

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

25 September 2019, commencing at 5.30pm

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

## ATTENDANCE

Mayor Cr Brian Ingram

## COUNCILLORS

Gregory Armstrong

Tony Flanery

John Horton

Christopher Manchester

Rita O'Connor

Margaret Roles

Matthew Stadtmiller – left the meeting at 5.45pm

John Walker

Antony Wallace

## STAFF

E Marks

General Manager

J Osland

Director Infrastructure

D Rowland

Director Sustainable Growth

### ***19/300 RESOLVED:***

#### ***That Council:***

- (a) Suspend standing orders to deal with Item 12.1 – 19/301 – Election of Mayor; and 12.2 – 19/302 – Election of Deputy Mayor;***
- (b) General Manager Edwina Marks was nominated as the returning officer for the election.***

***Councillors: Ingram/Horton***

***Unanimous***

### **12.1 - 19/301 – ELECTION OF MAYOR**

#### ***19/301 RESOLVED:***

#### ***That Council:***

- (a) Determined the method of electing the Mayor and Deputy Mayor in accordance with Schedule 7, of the Local Government (General) Regulation 2005 as:***
  - (i) Open Voting***

***Councillors: Wallace/Armstrong***

Cr Manchester nominated by; Cr Roles/Cr O'Connor

Cr Ingram; nominated by; Cr Roles/Cr Horton

Open voting ballot took place - 4/6

**Councillor Brian Ingram is elected Mayor for the following 12 month period.**

For: Councillors: Ingram, Armstrong, Flanery, Horton, Wallace, Walker

Against: Councillors: Manchester, O'Connor, Roles, Stadtmiller

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

\_\_\_\_\_  
Mayor

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## 12.2 - 19/302 – ELECTION OF DEPUTY MAYOR

**19/302 RESOLVED:**

*That Council:*

- (a) Elect a Deputy Mayor for a one year term; and*
- (b) Determined the method of electing the Mayor in accordance with Schedule 7, of the Local Government (General) Regulation 2005 as:
  - (i) Open Voting**

*Councillors: Wallace/Armstrong*

Cr Antony Wallace; nominated by; Cr Wallace/Cr Manchester  
Cr Margaret Roles; nominated by; Cr Manchester/Cr Walker

Ordinary voting ballot took place - 6/4

**Councillor Antony Wallace is elected Deputy Mayor for the following 12 month period.**

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

## **APOLOGIES**

Councillor Wendy Tuckerman

**19/303 RESOLVED:**

*That Council:*

- (c) Grant a leave of absence to Councillor Wendy Tuckerman from the Hilltops Council Ordinary Meeting 25 September 2019 and 23 October 2019 as requested.*

*Councillors: Horton/Roles Unanimous*

Councillor Rita O'Connor

**19/304 RESOLVED:**

*That Council:*

- (a) Grant a leave of absence to Councillor Rita O'Connor from the Hilltops Council Ordinary Meeting 23 October 2019 and 27 November 2019 and December 2019 as requested.*

*Councillors: Manchester/Wallace Unanimous*

## **PUBLIC FORUM**

Nil

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

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Mayor

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## 5. SYMPATHY EXPRESSIONS

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

*Thomas O'Brien; John Trudgett; Gordon Jarrott; George Killick; Anthony Bolger; Dominic Barbaro; John James; Howard Rowley; Ronald Acton; Lorna Furner; Rose Davis; Dennis Shean; Gloria McCaffery; Dawn Marchant; Edmund Goodridge; Colin Allen; Delcie Butt; Marigold Costello; Kenneth Hopwood; Barry Coulton; Patricia Heywood*

*Moved: Mayor Brian Ingram*

## 6. CONFIRMATION OF MINUTES

**19/305 RESOLVED:**

*That Council:*

*(a) Confirm the Minutes from the Hilltops Council Ordinary Meeting dated 28 August 2019 as a true and accurate record.*

*Councillors: Flanery/Manchester Unanimous*

**19/306 RESOLVED:**

*That Council:*

*(a) Confirm the Minutes from the Hilltops Council Extraordinary Meeting dated 11 September 2019 as a true and accurate record.*

*Councillors: Horton/Roles Unanimous*

## 7. DECLARATIONS OF INTEREST - CONFLICT OF INTEREST

- Cr Flanery - Pecuniary Interest – Item 12.14 - 19/314 – T19-06: Demolition of an Existing Shed and the Erection of a New Shed – Lot 1 DP177119, 1137 Cunningar Road, Barwang

Section 7.4 - 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 Flanery – Non-Pecuniary Interest – Item 12.14 - 19/329 – Young Aquatic Centre Licence Fee

Option E – Make a declaration, stay in the Chamber, do not participate in the debate, and not vote.

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General Manager

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Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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## 8. MAYORAL MINUTE(S)

### 8.1 - 19/297 – CROWN LANDS NEGOTIATIONS 2019

*19/307 RESOLVED:*

*That Council:*

*(a) Request the Minister Hon Melinda Pavey to consider the withdrawal of Hilltops Council from the Crown Lands Negotiation Pilot on financial grounds.*

*Councillors: Ingram/Armstrong*

For: Councillors: Ingram, Armstrong, Flanery, Horton, Manchester, O'Connor, Roles,  
Wallace

Against: Councillor: Walker

## 9. MAYORAL REPORT

### 9.1 – 19/299 - MAYORAL REPORT SEPTEMBER 2019

*19/308 RESOLVED:*

*That Council:*

*(a) Receive and note the Mayors engagements, September 2019.*

### ENGAGEMENT DATES - August – September 2019

29 August	Mayoral video blog
31 August	Official unveiling of Major-General Kenneth Mackay sculpture
3 September	Meetings with community members in Boorowa and Harden
3 September	Opening of Cunningar Road rehabilitation project
4 September	Travel to Sydney
5 September	LGNSW Training
6 September	Cunningar Road media
6 September	Tree planting in Boorowa with Boorowa Community Landcare Group
7 September	20th anniversary of Building Bridges to Boorowa celebratory dinner and signing of MOU
9 September	Ground breaking ceremony, Rural Fire Service Harden
9 September	Library project meeting at Young High School
9 September	Young Sports Advisory Committee Meeting
10 September	Councillor Workshop
11 September	Councillor Workshop
11 September	Hilltops Council Extraordinary Meeting, Young Chambers
12 September	Meetings with local business owners
15 September	Official opening of Young Show
15 September	Travel to Terrigal
16 September	Life After Amalgamation Forum
17 September	Life After Amalgamation Forum
19 September	Meetings with the General Manager
19 September	Riding for the Disabled movie premiere

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General Manager

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Mayor

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22 September Long Lazy Lunch  
24 September Flood Plain Management Committee Meeting  
24 September Meeting re: Library Project  
25 September Hilltops Council Ordinary Meeting, Harden Chambers

*Moved: Mayor Brian Ingram Unanimous*

## 10. COUNCILLOR REPORTS

### 10.1 - 19/300 - COUNCILLOR – MEETINGS ATTENDED

#### 19/309 RESOLVED:

*(a) That the reports be read and noted.*

#### Councillor John Horton

20 August Rail meeting/ Blayney, Demondrille etc - Young  
23 August Official opening Camellia show Steph Cooke in attendance - Young  
25 August Wombat Bush Poets afternoon - Piano Accordion Recital - Young  
27 August Kite Festival Committee meeting - Murrumburrah  
28 August Hilltops Council ordinary meeting - Boorowa  
30 August Hovells Creek Landcare Group Forum - Frogmore  
31 August Unveiling Bronze Statue Ceremony for Lt Colonel McKay - Murrumburrah  
2 September Probus meeting/Piano Accordion recital - Boorowa  
4 September Local Traffic Advisory Committee meeting - Young  
5 September Sponsorship/Financial Assistance Program Committee - Young  
7 September Lachlan Regional Transport Committee Inc. Ordinary meeting - Greenethorpe  
10 September Councillor Workshop - Young  
10 September LEP Committee meeting - Young  
11 September Councillor - Extraordinary meeting - Young  
12 September Murrumburrah Precinct Committee meeting - Harden  
13 September High School garden project visit with Students and Teachers - Harden  
14 September CWA Evening/ Mental Health issues in our area - Harden  
15 - 17 September Life after amalgamation Forum – Terrigal NSW  
Rotary x 3 meetings  
11 September Hilltops Council Extraordinary Meeting – Young Chambers  
25 September Hilltops Council Ordinary Meeting - Harden Chambers

#### Councillor Greg Armstrong

Meetings as minuted

10 September Councillor Workshop - Young  
10 September LEP Committee meeting - Young  
11 September Councillor - Extraordinary meeting - Young  
25 September Hilltops Council Ordinary Meeting - Harden Chambers

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General Manager

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Mayor

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## Councillor Margaret Roles

3 August SWS Merino Breeders Field Day  
31 August Light Horse Memorial  
10 September Mercy Care China Tea  
11 September Councillor Workshop  
11 September Hilltops Council Extraordinary Meeting – Young Chambers  
12 September Workshop Murrumboola Creek  
14 September CWA Mental Health Workshop  
15 September Young Show  
18 September Rotary – Harden  
19 September Storytime Hour – Young Library  
21 September Exhibition Opening Young Society of Artists  
22 September Long Lazy Lunch  
24 September Flood Plain Management  
25 September Hilltops Council Ordinary Meeting - Harden Chambers

## Councillor Antony Wallace

10 September Councillor Workshop – Young  
25 September Hilltops Council Ordinary Meeting - Harden Chambers

## Councillor Christopher Manchester

Meetings as minuted

Sibelco Liaison Committee Meeting  
Sibelco VPA Meeting  
Traffic Committee Meeting  
Sponsorship and Finance Committee Meeting  
Murrumburrah Precinct Committee Meeting  
Murrumburrah Flood Study Meeting  
25 September Hilltops Council Ordinary Meeting - Harden Chambers

## Councillor Rita O'Connor

31 August Unveiling of Kenneth McKay Statue  
2 September Harden Visitor Information Centre Meeting  
2 September SWS Stud Merino Breeders Field Day at Harden Show  
2 September Environmental Initiatives Committee Meeting  
11 September Councillor Workshop  
11 September Hilltops Council Extraordinary Meeting – Young Chambers  
17 September Harden Local Health Advisory Committee meeting  
20 September Adjudicating at Archdiocesan Public Speaking Competition  
23 September Australian Reading Hour Storytime at Harden Library  
25 September Hilltops Council Ordinary Meeting - Harden Chambers

## Councillor John Walker

Meetings as minuted

11 September Hilltops Council Extraordinary Meeting – Young Chambers  
25 September Hilltops Council Ordinary Meeting - Harden Chambers

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General Manager

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Mayor

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## Councillor Tony Flanery

10 September LEP Meeting  
11 September Council Workshop  
11 September Hilltops Council Extraordinary Meeting – Young Chambers  
25 September Hilltops Council Ordinary Meeting - Harden Chambers

*Councillors: O'Connor/Flanery Unanimous*

## 11. COMMUNITY RECOGNITION SCHEME

*19/310 RESOLVED:*

*That Council recognise:*

- (a) Young Junior Cricket – Cr Armstrong*
- (b) Young Cherry Pickers Football Club – Mayor Ingram*
- (c) Staff Long Lazy Lunch – Cr Roles*

*Councillors: Armstrong/O'Connor Unanimous*

## 12. GENERAL MANAGER'S REPORT

### 12.3 - 19/303 – MEETING DATES AND TIMES FOR THE ORDINARY MEETING OF COUNCIL

*19/311 RESOLVED:*

*That Council:*

- (a) Hold twelve (12) ordinary meetings over the 2019/2020 term in each month, as listed; and*
- (b) Endorse the meeting schedule for the 2019/2020 term, including dates and times.*

<i>23 October 2019 – Young Chambers</i>	<i>22 April 2020 – Young Chambers</i>
<i>27 November 2019 – Boorowa Chambers</i>	<i>27 May 2020 – Boorowa Chambers</i>
<i>18 December 2019 – Harden Chambers</i>	<i>24 June 2020 – Harden Chambers</i>
<i>22 January 2020 – Young Chambers</i>	<i>22 July 2020 – Young Chambers</i>
<i>26 February 2020 – Boorowa Chambers</i>	<i>26 August 2020 – Boorowa Chambers</i>
<i>25 March 2020 – Harden Chambers</i>	<i>23 September 2020 – Harden Chambers</i>

*Councillors: Armstrong/Walker*

For: Councillors: Ingram, Armstrong, Horton, Manchester, O'Connor, Roles, Wallace, Walker

Against: Councillor: Flanery

## MOTION

That Council:

- (a) Endorse Council meetings commence at 4.30pm

Councillors: Roles/Flanery

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General Manager

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Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

25 September 2019, commencing at 5.30pm

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Motion put and carried

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General Manager

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Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

25 September 2019, commencing at 5.30pm

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**19/312 RESOLVED:**

*That Council:*

- (a) Endorse Council meetings commence at 4.30pm; and*
- (b) Meetings are the 4<sup>th</sup> Wednesday of the month.*

*Councillors: Roles/Flanery*

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

## 12.4 - 19/304 – 2019 HILLTOPS EXTERNAL, INTERNAL AND S355 COMMITTEE REPRESENTATION

**19/313 RESOLVED:**

*That Council:*

- (a) Defer the report until the next Council meeting.*

*Councillors: Armstrong/Horton*

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

## 12.5 - 19/305 – NOTICE OF INTENTION RESPONSE SUBMISSION TO THE MINISTER FOR LOCAL GOVERNMENT 26 SEPTEMBER 2019

**19/314 RESOLVED:**

*That Council:*

- (a) Move into the committee of the whole.*

*Councillors: Flanery/Armstrong Unanimous*

**19/315 RESOLVED:**

*That Council:*

- (a) Move out of the committee of the whole.*

*Councillors: Flanery/Armstrong Unanimous*

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

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Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

25 September 2019, commencing at 5.30pm

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**19/316 RESOLVED:**

*That Council:*

- (a) Receive and note the report and attached submission;*
- (b) Endorse the submission to the Minister for Local Government responding to her Notice of Intention to issue a Performance Improvement Notice; and*
- (c) Acknowledge the inclusion of the audited 2017/2018 financial statements.*

*Councillors: Walker/O'Connor*

*Unanimous*

**12.6 - 19/306 – PRESENTATION OF THE AUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDING 30 JUNE 2018**

**19/317 RESOLVED:**

*That Council:*

- (a) Receive the audited financial statements and auditor's reports for the year ending 30 June 2018;*
- (b) Invite written public submissions with respect to the Councils audited financial statements or auditor's reports up until 5.00pm on Thursday, 3 October 2019; and*
- (c) Consider all submissions received up until the closing time in (b) above at the Ordinary Council meeting on 23 October 2019.*

*Councillors: Horton/Wallace*

*Unanimous*

**12.7 - 19/307 – FINANCIAL STATEMENTS 2019 – REQUEST FOR EXTENSION**

**19/318 RESOLVED:**

*That Council:*

- (a) Apply to the Chief Executive Officer of the Office of Local Government and seek an extension of time until 28 February 2020 for the preparation and audit of the financial statements for the year ending 30 June 2019; and*
- (b) Delegate authority to the General Manager to write to the Office of Local Government to seek the extension of time set out in (1) above.*

*Councillors: Horton/Roles*

For: Councillors: Ingram, Armstrong, Flanery, Horton, Manchester, O'Connor, Roles, Walker

Against: Councillor: Wallace

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General Manager

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Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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## 12.8 - 19/308 – CASH AND INVESTMENT REPORT

*19/319 RESOLVED:*

*That Council:*

*(a) Receive the Statement of cash and investments as at 31 August 2019.*

*Councillors: Horton/Flanery Unanimous*

## 12.9 - 19/309 – RATES HARMONISATION MODELLING SEPTEMBER UPDATE

*19/320 RESOLVED:*

*That Council:*

*(a) Receive and note the September report on rates harmonisation; and*

*(b) Support the decision to workshop a number of scenarios in order to take a model for 2021 forward.*

*Councillors: Manchester/Walker Unanimous*

For: Councillors: Flanery, Horton, Manchester, O'Connor, Roles, Walker

Against: Councillors: Wallace, Armstrong, Ingram

## 12.10 - 19/310 – 2019 NATIONAL LOCAL ROADS AND TRANSPORT CONGRESS

### MOTION

That Council:

(a) Decline to attend the 2019 National Local Roads and Transport Congress.

Councillors: Armstrong/Walker Unanimous

For: Councillors: Ingram, Armstrong, Horton, Walker

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

### Motion Lost

## 12.11 - 19/311 – DISTRIBUTION OF 2019/2020 SPONSORSHIP AND FINANCIAL ASSISTANCE FUNDS

*19/321 RESOLVED:*

*That Council:*

*(a) Approve the sponsorship committees recommended projects with conditions, to be funded from the 2019/2020 sponsorship/ financial assistance programs; and*

*(b) Seek applications for a second round of Financial Assistance and Sponsorship in February 2020.*

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

\_\_\_\_\_  
Mayor

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<i>Program</i>	<i>Applicant</i>	<i>Recommendation</i>
<i>Financial Assistance</i>	<i>Young Girl Guides</i>	<i>\$ 1,000</i>
<i>Financial Assistance</i>	<i>Bribbaree Stockmans Challenge</i>	<i>\$ 1,000</i>
<i>Financial Assistance</i>	<i>Harden Theatre Train</i>	<i>\$ 1,000</i>
<i>Financial Assistance</i>	<i>Frogmore Hall and Recreation Reserve</i>	<i>\$ 639</i>
<i>Financial Assistance</i>	<i>Reids Flat Gymkhana Association</i>	<i>\$ 1,000</i>
<i>Financial Assistance</i>	<i>Rugby Hall &amp; Recreation Reserve Trust</i>	<i>\$ 639</i>
<i>Financial Assistance</i>	<i>* Young Community Transport</i>	<i>\$ 1,000</i>
<i>Financial Assistance</i>	<i>Milvale Progress Association</i>	<i>\$ 1,000</i>
<i>Financial Assistance</i>	<i>Harden Murrumburrah Rugby League Football Club</i>	<i>\$ 500</i>
<i>Financial Assistance</i>	<i>Koorawatha Progress Association</i>	<i>\$ 1,000</i>
<i>Small scale infrastructure</i>	<i>Riding for the Disabled Young</i>	<i>\$ 975</i>
<i>Small scale infrastructure</i>	<i>Harden Murrumburrah Junior Rugby League Club</i>	<i>\$ 5,000</i>
<i>Small scale infrastructure</i>	<i>Young and Region Farmers Market</i>	<i>\$ 1,790</i>
<i>Small scale infrastructure</i>	<i>Boorowa Rugby Union Club</i>	<i>\$ 1,230</i>
<i>Small scale infrastructure</i>	<i>Bribbaree Showground Managers</i>	<i>\$ 3,000</i>
<i>Sponsorship</i>	<i>Young &amp; District Multicultural Association</i>	<i>\$ 1,000</i>
<i>Sponsorship</i>	<i>Murrumburrah Light Horse Heritage Troop</i>	<i>\$ 500</i>
<i>Sponsorship</i>	<i>* Harden Murrumburrah Historical Society</i>	<i>\$ 250</i>
<i>Sponsorship</i>	<i>Harden Murrumburrah Camera Club</i>	<i>\$ 750</i>
<i>Sponsorship</i>	<i>Young and District Netball Association</i>	<i>\$ 4,000</i>
<i>Sponsorship</i>	<i>Young Neighbourhood Centre Inc.</i>	<i>\$ 5,000</i>
<i>Sponsorship</i>	<i>*Young Regional School of Music</i>	<i>\$ 2,500</i>
<i>Sponsorship</i>	<i>St Johns Anglican Church Art Show Committee</i>	<i>\$ 1,100</i>
<i>Sponsorship</i>	<i>Harden Kite Festival</i>	<i>\$ 5,000</i>
<i>Sponsorship</i>	<i>Young Society of Artists</i>	<i>\$ 1,400</i>
	<i>* Conditions Apply</i>	<i>\$ <u>42,272</u></i>

*Councillors: Walker/Wallace*

*Unanimous*

12.12 - 19/312 – STRONGER COMMUNITIES FUND PROJECT UPDATES

19/322 RESOLVED:

*That Council;*

*(a) Receive and note the progress report on the Stronger Communities and Stronger Country Communities Fund projects.*

*Councillors: Horton/Roles*

*Unanimous*

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

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Mayor

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## 12.13 - 19/313 – DEVELOPMENT APPLICATION STATISTICS FOR AUGUST 2019

**19/323 RESOLVED:**

*That Council:*

- (a) Receive and note the status and processing times for development applications, as at 31 August 2019.*

*Councillors: Walker/Horton Unanimous*

Cr Flanery declared a Pecuniary Interest in Item 12.14 and leaves the room at 7.42pm

## 12.14 - 19/314 – T19-016: DEMOLITION OF EXISTING SHED & ERECTION OF A NEW SHED – LOT 1 DP 177119, 1137 CUNNINGAR ROAD, BARWANG

**19/324 RESOLVED:**

*That Council:*

- (a) As the consent authority pursuant to section 4.16 of the Environmental Planning & Assessment Act, 1979 grant consent to Development Application No. T2019-016 for the demolition of an existing shed and the erection of a new shed at 1137 Cunningar Road, Barwang subject to conditions, including those set out in Attachment "A".*

**ATTACHMENT 'A'**

**ADMINISTRATIVE CONDITIONS**

**General**

1. *The development shall be generally in accordance with the supporting documentation, including, but not limited to, the following:*

<i>Development application form, dated 21<sup>st</sup> June 2019, submitted 28<sup>th</sup> June 2019.</i>				
<i>Statement of Environmental Effects (Rev A), dated 25<sup>th</sup> June 2019, prepared by Y Squared Architects Pty Ltd</i>				
<i>The following plans prepared by Y Squared Architects Pty Ltd</i>				
<i>Drawing No.</i>	<i>Issue/Version</i>	<i>Content</i>	<i>Date of plan</i>	<i>Date lodged</i>
<i>760.00.51</i>	<i>B</i>	<i>Location &amp; site plan</i>	<i>17.06.2019</i>	<i>28.06.2019</i>
<i>760.00.52</i>	<i>B</i>	<i>Proposed site plan</i>	<i>17.06.2019</i>	<i>28.06.2019</i>
<i>760.10.11</i>	<i>B</i>	<i>Floor &amp; roof plan</i>	<i>17.06.2019</i>	<i>28.06.2019</i>
<i>760.20.11</i>	<i>B</i>	<i>Elevations</i>	<i>17.06.2019</i>	<i>28.06.2019</i>
<i>760.20.12</i>	<i>B</i>	<i>Sections</i>	<i>17.06.2019</i>	<i>28.06.2019</i>
<i>Waste Management Plan (3 pages), undated, prepared by Y Squared</i>				

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General Manager

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Mayor

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*Architects Pty Ltd*

*Heritage Impact Statement (Rev A), dated 25<sup>th</sup> June 2019, prepared by Y Squared Architects Pty Ltd*

*as modified by any conditions of this consent.*

2. *No departure from the approved plans and specifications shall be made unless the prior approval of Council has been obtained in writing.*
3. *In the event of any inconsistency between the documentation referred to in the above condition, the most recent document shall prevail to the extent of the inconsistency.*
4. *In the event of any inconsistency between conditions of this approval and documents referred to in the above condition, the conditions of this approval shall prevail to the extent of the inconsistency.*

*Environmental Planning & Assessment Act, 1979*

5. *The demolition and building works shall be carried out in conformity with the provisions of the Environmental Planning and Assessment Act, 1979, and the Regulations made thereunder, in accordance with the plans and specifications approved by Council. No departure from the approved plans and specifications shall be made unless the prior approval of Council has been obtained in writing.*

*Building Code of Australia*

6. *All building work must be carried out in accordance with the requirements of the Building Code of Australia.*
7. *A Construction Certificate must be obtained from Council or an Accredited Certifier prior to work commencing.*

*Safework NSW*

8. *The applicant shall be responsible for compliance with the requirements of the Safework NSW.*

## DEMOLITION CONDITIONS

*Demolition and removal of the building*

9. *The demolition of the existing shed is granted subject to the following conditions:*
  - (a) *Demolition of the subject building shall be carried out in accordance with the requirements of Australian Standard AS2601 The Demolition of Structures;*
  - (b) *The demolisher shall comply with the requirements of the Work Health and Safety Act 2011 and its subordinate documents, and shall prepare and maintain on-site, a safe work method statement in accordance with the Work Health and Safety Regulation 2017.*
  - (c) *Precautions shall be taken in accordance with the requirements of the WorkCover Authority of NSW in respect of:*
    - i) *Protection of site workers and the public;*
    - ii) *Asbestos handling and disposal where applicable. In particular, a Licensed Asbestos removal agent shall be used to perform these works, whom in turn shall give appropriate notice to the Landfill that*

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

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Mayor

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25 September 2019, commencing at 5.30pm

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

- disposal will be required. Provision of receipts shall be made to Council prior to issue of an Occupation Certificate*
- (d) Suitable measures shall be taken to ensure that there is no adverse effect to occupants of adjoining buildings and the public by the generation of dust and noise;*
  - (e) Protection shall be afforded to the users of any public place by the provision of hoardings adjacent to any public places;*
  - (f) Adequate and satisfactory arrangements shall be made to ensure the disposal of any rubbish generated and such arrangements are in compliance with Council's policies on rubbish and waste disposal.*
10. *Work involving asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under clause 485 of the Work Health & Safety Regulation 2011. The person having the benefit of this consent must provide Council with a copy of a signed contract with such a person before any works commence. Any such contract must indicate whether any bonded asbestos material or friable asbestos material will be removed, and if so, must specify the landfill site (that may lawfully receive asbestos) to which the bonded asbestos material or friable asbestos material is to be delivered.*
11. *All removal, transport and disposal of asbestos or other contaminated waste materials shall be controlled in accordance with the Work Health and Safety Act 2011, SafeWork Australia Code of Practice – How to Manage and Control Asbestos in the Workplace and the Protection of Environment Operations Act 1997.*
12. *All demolition waste to be removed from the site is to be assessed, classified, transported and disposed of in accordance with the NSW Department of Environment and Climate Change's 'Waste Classification Guidelines Part 1: Classifying Waste' publication and disposed of at a lawful waste facility.*
13. *Copies of receipts stating the following must be retained and given to the principal certifying authority if requested:*
- (a) the place to which waste materials were transported,*
  - (b) the name of the contractor transporting the materials,*
  - (c) the quantity of materials transported off-site and recycled or disposed of.*
14. *All demolition works shall be carried out in accordance with the approved Waste Management Plan, and the above demolition conditions.*

## PRIOR TO COMMENCEMENT OF CONSTRUCTION WORK

### *Appoint Principal Certifying Authority*

15. *Prior to commencement of work, the person having the benefit of the Development Consent and a Construction Certificate shall:*
- (a) appoint a Principal Certifying Authority and notify Council of the appointment (if Council is not appointed), and*
  - (b) notify Council of their intention to commence the site works (at least 2 days notice is required).*

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

\_\_\_\_\_  
Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

25 September 2019, commencing at 5.30pm

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

## *Notification of Adjoining Neighbours prior to demolition*

16. *It is the responsibility of the person having the benefit of this consent to notify the adjoining neighbours two (2) days prior to commencing work of the intention to carry out demolition works. The notification shall detail the type of machinery to be utilised, hours of operation, likely duration of works, and safety measures taken to protect property and persons from damage.*

## *Site preparation - Erosion Control*

17. *Erosion and sedimentation control measures shall be implemented in accordance Council's Engineering Guidelines for Subdivision and Development, prior to any demolition work commencing. The erosion and sedimentation controls must be maintained through the demolition and construction phase of the development so as to prevent material moving off-site.*
18. *Only fill material characterised as Virgin Excavated Natural Material under the guidelines of the NSW Environmental Protection Authority may be used in this development.*

## *Site notice*

19. *A notice bearing the lot number and the builders name and license number shall be prominently displayed at the front of the land from the time work commences until the building is complete, or until the occupation certificate is issued.*
20. *The following details are to be displayed in a maximum of 2 signs to be erected on the site:*
- *the name of the Principal Certifying Authority, their address and telephone number*
  - *the name of the person in charge of the work site and telephone number at which that person may be contacted during work hours*
  - *that unauthorised entry to the work site is prohibited*
  - *that designated waste storage area must be covered when the site is unattended, and*
  - *all sediment and erosion control measures shall be fully maintained until completion of the construction phase.*

## *Signage, but no more than 2 signs, stating the above details is to be erected:*

- *at the commencement of, and for the full length of the, construction works onsite, and*
- *in a prominent position on the work site and in manner that can be easily read by pedestrian traffic.*

*All construction signage is to be removed on completion of earthworks or construction works and when a Compliance Certificate has been issued by the Principal Certifying Authority certifying that the development has complied fully with the development consent and, where required, been constructed in accordance with the Construction Certificate.*

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General Manager

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Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

25 September 2019, commencing at 5.30pm

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

## DURING DEMOLITION & CONSTRUCTION

### *Approved plans*

21. *Stamped plans, specifications, a copy of the development consent, the Construction Certificate and any other Certificates to be relied upon shall be available on site at all times during construction.*

### *Principal Certifying Authority*

22. *The Principal Certifying Authority (PCA) must determine when inspections and compliance certificates are required. Where Hilltops Council is nominated as the PCA, the following stages must be inspected and passed prior to the subsequent stages of construction.*

- (a) Site inspection when all sediment and erosion controls are in place ready to commence work. At this time the condition of Council's footpath, kerb and gutter, nature strip, road reserve will be assessed;*
- (b) After excavation for, and prior to the placement of, any footings, and prior to pouring any in-situ reinforced concrete building element;*
- (c) When internal sanitary drainage is laid ready for test. All drainage must be under water test at the time of the inspection;*
- (d) When external sanitary drainage is laid ready for test. All drainage must be under water test at the time of the inspection;*
- (e) The framework for any floor, wall, roof, or other building element prior to covering with any external element (including sarking, brickwork or cladding);*
- (f) Pre-sheet inspection of the framework upon completion of hot and cold plumbing, electrical work and insulation.*

*NOTE: Hot and cold water should be under pressure test at the time of inspection*

- (g) Prior to covering waterproofing in any wet areas;*
- (h) Prior to backfilling or covering any stormwater drainage and connections to point of discharge*

*Twenty-four (24) hours' notice shall be given to Council to allow scheduling of the inspection.*

*NOTE: Where inspections are requested and the work is either incomplete or not started, or unsatisfactory thus requiring an additional inspection, such re-inspections will be charged to the applicant at the rate as outlined in the Fees and Charges section of Council's current Management Plan per additional inspection. This will be deducted from the security deposit (where held) or paid prior to the inspection being carried out.*

### *Access*

23. *Whilst work is being undertaken:*
- (a) all vehicles entering or leaving the site must have their loads covered, and*
  - (b) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.*

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General Manager

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Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

25 September 2019, commencing at 5.30pm

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

## *Waste from demolition*

24. *All waste generated during the construction stage shall be stored on-site in suitable receptacles, and disposed of to a licensed waste disposal facility.*

## *Stormwater drainage*

25. *Stormwater from roof areas shall be directed away from the buildings.*

## *Wastewater drainage and sewer*

26. *All plumbing and drainage work is to comply with the requirements of Australian Standard AS3500 Plumbing and Drainage and the Plumbing Code of Australia and the NSW Code of Practice Plumbing and Drainage.*
27. *A plumbing and drainage design plan is to be submitted to and approved by Council prior to the external drainage inspection being booked.*

## *Sedimentation controls*

28. *The installed erosion and sedimentation controls shall be maintained in a functional condition throughout the duration of the project.*

## *Hours of works*

29. *Work on the project shall be limited to the following hours:*
- (i) Monday to Friday - 7:00 am to 6:00 pm*
  - (ii) Saturday - 8:00 am to 5:00 pm*
  - (iii) No work to be carried out on Sunday/Public Holidays, without the prior consent of Council.*

## **PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE**

30. *A final Occupation (Completion) Certificate must be issued by the Principal Certifying Authority prior to occupation or use of the development. In issuing an occupation certificate, the Principle Certifying Authority must be satisfied that the requirements of section 109H of the Environmental Planning and Assessment Act 1979 have been satisfied.*
31. *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 (Completion) Certificate.*

## **ONGOING CONDITIONS**

### *Use of Building*

32. *The shed is not to be used as a dwelling or for other residential purposes.*
33. *The total floor area of the home business is not to exceed 30m<sup>2</sup>.*

### **REASONS FOR DECISION**

- *Council notified the application in accordance with the relevant environmental planning instrument and/or policy, and no submissions were received.*
- *The proposal will be consistent with the built form and character, established by existing developments both on the site and off the site.*
- *The proposal is consistent with the zone and desired future character of the area.*
- *Any potential concerns have been ameliorated by appropriate conditions.*
- *The application is consistent with the applicable planning controls and has demonstrated to have a satisfactory effect on the environment.*

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General Manager

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Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

25 September 2019, commencing at 5.30pm

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

*(b) Delegate the application to the Acting Director Sustainable Growth for the preparation and the issue of the notice of determination.*

*Councillors: Manchester/Walker*

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

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

Against: Councillor: Nil

Absent: Councillors: Stadtmiller, Tuckerman

Cr Flanery returns to room at 7.43pm

**12.15 - 19/315 – 2017/DA-00087 REV01 – MODIFICATION (DWELLING) – 602 SPRING CREEK ROAD, YOUNG**

**19/325 RESOLVED:**

*That Council;*

*(a) Grant consent to the following modification, subject to the conditions below:*

- *DA Number:* 2017/DA-00087 REV01
- *Proposed modification:* To modify the location and form of the approved dwelling
- *Applicant & Owner:* Mr A Al Sayed
- *Property:* Lot 1 DP 1245707, 602 Spring Creek Road, Young

## Conditions

*A. To amend the description of the approved development, as follows (deletions struck-through and inclusions in bold and italics):*

*Dwelling (new) - Four (4) bedroom, single storey, ~~brick veneer~~ colourbond, ~~attached double garage~~, and consolidation of four (4) lots.*

*B. Amend Condition 1 by deleting the reference to each of the approved plans and documents (6 dot points), and insert in their place, a reference to the following plans and documents:*

- *Site plan, prepared by Kim Murray, Job No. 19-579, Plan No. DA/CC 01, dated 13.5.19, submitted 11<sup>th</sup> June 2019,*
- *Existing floor plan demolition, prepared by Kim Murray, Job No. 19-579, Plan No. DA/CC 02 A, dated 13.5.19, submitted 11<sup>th</sup> June 2019,*
- *Floor plan (as amended), prepared by Kim Murray, Job No. 19-579, Plan No. DA/CC 03 B, dated 13.5.19, submitted 11<sup>th</sup> June 2019,*
- *Elevations as amended), prepared by Kim Murray, Job No. 19-579, Plan No. DA/CC 04 B, dated 13.5.19, submitted 11<sup>th</sup> June 2019,*
- *Roof plan (as amended), prepared by Kim Murray, Job No. 19-579, Plan No. DA/CC 05, dated 13.5.19, submitted 11<sup>th</sup> June 2019,*
- *Window schedule, prepared by Kim Murray, Job No. 19-579, Plan No. DA/CC 09 A, dated 13.5.19, submitted 11<sup>th</sup> June 2019,*

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General Manager

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Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

25 September 2019, commencing at 5.30pm

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

- *BASIX Certificate No. 1013002S\_03, dated 29<sup>th</sup> May 2019, submitted 11<sup>th</sup> June 2019,*

*C. Insert the following heading and conditions after Condition 11.*

*Demolition*

- 11A. Demolition works shall comply with the provisions of Australian Standard AS2601:2002 The Demolition of Structures and Work Health and Safety Act 2011.*
- 11B. All excavated material or demolition waste to be removed from the site is to be assessed, classified, transported and disposed of in accordance with the NSW Department of Environment and Climate Change's 'Waste Classification Guidelines Part 1: Classifying Waste' publication and disposed of at a lawful waste facility.*
- 11C. Copies of receipts stating the following must be retained and given to the principal certifying authority if requested:*
- (a) the place to which waste materials were transported,*
  - (b) the name of the contractor transporting the materials,*
  - (c) the quantity of materials transported off-site and recycled or disposed of.*
- 11D. Only fill material characterised as Virgin Excavated Natural Material under the guidelines of the NSW Environmental Protection Authority may be used in this development.*
- 11E. Whilst work is being undertaken:*
- (a) all vehicles entering or leaving the site must have their loads covered, and*
  - (b) all vehicles, before leaving the site, must be cleaned of dirt, sand and other materials, to avoid tracking these materials onto public roads.*
- 11F. Upon the conclusion of the demolition works the area of the removal / demolition work the work site must be left clear of waste and debris, and is to be appropriately levelled and graded, ensuring no depressions are left in which rainwater may accumulate and stagnate.*

*D. Delete Conditions 38, 39 and 40, and their heading, relating to the covered vehicle area (garage).*

*Councillors: Armstrong/Roles*

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

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

Against: Councillor: Nil

Absent: Councillors: Stadtmiller, Tuckerman

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General Manager

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Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

25 September 2019, commencing at 5.30pm

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

## 12.16 – 19/316 – PUBLIC EXHIBITION FOR MURRUMBURRAH FLOOD STUDY REPORT

19/326 RESOLVED:

*That Council:*

- (a) Place the draft Murrumburrah Flood Study on a 28-day public exhibition period, calling for submissions; and*
- (b) If no substantial comments are received during the exhibition period, endorse the draft study as final.*

*Councillors: Manchester/Horton Unanimous*

## 12.17 - 19/317 – SUPPLY OF A TOILET BLOCK

19/327 RESOLVED:

*That Council:*

- (a) Award contract 152 of 2019 to Modus ACN 147 987 095, for the supply of toilet blocks for the Captain Cook Weir and Tresillian Park at a cost of \$63,520 (excl GST) per toilet block;*
- (b) Endorse the use of Council staff to construct the toilet block, with specialist subcontractors engaged as required;*
- (c) Note the budget for local trades and staff to construct the toilet blocks of \$50,000 each;*
- (d) Note the timeframes for completion of the Captain Cook Weir Toilet Block; and*
- (e) Delegate to the General Manager authority to execute all necessary documentation*

*Councillors: Flanery/Armstrong*

For: Councillors: Ingram, Armstrong, Flanery, Horton, Manchester, O'Connor, Roles, Wallace

Against: Councillor: Walker

## 12.18 - 19/318 – HILLTOPS WORKS REPORT

19/328 RESOLVED:

*That Council:*

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

*Councillors: Manchester/Wallace Unanimous*

## 12.19 - 19/319 – ACTION SUMMARY REPORT

19/329 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: Wallace/Roles Unanimous*

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General Manager

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Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

25 September 2019, commencing at 5.30pm

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

## 12. 20 – 19/320 - CORRESPONDENCE FOR ATTENTION

### CORRESPONDENCE - ACTION

- ◆ Minister Of Local Government – Shelley Hancock  
Media Release - 18 September 2019 - NSW Government Reduces Cost Of Council Elections

*19/330 RESOLVED:*

*That Council;*

- a) *Note the media release from Minister of Local Government Shelley Hancock -NSW Government Reduces Cost of Council Elections.*

*Councillors: Horton/O'Connor*

*Unanimous*

### CORRESPONDENCE - INFORMATION

*19/331 RESOLVED:*

*That Council;*

- a) *Note the media releases and dates of release from August - September 2019. All Hilltops Council media releases can be found on the Hilltops Council website: <https://hilltops.nsw.gov.au/>*

*Councillors: Horton/O'Connor*

*Unanimous*

*19/332 RESOLVED:*

*That Council;*

- a) *Note the Office of Local Government Circulars and dates of release for September 2019. 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: Horton/O'Connor*

*Unanimous*

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General Manager

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Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

25 September 2019, commencing at 5.30pm

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

## COUNCIL SECTION 355 COMMITTEE REPORTS – REQUIRING ACTION

### 12.21 – 19/321 - REGIONAL TOURISM COMMITTEE SEEKING NOMINATIONS

*19/333 RESOLVED:*

*That Council:*

*(a) Endorse the following nominations to the Regional Tourism Committee:*

- i. Catherine Mullany*
- ii. Amy Clarke*
- iii. Jane Costello*
- iv. Christopher Longbottom*
- v. Karen Kemp*
- vi. Brian Mullany*
- vii. Jan Ryan*
- viii. Kerrie Proven*
- ix. Joe Kinsela*
- x. Catherine Sanderson*
- xi. Brian Freeman*
- xii. Tricia Mack*
- xiii. DSNSW Representative - Sean Haylan*

*Councillors: O'Connor/Roles*

*Unanimous*

### 12.22 - 19/322 – NATIONAL CHERRY FESTIVAL MEETING REQUEST

*19/334 RESOLVED:*

*That Council:*

*(a) Endorse the following as members to the National Cherry Festival Committee:*

- i. Kate Cruickshank,*
- ii. Tasman Coulter; and*
- iii. Laura Ower*

*Councillors: Walker/Manchester*

*Unanimous*

### 12.23 - 19/323 – S355 JUGIONG ADVANCEMENT GROUP COMMITTEE - JUGIONG GOLF CLUB CROWN LEASE

#### Motion

That Council:

- (a) Endorse the lease on behalf of the S355 Jugiong Advancement Group (JAG) Committee.

Councillors:

Motion lost due to no mover and seconder

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General Manager

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Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

25 September 2019, commencing at 5.30pm

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

## COUNCIL ADVISORY COMMITTEE REPORTS – REQUIRING ACTION

### 12.24 - 19/324 - HILLTOPS COUNCIL LOCAL TRAFFIC ADVISORY COMMITTEE

19/335 RESOLVED:

*That Council:*

- (a) Endorse the special event, annual Harden Kite Festival, Harden racecourse, Harden and acknowledge recommendations contained in the minutes;*
- (b) Endorse the Special Event, Annual Cherry Chase (fringe special event) as part of the 70th National Cherry Festival, Pitstone Road, Majors Road, Saines Road and Berkleys Road Kellys Road Precinct, Young and acknowledge recommendations contained in the minutes;*
- (c) Note that Council staff will monitor accessible parking space, vicinity of Boorowa Pharmacy Marsden Street and Pudman Street, Boorowa;*
- (d) Note that driver behaviour, Apps Lane, Young and the Traffic Committee resolution to:
  - i. Seek RMS assistance to undertake a speed limit assessment review for Apps Lane;*
  - ii. Request the Police HWP to monitor Apps Lane when resources permit;*
  - iii. Installation of Crest warning signs at the crest points along Apps Lane.**
- (e) Note the Signage Audit, Swamp Road, Murringo and approve:
  - i. The installation of warning signage and guideposts for delineation for Swamp Road; and*
  - ii. Undertake maintenance works at the pipe culvert crossing to increase the width of the road surface to provide sufficient width for 2 vehicles to pass.**
- (f) Note the Speed limit, Schillers Road and Stockinbingal Road, Milvale and seek RMS assistance to undertake a speed limit assessment review for Schillers Road and Stockinbingal Road in the Milvale Village.*

*Councillors: Manchester/Armstrong Unanimous*

### 12.25 - 19/325 - COUNCIL SECTION 355 COMMITTEE REPORTS – REQUIRING NO ACTION

19/336 RESOLVED:

*That Council:*

- a) Receive and note the minutes of the committee reports as presented.*
- ◆ *S355 - Young Sports Advisory Committee - 12 August 2019*
- ◆ *S355 - Harden Visitor Information Centre - 6 August 2019*
- ◆ *Lachlan Regional Transport Committee - 7 September 2019 - Councillor Representation to Committee*

*Councillors: Walker/Wallace Unanimous*

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General Manager

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Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

25 September 2019, commencing at 5.30pm

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

## 13. QUESTIONS WITH NOTICE

### 13.1 – 19/326 – REQUEST FOR COMPREHENSIVE PROJECTS AND 2019 AUDIT UPDATE

*19/337 RESOLVED:*

*That Council:*

- (a) Receive a comprehensive update on all projects being handled by Hilltops Council; and*
- (b) Receive an update on the progress and timelines of the 2019 audit*

#### **RESPONSE**

*Q1. A detailed update has been provided in a separate report to this agenda regarding project summary.*

*Q2. A detailed update has been provided in a separate report to this agenda regarding project summary with timelines.*

*Councillors: Ingram/O'Connor Unanimous*

### 13.2 - 19/327 – HARDEN POOL QUESTIONS ON NOTICE

*19/338 RESOLVED:*

*That Council:*

- (a) Defer report until October meeting – further clarification on light poles*

*Councillors: Flanery/Horton Unanimous*

### 8.2 - 19/298 – GREEN WASTE COUPONS 2019

*19/339 RESOLVED:*

*That Council:*

- (a) Introduce a coupon system where each ratepayer would receive two coupons which would allow residents to dispose of green waste free of charge;*
- (b) Source the above from the 19.20 operational budget for the amount of \$6000; and*
- (c) That should the take up rate be <50% the program be discontinued in future years.*

*Councillors: Wallace/O'Connor*

For: Councillors: Ingram, Manchester, O'Connor, Roles, Wallace, Walker

Against: Councillors: Armstrong, Flanery, Horton

## 14. NOTICE OF MOTIONS/RESCISSION

Nil

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General Manager

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Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

25 September 2019, commencing at 5.30pm

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

## 15. CONFIDENTIAL MATTERS

### 15.1 - 19/328 – EXCLUSION OF THE PRESS AND PUBLIC

*19/340 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: Wallace/Roles*

*Unanimous*

*19/341 RESOLVED:*

*That Council;*

- a) Take a short recess at 8.14pm and meeting resumed 8.29pm*

*Councillors: Roles/O'Connor*

*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.

### **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.

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

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Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

25 September 2019, commencing at 5.30pm

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

## **ITEM 4: 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 5: 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 6: 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 7: 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 8: 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 9: 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 10: 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.

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

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Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

25 September 2019, commencing at 5.30pm

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

## **ITEM 11: 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.

Cr Flanery declared non-pecuniary interest, and did not participate in the debate and did not vote – Item 15.2.

## **15.2 - 19/329 – YOUNG AQUATIC CENTRE – LICENCE FEE**

**19/342 RESOLVED:**

*That Council:*

- (a) Allow the request for a reduction of \$2,200 in the licence fee for 2019/2020 combined with a deed of release to allow for the reduction in income from the kiosk and family entry while the construction works continue;*
- (b) Review the licence costs with the operator at the end of the 2021 season prior to considering an extension;*
- (c) Not accede to the request for Council to purchase and install racks and displays in the entry foyer; and*
- (d) Request a copy of their most recent audited statements.*

*Councillors: Horton/O'Connor*

For: Councillors: Ingram, Horton, Manchester, O'Connor, Roles, Wallace

Against: Councillors: Armstrong, Walker

## **15.3 - 19/330 – RFT484 OF 2019 DESIGN AND CONSTRUCTION OF WATER SUPPLY PIPELINES**

**19/343 RESOLVED:**

*That Council:*

- (a) Award contract RFT484 of 2019 to CHIVERTON ESTATE PTY LTD T/AS THOMPSONS IRRIFAB, ABN 94 078 501 327, for Design and Construction of Water Supply Pipelines to the value of \$1,032,638 (incl GST); and*
- (b) Delegate to the General Manager the authority to execute all necessary documentation and expend funds as required and within current budgets.*

*Councillors: Walker/Manchester Unanimous*

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

\_\_\_\_\_  
Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

25 September 2019, commencing at 5.30pm

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

## 15.4 - 19/331 – RFQ452 OF 2019 SPRAYED BITUMINOUS SURFACING PANEL

*19/344 RESOLVED:*

*That Council:*

- (a) Endorse the appointment of the following suppliers to form the Hilltops Council Sprayed Bituminous Surfacing Panel contract for 2019-2021;*
- Bitupave (Boral Asphalt) Pty Ltd*
  - NA Group*
  - NSW Spray Seal Pty Ltd*
  - Patches Pty Ltd*
  - Roadworx Pty Ltd*
- (b) Note that this panel will be engaged using the existing LGP contract LGP213-2, to fulfil Council's requirements over the 2019-2020 and 2020-2021 works programs; and*
- (c) Delegate to the General Manager authority to execute all necessary documentation.*

*Councillors: Wallace/Roles*

*Unanimous*

## 15.5 - 19/332 – RFT453 of 2019 PLANT AND EQUIPMENT HIRE 2019-2021

*19/345 RESOLVED:*

*That Council:*

- (a) Endorse the appointment of the suppliers listed at Attachment A to form the Hilltops Council Register of Acceptable Suppliers: Plant and Equipment Hire for the period September 2019 July 2021;*
- (b) Allow for the addition of non-conforming late submissions if considered suitable after assessment as 'Non-Tendered Suppliers', with Council to give preference to tendered suppliers;*
- (c) Note the option to extend this contract for a further one-year period ending 30 June 2022, subject to satisfactory performance of the suppliers;*
- (d) Delegate to the General Manager the ability to exercise the one-year extension option; and*
- (e) Delegate to the General Manager the ability to execute all necessary documentation.*

*Councillors: Manchester/Horton*

*Unanimous*

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

\_\_\_\_\_  
Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

25 September 2019, commencing at 5.30pm

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## 15.6 - 19/333 – RFT457 OF 2019 – PRECAST CONCRETE DRAINAGE PRODUCTS PANEL

*19/346 RESOLVED:*

*That Council:*

*(a) Endorse the appointment of the following suppliers to form the Hilltops Council Precast Concrete Drainage Products Panel contract for 2019-2021;*

- Bruno Altin Co*
- Holcim (Australia) Pty Ltd*
- Reinforced Concrete Pipes Australia Pty Ltd*
- Tegra Pty Ltd;*

*(b) Note the option to extend this contract for a further one-year period ending 30 June 2022, subject to satisfactory performance of the suppliers;*

*(c) Delegate to the General Manager the ability to exercise the one-year extension option; and*

*(d) Delegate to the General Manager the ability to execute all necessary documentation.*

*Councillors: Horton/Manchester Unanimous*

## 15.7 - 19/334 – RFT499 OF 2019 GALONG ROAD STABILISATION WORKS

*19/347 RESOLVED:*

*That Council:*

*(a) Accepts the tender of Roadworx Surfacing Pty Ltd for the sum of \$748,330 (GST inc) for the provision of stabilisation services; and*

*(b) Delegate to the General Manager authority to execute all necessary documentation and to expend funds within the approved budget for this project.*

*Councillors: Wallace/Horton Unanimous*

## 15.8 - 19/335 – TENDER 490 OF 2019, SUPPLY AND DELIVERY OF ONE (1) COMBINATION GRAVEL TRUCK AND THREE AXLE DOG TRAILER

*19/348 RESOLVED:*

*That Council:*

*(a) Accept the tender of Wagga Trucks for the supply and delivery of one Mack Granite 6x4 Rigid 500 and one Chris's Three Axle Dog Trailer, in the amount of \$343,509.10 inclusive of GST (\$312,281.00 ex GST);*

*(b) Accept the tender of Wagga Trucks for the trade of Council Plant No. 10, Mack Granite and Plant 81, M&S Dog Trailer in the amount of \$72,050.00 inclusive of GST, (\$65,500.00 ex GST); and*

*(c) Delegate the General Manager Authority to execute documentation and expend funds as budgeted for this tender.*

*Councillors: Horton/Walker*

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

\_\_\_\_\_  
Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

25 September 2019, commencing at 5.30pm

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

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

## 15.9 - 19/336 – TENDER 491 OF 2019, SUPPLY AND DISPOSAL OF ONE (1) WHEEL LOADER

**19/349 RESOLVED:**

*That Council:*

- (a) Accept the tender of Komatsu Australia Pty Ltd for the supply and delivery of one Komatsu WA320PZ-8 Wheel Loader, in the amount of \$308,550.00 inclusive of GST (\$280,500.00 ex GST);*
- (b) Accept the tender of Komatsu Australia Pty Ltd for the trade of Council Plant 220 (1000353), 2008, John Deere 624K Wheel Loader in the amount of \$77,000.00 inclusive of GST, (\$70,000.00 ex GST); and*
- (c) Delegate authority to the General Manager to execute documentation and to expend funds as budgeted for this purchase.*

*Councillors: Manchester/Horton Unanimous*

## 15.10 - 19/337 – TENDER 492 OF 2019, SUPPLY AND DISPOSAL OF TWO (2) BACKHOE LOADER CCF CLASS 5.5 - 6

**19/350 RESOLVED:**

*That Council:*

- (a) Accept the tender of Komatsu Australia Pty Ltd for the supply and delivery of two (2) Komatsu WB97R-5EO Backhoe Loaders, in the amount of \$433,607.9 inclusive of GST (\$394,189.00 ex GST);*
- (b) Accept the tender of Komatsu Australia Pty Ltd for the trade of Council Plant No 55, Case 590ST Backhoe Loader in the amount of \$60,500.00 inclusive of GST, (\$55,000.00 ex GST);*
- (c) Accept the tender of Komatsu Australia Pty Ltd for the trade of Council Plant No 9611, Volvo BL71B Backhoe Loader in the amount of \$34,100.00 inclusive of GST, (\$31,000.00 ex GST); and*
- (d) Delegate authority to the General Manager to execute documentation and to expend funds as budgeted for this purchase*

*Councillors: Roles/Manchester Unanimous*

## 15.11 - 19/338 – TENDER 494 OF 2019, SUPPLY AND DISPOSAL OF ONE SMOOTH DRUM ROLLER CCF CLASS 15-17.5

### MOTION

That the tender be rejected due to greater costs than anticipated.

Councillors: Flanery/Horton

**Motion put and carried**

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

\_\_\_\_\_  
Mayor

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

25 September 2019, commencing at 5.30pm

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

**19/351 RESOLVED:**

*That Council:*

- a) Reject the tender due to greater costs than anticipated.*

*Councillors: Flanery/Horton*

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

**15.12 - 19/339 – TENDER 495 OF 2019, SUPPLY AND DISPOSAL MULTI-TYRED ROLLER**

**19/352 RESOLVED:**

*That Council:*

- (a) Accept the quotation from GCM Agencies for the supply and delivery of one Multipac 524H Multi-Tyred Roller, in the amount of \$147,400.00 inclusive of GST (\$134,000.00 ex GST); and*  
*(b) Delegate authority to the General Manager to execute documentation and to expend funds as budgeted for this purchase.*

*Councillors: Walker/Horton*

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

**16. OPEN COUNCIL – reading of confidential resolutions**

**19/353 RESOLVED:**

*That Council:*

- (a) Moved out of Closed Council and resolutions made in Closed Council were read and moved as a block in Open Council.*

*Councillors: O'Connor/Armstrong Unanimous*

**17. CONCLUSION OF THE MEETING – proposed next meeting**

## **NEXT MEETING**

The next ordinary meeting of Council scheduled to be on Wednesday, 23 October 2019, Young Chambers, commencing at 5.30pm.

## **TERMINATION**

There being no further business the meeting closed 9.10pm

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

\_\_\_\_\_  
Mayor