and support the adjoining premises from possible damage from the excavation; and*
  - b) *Where necessary, underpin the adjoining premises to prevent any such damage.*

## *Services*

21. *All plumbing and drainage work is to comply with the requirements of Australian Standard AS3500 Plumbing and Drainage and the Plumbing Code of Australia. In this regard, the following inspections by Council are required:*
  - a) *When external sanitary drainage is laid ready for test. All drainage must be under water test at the time of the inspection; and*

\_\_\_\_\_  
General Manager

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Mayor

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- b) *Prior to backfilling or covering any absorption trenches, tank systems and connections to point of discharge.*

*A plumbing and drainage design plan is to be submitted to and approved by Council prior to the external drainage inspection being booked.*

22. *All sanitary drainage and site drainage for slab on ground design is to comply with the provisions of AS2870 Residential slabs and footings.*
23. *The top of the yard gully is to be minimum of 150 mm below the finished floor level and a minimum of 75 mm above the finished ground level.*
24. *The base of trenches shall be sloped away from the building. Trenches shall be backfilled with clay in the top 300 mm within 1.5 m of the building. The clay used for backfilling shall be compacted. Where pipes pass under the footing system, the trench shall be backfilled full depth with clay or concrete to restrict the ingress of water beneath the footing system.*
25. *The location of water, electricity and gas services are to comply with Section 4.2.7 of Planning for Bushfire Protection 2006.*

## *Construction*

26. *Kitchen exhaust shall discharge externally of the roof covering and not discharge into the roof space. Any ductwork through roof space is to be of non-combustible material.*
27. *A smoke alarm system complying with Australian Standard AS3786 Self Contained Smoke Alarms or listed in the Scientific Services Laboratory Register of Accredited Products - Fire Protection Equipment shall be installed in suitable locations on or near the ceiling. The smoke alarm system must be connected to the mains electrical power supply and must have a standby (battery backup) power supply.*
28. *Cold water pipes and heated or hot water pipes shall not be installed under a slab, unless the pipes are installed within a conduit so that if the pipe leaks water it will be noticed above the slab or outside the slab and will not leak unnoticed under the slab. Water service pipes installed under concrete slabs should comply with the relevant requirements of AS/NZS 3500.1. Heated water service pipes installed under concrete slabs should comply with the relevant requirements of AS/NZS 3500.4.*

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General Manager

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29. Pursuant to section 97A(3) of the Environmental Planning & Assessment Regulation 2000, all the commitments listed in the BASIX Certificate for the development must be fulfilled. In this regard, roof waters shall be conveyed from appropriate areas of the roof to the rainwater tank. The rainwater tank shall be plumbed to the applicable fixtures within the house (as required on the BASIX Certificate) in accordance with the Plumbing Code of Australia and Australian Standard AS3500-3 Plumbing and Drainage.

*Note:* It is recommended for the rainwater tanks to be fitted with a first flush device that causes initial run-off rainwater to bypass the tanks. A low-level inspection opening or flushing access is also recommended for clean-out of the whole system for maintenance.

30. Stormwater from roof and hardstand areas shall be conveyed at least 3m clear of the dwelling and the shed and disposed of without causing erosion or nuisance to adjoining premises. This shall include the stormwater overflow from any tank or collection system.
31. A minimum of 61,000 litres of water storage will be available for the exclusive use of the dwelling.
32. In recognition that no reticulated water exists, a 20,000-litre dedicated water supply tank for fire-fighting purposes shall be provided, and a 65mm Storz fitting installed in accordance with the Planning for Bushfire Protection 2006.
33. An all-weather access driveway must be properly constructed from Tarrants Gap Road to the dwelling house and firefighting water supply on-site. The access driveway must be constructed to the following standard:
- a) have a minimum carriageway width of four (4) metres,
  - b) have an all-weather surface of at least gravel,
  - c) have a minimum vertical clearance of four (4) metres, and
  - d) provide a loop access around the dwelling or incorporate a turning circle with a minimum twelve (12) metre outer radius.
34. A thirty-five (35) metre Asset Protection Zone to the building (Inner Protection Area of ten (10) metres and Outer Protection Area of twenty-five (25) metres) must be provided and maintained for the life of the development in accordance with the Planning for Bushfire Protection 2006 and the NSW Rural Fire Service's document Standards for Asset Protection Zones.

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General Manager

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*Further, any trees within the Inner Protection Area must not overhang within five (5) metres of the dwelling and shall have a discontinuous canopy.*

## *Occupation Certificate*

35. *An Occupation Certificate must be issued by the Principal Certifying Authority (PCA) prior to occupation or use of the development. When all work as indicated on the approved plans/specifications is completed, the applicant shall notify the PCA to arrange for the issue of a final Occupation Certificate.*
36. *An approval to operate a system of sewage management under the Local Government Act, 1993 must be obtained from Council prior to the issue of an Occupation Certificate.*
37. *All works required by this consent shall be completed prior to the issue of an Occupation Certificate.*

*Councillors: Walker/Stadtmitter*

Record of Councillor Voting on Planning Matters in accordance with Section 375A of the Local Government Act, 1993.

For: Councillors: Ingram; Horton; Stadtmitter; Tuckerman; Walker;  
Wallace; Armstrong; Roles; O'Connor

Against: Nil

Absent: Councillors: Manchester; Flanery

18/200 – DRAFT YOUNG DEVELOPMENT CONTROL PLAN AMENDMENT – INCORPORATING PLANNING PROPOSAL VEHICLE SALES OR HIRE PREMISES 8 WOMBAT STREET, YOUNG

*18/280 RESOLVED:*

*That; the draft Young Development Control Plan Amendment 2, which incorporates site specific controls for vehicle sales and hire premise and carpark development on 2, 4-6 and 8 Wombat Street and 1 Murringo Street, Young, be placed on public exhibition for 28 days.*

*Councillors: Horton/Armstrong*

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General Manager

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Mayor

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Record of Councillor Voting on Planning Matters in accordance with Section 375A of the Local Government Act, 1993.

**For:** Councillors: Ingram; Horton; Stadtmiller; Tuckerman; Armstrong;  
Roles; O'Connor  
**Against:** Councillors: Walker; Wallace  
**Absent:** Councillors: Manchester; Flanery

## 18/201 – REVIEW OF BIOSECURITY FUNCTIONS

*18/281 RESOLVED:*

*That the matter be deferred.*

*Councillors: Wallace/Armstrong*

## 18/202 – WAMBANUMBA BRIDGE CONDITION

*18/282 RESOLVED:*

*That Council; read and note the report.*

*Councillors: Walker/O'Connor*

## 18/203 – YOUNG AQUATIC CENTRE: STAGE 2 DESIGN

*18/283 RESOLVED:*

*That Council; approve the proposed concept design as detailed and proceed with the detailed design of Stage 2 of the Young Aquatic Centre.*

*Councillors: Armstrong/Roles*

## 18/204 – BOOROWA SHOWGROUND UPDATE

*18/284 RESOLVED: that;*

- 1. The remaining additional works for the upgrades and renovation of the existing toilets and changerooms totalling \$35,149.80 be deferred pending notification of the Stronger Country Communities Grant funding being approved; and*
- 2. The nett project surplus of \$2,740.41 be retained and used towards the upgrades and renovation of the existing toilets and changerooms.*

*Councillors: Tuckerman/O'Connor*

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General Manager

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Mayor

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## 18/205 – WILLAWONG STREET, YOUNG; PROPOSED TREE REMOVAL FOR SPORTS FIELD CONNECTING PATHWAY PROJECT

*18/285 RESOLVED: That Council;*

*Based primarily to minimise Councils exposure to public liability from incidents whilst pedestrians are crossing Willawong St Council adopts;*

- 1. Option 2 being to Remove the first four Casuarina glauca (Swamp She Oaks) on the eastern side of Willawong Street to construct a 2.5-meter shared foot path;*
- 2. Replace the four trees with a minimum of 25 Callistemon shrubs along the embankment to stabilise and prevent damage to Council infrastructure from high flow storm water events; and*
- 3. Consider the construction of a pedestrian safety rail fence along the edge of the embankment.*

*Councillors: Horton/Roles*

## 18/206 – MURRUMBURRAH CEMETERY TREE REMOVAL CHINESE CEMETERY

*18/286 RESOLVED:*

*That Council; based primarily to minimise Councils exposure to the potential damage to the heritage listed Chinese Cemetery Council adopts;*

- 1. Option 2 being the complete removal of the Eucalyptus melliodora (Yellow Box) adjacent to the heritage listed Chinese Cemetery; and*
- 2. Complete the planting of up to twenty (20) trees and shrubs to enhance the aesthetic value of the area surrounding the Chinese Cemetery.*

*Councillors: Horton/O'Connor*

## 18/207 - CEMETERY MANAGEMENT SYSTEM

### **Motion**

That Council; approves the expenditure of \$46,535 for the development of a Cemetery Management System.

Councillors: Walker/Horton

**The motion was put and lost.**

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General Manager

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Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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## Motion

That the matter be deferred until the parameters around the Southern Phone dividend reserve is provided to Council.

Councillors: Tuckerman/Wallace

**Motion was put and carried.**

**18/287 RESOLVED:**

*That the matter be deferred until the parameters around the Southern Phone dividend reserve is provided to Council.*

*Councillors: Tuckerman/Wallace*

## 18/208 – BOOROWA RECREATION PARK TOILETS

**18/288 RESOLVED:**

*That Council; note the information and agree to proceed with the project.*

*Councillors: Walker/Tuckerman*

## 18/209 – STRONGER COMMUNITIES AND STRONGER COUNTRY COMMUNITIES PROJECTS UPDATE

**18/289 RESOLVED:**

*That Council; receive and note the progress report on the Stronger Communities projects and the Stronger Country Communities projects.*

*Councillors: Tuckerman/Horton*

## 18/210 – HILLTOPS WORKS REPORT

**18/290 RESOLVED:**

*That Council; receive and note the information provided on works completed and works planned.*

*Councillors: Walker/O'Connor*

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General Manager

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Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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## 18/211 - ACTION SUMMARY REPORT

*18/291 RESOLVED: That Council;*

- 1. note the status of Council resolutions from the Action Plan; and*
- 2. endorse the removal of completed items from the Action Plan.*

*Councillors: Horton/Armstrong*

## GENERAL MANAGER'S LATE REPORT

### 18/223 - LOCAL GOVERNMENT NSW ANNUAL CONFERENCE

*18/292 RESOLVED:*

*That the late report - Local Government NSW Annual Conference be accepted.*

*Councillors: Tuckerman/O'Connor*

*18/293 RESOLVED: That Council approve;*

- 1. Attendance at the 2018 LGNSW Conference by Mayor, General Manager and Councillor Roles; and*
- 2. Determine its allocation of votes to delegates at the 2018 LGNSW Conference*

*Councillors: Tuckerman/O'Connor*

### 18/212 - NOTICE OF MOTION

#### **Motion**

That Council; hold a fair, open and transparent process in regards to advertising within local media, seeking their rates for advertising and recognising their value within their local communities. Value which is intrinsic to the growth and knowledge of those communities, especially under an early part of the forced merger process.

Councillors: Armstrong/Walker

**The motion was put and lost.**

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General Manager

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Mayor



# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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## 18/213 – NOTICE OF MOTION

### Motion

That Hilltops Council acknowledges and accepts its roles under section 223 and section 232 of the LG Act 1993 for the whole area of the Hilltops Council, but as a matter of policy....

The Council support any proper and democratic process presented for a demerger of Hilltops Council to reconstitute the former Councils of Harden, Young and Boorowa as existed prior to 12th May 2016.

When a proper and democratic process shows an overwhelming desire by the majority of citizens of 1 of the former Council areas or all of them.

Councillors: Stadtmiller/Armstrong

**The motion was put and lost.**

## 18/214 – NOTICE OF MOTION

### Motion

That Hilltops Council undertakes a full bridge and road study to assess the structural integrity of all of the bridges in the Hilltops Shire, their approaches and surfaces.

That Hilltops Council identify 'blackspots' within the Shire where there has been a death or deaths, or where near misses have been reported on roads, corners, bends, straights, hills or dips or anywhere else on the Hilltops road network.

That Hilltops Council engage widely and across a number of different formats within the Hilltops community for a period of 28 days to provide residents with an opportunity to report concerns which will be compiled in a report for Councillors at the October Council meeting.

Councillors: Stadtmiller/Walker

**The motion was put and lost.**

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General Manager

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Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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## 18/215 – NOTICE OF MOTION

### Motion

That Hilltops Council treat residents who live across the entire Shire equally in regards to access to the respective pools. The opening and closing dates of the swimming pool facilities at Young, Boorowa, Harden and Jugiong need to be brought into line so that all residents are treated equally. Rate payers and residents who buy a season ticket at one of the respective pools are to be allowed access to all of the pools listed.

The current operating opening dates are; Young – October 6, Harden – November 3, Boorowa – November 3 and Jugiong November 10.

That preparations be made to ensure that Harden, Boorowa and Jugiong can open on October 6 2018.

Councillors: Stadtmiller/Horton

*The motion was put and lost.*

## CORRESPONDENCE FOR ATTENTION

### ACTION

Nil

**18/294 RESOLVED:**

*That the balance of correspondence be noted.*

Councillors: Tuckerman/Roles

## COUNCIL COMMITTEE REPORTS

### 18/216 – HILLTOPS ACCESS COMMITTEE CHANGES TO APPENDIX 1 - HILLTOPS COUNCIL SECTION 355 COMMITTEE STANDARD CONSTITUTION

**18/295 RESOLVED:**

*That Council; adopt the amended Appendix 1 - Schedule to Hilltops Council Section 355 Committee Standard Constitution (Hilltops Access Committee).*

Councillors: O'Connor/Stadtmiller

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General Manager

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Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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## 18/217/218 – SECTION 355 COMMITTEE UPDATE

*18/296 RESOLVED:*

*That Council move into Committee of the Whole.*

*Councillors: Tuckerman/O'Connor*

*18/297 RESOLVED:*

*That Council moved out of Committee of the Whole.*

*Councillors: Wallace/Horton*

*18/298 RESOLVED:*

*That each item be discussed individually, regarding the 355 Committee Update.*

*Councillors: Roles/Horton*

*18/299 RESOLVED:*

*That Council;*

- 1. Endorse Marg Abbey for the Hilltops Region Arts and Culture Committee Section 355 Committee.*

*Councillors: Tuckerman/Roles*

**Motion**

2. Endorse Judith Pugh for the Hilltops Region Arts and Culture Committee as a representative of CAMA.

Councillor: Wallace/

**Motion lapsed for the want of a seconder.**

*18/300 RESOLVED:*

*That Council;*

- 3. Invite the Lambing Flat Writers Group to nominate a representative to the Hilltops Region Arts and Culture Committee.*

*Councillor Wallace/Horton*

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General Manager

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Mayor

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**18/301 RESOLVED:**

*That Council;*

- 4. Note the resignation of Len Dopson from the Galong Progress Association Section 355 Committee.*

*Councillor Horton/O'Connor*

**18/302 RESOLVED:**

*That Council move the following in a block;*

*That Council;*

- 5. Endorse the nomination of Suzie MacDougall and Edna Baker and Paula Phelan to the Galong Progress Association Section 355 Committee.*
- 6. Endorse the Young Sports Advisory Section 355 Committee Schedule;*
- 7. endorse Robert Everdell, Steve Brill, Peter Hall, Mark Crisp, Janine Hobson, Trish Patterson, Kere Mayo, Kelly Meddings, Jason Hall, Peter Brown, David Webster, Cheryl Matthews, Michelle Madden, Robert Bush, Andrew McIlhhatton and Paul Cameron to the Young Sports Advisory Section 355 Committee.*
- 8. Endorse the re-establishment of the Hilltops Healthy Shires Committee.*
- 9. Endorse Heather Ritchie, Naomi Peters, Jeanette Lautier and Donna Davis to the Hilltops Healthy Shires Section 355 Committee.*
- 10. Appoint Councillor Tuckerman and Councillor O'Connor, to the Hilltops Healthy Shires Section 355 Committee.*
- 11. Endorse Alison Foreman and Rebecca Jones to the National Cherry Festival Section 355 Committee.*
- 12. Endorse the appoint the newly elected members of the Murringo MCA inc as members of the 355 Committee of Council for the Murringo Halls: President – Gina Galvin; Vice President – Heather Ritchie; Secretary – Julie Downes; Treasurer – Carol Hewson; Members – Margaret Gillespie; Maureen Virgo; Tracey Jansen; Leah Coggan and Frank Baker.*
- 13. Endorse the appointment of the newly elected members of the Galong Progress Committee; President – Paul Phelan; Vice President – Edna Baker; Secretary – John Killick Jnr; Treasurer – John Killick Snr.*

*Councillor Armstrong/Roles*

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General Manager

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Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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**18/303 RESOLVED:**

*That Council; delete the following recommendation as it is now obsolete*

- 14. Repair the Boorowa Showground race track back to its former condition prior to water and sewerage works commence as requested by the Boorowa Showground User Group meeting, 4 September 2018.*

*Councillors: Tuckerman/O'Connor*

**18/304 RESOLVED:**

*That Council;*

- 15. Endorse Councillor Rita O'Connor as Chairperson of the Regional Tourism Committee; schedule of meetings and locations for 2018; 14 August – Boorowa; 11 September 2018 – Young; 9 October 2018 – Harden; 13 November 2018 – Jugiong and schedule be adopted reflecting the objectives of the Hilltops Regional Tourism Committee; as requested by Regional Tourism Committee Meeting, 26 June 2018*

*Councillor Armstrong/Roles*

**18/305 RESOLVED:**

*That Council;*

- 16. Accept the recommendations of the Hilltops Council Local Traffic Advisory Committee meeting (noting that the rescission motion period has expired); as requested by Hilltops Council Local Traffic Advisory Committee – 5 September 2018.*

**18/17 – LOADING ZONE, BOOROWA CENTRAL SCHOOL, PUDMAN STREET, BOOROWA.**

- 1. That Council not install a 'Loading Zone' in Pudman Street at Boorowa Central School; and*
- 2. 'Staff liaise with RMS to seek funding for the upgrading of the School Crossing Kerb Blister Facility to the current standard at Boorowa Central School.'*

**18/18 – NO PARKING, CARAVAN PARK VEHICLE ACCESS, ALBURY STREET, HARDEN.**

*That Council; approve the installation of 'No Parking' regulatory signage at the vehicle access to the Caravan Park in Albury Street, vicinity of 15 metres east side and vicinity of 7 metres west side of the vehicle access.*

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General Manager

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Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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18/19 – STOP/ GIVE WAY, WOMBAT STREET LANE, BETWEEN ALLANAN STREET and BERTHONG STREET, YOUNG.

*That Council; receives the report in relation to the Stop/ Give Way sign, Wombat Street Lane, Between Allanan Street and Berthong Street, Young; with no action to be taken and the situation to be monitored.*

18/20 – SPEED LIMIT, MURRINGO ROAD, WESTERN APPROACH TO MURRINGO VILLAGE, MURRINGO.

- 1. That Council staff request RMS to undertake a speed limit review of the existing 50km/h speed limit location with the view to relocating the 50km/h speed limit west of the Murringo Creek Bridge on Murringo Road, to a suitable location so as to eliminate the braking of heavy vehicles on the concrete bridge structure; and*
- 2. That staff provide RMS a copy of the consultant's report for Murringo Creek Bridge. The report indicates an action that recommends reducing the speed limit to 50km/h travelling across the bridge structure.*

18/21 – FREIGHT ISSUES (HILLTOPS COUNCIL LGA), HARDEN REGIONAL DEVELOPMENT CORPORATION Inc.

- 1. That Council staff request RMS comment in relation to the replacement of the William Bradford Bridge on Burley Griffin Way, over Demondrille Creek.*

*Councillors: Wallace/Roles*

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General Manager

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Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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## CLOSED COUNCIL

### 18/219 – EXCLUSION OF THE PRESS AND PUBLIC

#### 18/307 RESOLVED:

1. That Council resolve into Closed Council to consider business identified, together with any late reports tabled at the meeting.
2. That 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.
3. That 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: Wallace/Roles

#### **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.

#### **ITEM 3: 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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General Manager

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Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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## 18/220 – TENDER ASSESSMENT REPORT – LINE MARKING SERVICES PANEL

*18/308 RESOLVED:*

*That Council; establish a panel contract for the provision of Linemarking Services between September 2018 and 30 June 2020 with the following suppliers:*

- *CL&S Pty Ltd t/a Capital Lines and Signs*
- *Workforce Road Services Pty Ltd.*

*Councillors: Wallace/Horton*

## 18/221 – TENDER ASSESSMENT REPORT – S&I SAFETY BARRIER PRODUCTS (PANEL CONTRACT)

*18/309 RESOLVED:*

*That Council; establish a panel contract for the provision of Safety Barrier Product Services between September 2018 and 30 June 2020 with the following suppliers on preferred supplier basis based:*

- *RBK Pty Ltd*
- *Euro Civil Pty Ltd*
- *Eastern Safety Barriers Group Pty Ltd*
- *A1 Highways Pty Ltd.*

*Councillors: Horton/Armstrong*

## 18/222 – CONTRACT VARIATION FOR LGIS DATA MIGRATION SERVICES

*18/310 RESOLVED: That Council;*

- 1. approve the variation to the contract for software services between Council and TechnologyOne in accordance with the terms of the Council report;*
- 2. approve the budget variation of \$654,515 in accordance with this report; and*
- 3. that the Mayor and General Manager be authorised to execute legal documents.*

*Councillors: O'Connor/Tuckerman*

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General Manager

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Mayor



# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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## **18/311 RESOLVED:**

*That Council move out of closed meeting.*

*Councillors: Tuckerman/Wallace*

Council moved out of Closed Council and the resolutions made in Closed Council were read.

## **NEXT MEETING**

The next ordinary meeting of Council scheduled to be on Wednesday, 24 October 2018, Young Chambers, commencing at 5.30pm

## **TERMINATION**

There being no further business the meeting closed 9.02 pm.

DRAFT

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General Manager

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Mayor