

HILLTOPS COUNCIL ORDINARY MEETING MINUTES

24 October 2018, commencing at 5.34 PM

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

ATTENDANCE

Mayor Cr Brian Ingram

COUNCILLORS

Gregory Armstrong
Tony Flanery (arrives 5.41pm)
John Horton
Christopher Manchester
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
K Fox	Acting Director Infrastructure Services
L Hackett	Acting Director Sustainable Growth

APOLOGIES

S Langman Director Sustainable Growth

18/311 RESOLVED:

That the apology be accepted.

Councillors: Wallace/Flanery

PUBLIC FORUM

- Item - 18/246 – Notice of Motion - Harden Tennis Club. Bronwyn Ryan
- Item – 18/246 - Notice of Motion - Harden Tennis Club. June Howe
- Item: 18/234 – 2018/DA-00056 MOD1 Warehouse at 8E Old Temora Road, Young – Section 4.55 Request for Modification of Young Industrial Estate Roads and Stormwater Contributions and Access Driveway Sealing. Andrew Jarrott
- Item: 18/235 – Burley Griffin Way Intersection Upgrade. Jim Ryan
- Item: 18/235 – Burley Griffin Way Intersection Upgrade. Trish Murphy
- Item: 18/235 – Burley Griffin Way Intersection Upgrade. Ben Jones

General Manager

Mayor

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SYMPATHY EXPRESSIONS

18/312 RESOLVED:

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

Robert Smith; Joan Hanrahan; Noeline Jarrott; Leah Cant; Deane Bowring; Betty Cusack; Robert Stewart; Mark Hawker; Gwyne Gorham; Beatrice Campbell

Moved: Mayor Ingram

CONFIRMATION OF MINUTES

18/313 RESOLVED:

That the minutes of the Ordinary Meeting of Council held on 26 September 2018, be confirmed as a true and accurate record.

Councillors: Horton/O'Connor

DECLARATIONS OF INTEREST - CONFLICT OF INTEREST

- Mayor Brian Ingram - Non-Pecuniary Interest – Item 18/234 – 2018/DA-00056 MOD 1 Warehouse at 8E Old Temora Road, Young – Section 4.55 Request for Modification of Young Industrial Estate Roads and Stormwater Contributions and Access Driveway Sealing

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 – Pecuniary Interest – Item 18/230 - Distribution of Council's Financial Assistance/ Donation Funds

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

- Cr Greg Armstrong – Pecuniary Interest – Item 18/230 - Distribution of Council's Financial Assistance/ Donation Funds

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

- Cr Tony Flanery - Non-Pecuniary Interest – Item 18/237 – T2003-025 MOD 4 – Galong Limestone Mine – Increased Dispatch – 342 Eubindal Road, Galong

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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. (Item Deferred)

18/314 RESOLVED:

That the standing order of business be suspended, to deal with:

- *18/234 – 2018/DA-00056 MOD1 Warehouse at 8E Old Temora Road, Young – Section 4.55 Request for Modification of Young Industrial Estate Roads and Stormwater Contributions and Access Driveway Sealing.*
- *18/235 – Burley Griffin Way Intersection Upgrade.*
- *18/246 – Notice of Motion*

Councillors: Armstrong/Roles

Mayor Brian Ingram declared a conflict of interest and left the Chambers at 5.56pm.

Deputy Mayor Antony Wallace Chaired the following item:

18/234 – 2018/DA-00056 MOD1 WAREHOUSE AT 8E OLD TEMORA ROAD, YOUNG – SECTION 4.55 REQUEST FOR MODIFICATION OF YOUNG INDUSTRIAL ESTATE ROADS AND STORMWATER CONTRIBUTIONS AND ACCESS DRIVEWAY SEALING

18/315 RESOLVED: That Council;

A. Refuse a reduction in payment of Section 7.11 contribution, in relation to Development Consent 2018/DA-00056 for a warehouse at 8E Old Temora Road, Young, for the following reasons:

- 1. Condition no. 8 of the consent relating to a contribution under Section 7.11 of the Environmental Planning and Assessment Act, 1979 has been correctly levied in accordance with Council's Section 7.11 Developer Contributions Plan 2016; and**
- 2. Section 7.11 contribution discounts are not in the public interest as such reductions are not governed by Council's Section 7.11 Developer Contributions Plan 2016 and may delay infrastructure upgrades in the Young industrial area.**

B. Amend condition no. 35 of the Development Consent 2018/DA-00056 to read:

- 1. A concrete access driveway must be constructed from the road edge seal to the property boundary generally in accordance with the approved drawings and the following minimum standards:**
 - a) Minimum 150mm concrete thickness with SL72 mesh;**

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- b) Minimum width of 6 metres from the road edge to the property boundary;*
- c) Where an access is constructed over Councils water, sewer, or stormwater mains a minimum of 450mm cover is required over the main. Clearance to other services shall be by approval of the relevant service authority; and*
- d) Minimum 300mm diameter reinforced concrete pipe or concrete dish drain is to be provided across the driveway to allow for roadside drainage.*

Councillors: Wallace/Roles

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

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

Mayor Ingram returns to the Chamber at 6.07pm and resumes the Chair

18/235 – BURLEY GRIFFIN WAY INTERSECTION UPGRADE

18/316 RESOLVED: That Council;

- 1. Acquire parcels of land Portions Lot 7 DP747544 Burley Griffin Way for the purposes of a public road under the Land Acquisition (Just Terms Compensation) Act 1991 No.22;*
- 2. Authority be delegated to the General Manager to authorise any documentation necessary to complete the acquisition and to approve the amount of compensation to be assessed by the Valuer General or an independent valuer payable for the acquisition of the land;*
- 3. Upon acquisition being finalised the land be dedicated as public road in accordance with Section 10 of the Roads Act 1993; and*
- 4. Enter into an agreement with Sibelco for all costs incurred by Council to be met by Sibelco.*

Councillors: Walker/Horton

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

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

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18/246 – NOTICE OF MOTION

Motion

1. That Hilltops Council provide certainty to the community of Harden Murrumburrah that the current site utilised by the Harden Senior Citizens Club and the current site utilised by the Harden Tennis Club and the local residents, remain available to the community for which they are currently purposed. That the Senior Citizens Club can continue to conduct their business and hold their meetings and functions on the current site;
2. That the Harden Tennis Courts continue to be maintained by Hilltops Council and provided as a Tennis facility in its current form, as 4 hard surface Tennis Courts, for players and spectators of the sport, regardless of affiliation to a club; and
3. That Council not attempt to change the current uses of the sites, re-zone the sites or alter their use in any way.

Councillors: Stadtmiller/Armstrong

Motion put and lost

18/317 RESOLVED:

That Council move into the committee of the whole.

Councillors: Flanery/Tuckerman

18/318 RESOLVED:

That Council move out of the committee of the whole.

Councillors: O'Connor/Horton

18/319 RESOLVED:

That the meeting resume standing orders as listed in the agenda.

Moved: Mayor Ingram

MAYORAL REPORT

As per business paper

General Manager

Mayor

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COUNCILLOR REPORT'S

JOHN HORTON

As per Business Paper

WENDY TUCKERMAN

Meetings as minuted

27 September	RFS Project - Harden
3 October	Budget Workshop - Young
9 October	JUPA meeting - Young Library Steering Committee
10 October	Financial Assistance – Young Councillor Workshop
11 October	NSW Governor Reception - Young
17 October	Chinese Consul General -Young Healthy Shires Committee
18 October	Meeting with representatives of Community Garden - Boorowa Council Workshop
19 October	JUPA/ PRG Meeting - Young JUPA Meeting Meeting Member for Goulburn
22 October	Meeting with Ratepayer - Boorowa
23 October	LEP Meeting - Young
24 October	Hilltops Council Ordinary Meeting – Young

General Manager

Mayor

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Community Recognition

Charlie Arnott, David Marsh win national Landcare awards.

David Marsh received the Australian Government Individual Landcarer Award. David's award celebrates a Landcare volunteer who has demonstrated leadership and commitment to improving management practices through practical on ground and community awareness activities. David was pivotal in the early establishment of Landcare particularly in the Boorowa area.

Charlie Arnott is a biodynamical farmer was recognised and received the Bob Hawke award, which enables Charlie to continue to champion his biodynamic farming techniques.

RITA O'CONNOR

Meetings as minuted

29 September	Graze Jugiong Food and Wine market
2 October	Harden Visitor Information Centre meeting
3 October	Budget Workshop
4 October	Welcome evening for General Manager Edwina Marks
6 October	Riverside Markets - Jugiong
10 October	Workshop with Chambers of Commerce/Business Groups
13 October	Harden Kite Festival
15 October	Environmental Initiatives meeting
16 October	Harden Visitor Information Centre meeting
17 October	Chinese Consul General visit
18 October	Councillor workshop on library joint project
19 October	Opening of Harden Art Show
21 October	150 years Anniversary Wombat School
	"Raise the Roof" concert to celebrate 150 years St Mary's Church, Murrumburrah
22 October	"Silver Lining Ride" for ovarian cancer
24 October	Hilltops Council Ordinary Meeting – Young

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Community Recognition

Harden Kite Festival Committee – for the energy, passion and enormous dedication to putting on an extraordinary festival that brought thousands of people to Harden.

June Gibson from Wombat for her community service around the village of Wombat.

CHRISTOPHER MANCHESTER

Meetings as minuted

2 x LEP Committee Meetings

2 x Financial Sponsorship Meetings

Budget Meeting

Meeting with Chinese Consular General – Young and Currawong

Bob Spackman scoreboard official opening

150 years Anniversary Wombat School

24 October Hilltops Council Ordinary Meeting – Young

JOHN WALKER

Meetings as minuted

24 October Hilltops Council Ordinary Meeting – Young

TONY FLANERY

Meetings as minuted

24 October Hilltops Council Ordinary Meeting – Young

Community Recognition

Special vote of thanks to the Harden Kite Festival Committee and the Boorowa Woolfest Committee

GREGORY ARMSTRONG

Meetings as minuted

Proposed RFS Headquarters site inspection – Harden

Budget Workshop – Young

Hilltops Business Community Workshop

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Harden Kite Festival and Racecourse facility funding announcement – Harden

Joint Use Library Steering Committee Meeting – Young

Councillor Joint Use Library Workshop – Young

Community funding meeting

LEP urban and rural land review meeting – Young

Constituent Meetings

24 October Hilltops Council Ordinary Meeting – Young

Community Recognition

Support the recognition of Harden Kite Festival Committee – for the planning, organising, coordinating and execution of the Harden Kite Festival 2018. Attendance levels were unprecedented and can only be described as amazing – congratulations to all.

MATTHEW STADTMILLER

Meetings as minuted

Number of constituent meetings – concern at Galong on slow roll out of VPA spending

Meeting with resident in Harden regarding trees and drainage affecting properties

Harden Kite Festival

LEP Meeting

Attended Shooters, Fishers and Farmers Conference

26 September Hilltops Council Ordinary Meeting – Harden

MARGARET ROLES

Meetings as minuted

Travelled the breadth of Hilltops from Boorowa to Bribery attending Boorowa Woolfest and Bribery Show

Local Government Conference – Albury

24 October Hilltops Council Ordinary Meeting – Young

Community Recognition

Moppity Vineyard – Congratulations on receiving an award for best Cabernet in NSW.

General Manager

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ANTONY WALLACE

Meetings as minuted

Various workshops

Attended reception Governor NSW at Clifton and commend Harry Cleverdon on an accomplished performance.

24 October

Hilltops Council Ordinary Meeting – Young

COMMUNITY RECOGNITION SCHEME

18/320 RESOLVED: That Council forward a letter of congratulations to:

- 1. Charlie Arnott, David Marsh on winning national Landcare awards.*
- 2. Moppity Vineyard – Congratulations on receiving an award for best Cabernet in NSW.*
- 3. Harden Kite Festival Committee*
- 4. Boorowa Woolfest Committee*
- 5. June Gibson from Wombat for her community service around the village of Wombat.*

Councillors: Flanery/O'Connor

GENERAL MANAGER'S REPORT

18/224 – 2019 NSW STATE ELECTION

18/321 RESOLVED: That Council;

- 1. Endorse the development of a local priority list for the region prior to the 2019 State Election; and*
- 2. That this list be distributed to the Hon Steph Cooke and Hon Pru Goward, MP's and all other state election candidates.*

Councillors: Manchester/O'Connor

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18/225 – GENERAL MANAGER'S DELEGATIONS

18/322 RESOLVED: That Council;

- 1. Receive and note the report on the review of delegations for the General Manager;*
- 2. Adopt the delegations of authority for the General Manager as detailed in the attached Instrument of Delegations and that the delegations come in to force from 10 September 2018; and*
- 3. Note the Delegations are a print out of all delegable functions currently provided for in the database – the vast majority of these delegations are delegable to the General Manager and would exclude: LG Act 004 Mayoral Functions – Authority to exercise and/or perform the role of the Mayor.*

Councillors: Walker/Horton

18/226 – MEMBERSHIP OF THE COMMUNITY WORKING GROUPS FOR BURRANGONG CREEK AND BLACKGUARD GULLY PROJECTS

18/323 RESOLVED: That Council;

- 1. Endorse the Expressions of Interest received within the nomination period for the Blackguard Gully Working Group membership to be as follows:*
 - Brian Mullany*
 - Brian James*
 - Marilyn Stemm; and*
- 2. Acknowledge the Expression of Interest received within the nomination period for the Burrangong Creek Working Group and move to not establish a Working Group, however ensure that those interested parties are engaged by Council staff for input.*

Councillors: Roles/Horton

18/227 – LIVE STREAMING OF COUNCIL MEETINGS POLICY

18/324 RESOLVED: That Council;

- 1. Approve the Draft Hilltops Council Live Streaming of Council Meetings Policy be placed on Public Exhibition for 28 Days; and*
- 2. If there are no submissions received; adopt the Hilltops Council Live Streaming of Council Meetings Policy at the completion of the 28-day exhibition period.*

Councillors: Horton/Manchester

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18/228 – MURRUMBURRAH PRECINCT MASTER PLAN

18/325 RESOLVED: That Council;

- 1. Place the Draft Murrumburrah Precinct Master Plan on a 28 day Public exhibition period, asking for Public comment on the plan; and*
- 2. Returning that document to Council for final adoption to the 12 December 2018, Ordinary Meeting of Council.*

Councillors: O'Connor/Horton

18/229 – ANNUAL GOVERNMENT INFORMATION PUBLIC ACCESS (GIPA) RETURN

18/326 RESOLVED: That Council;

- 1. Reaffirm its commitment to providing access to Council information in line with its obligations under the Government Information (Public Access) Act 2009; and*
- 2. Note the Government Information (Public Access) Act – Annual Report for Agency Hilltops Council.*

Councillors: Horton/Manchester

18/230 - DISTRIBUTION OF COUNCIL'S FINANCIAL ASSISTANCE/ DONATION FUNDS

18/327 RESOLVED: That Council;

- 1. Approve the financial assistance and sponsorship committees recommended projects to be funded in the 2018/2019 financial assistance/ donations program;*

<i>Applicant</i>	<i>Staff Recommendation</i>
<i>Fund 2 - General Fund</i>	
<i>Harden CWA</i>	<i>\$ 500</i>
<i>Young Crisis Accommodation Centre</i>	<i>\$ 1,000</i>
<i>200 Army cadet unit – transport costs</i>	<i>\$ 1,000</i>
<i>Murrumburrah Light horse troop</i>	<i>\$ 500</i>
<i>Harden Murrumburrah Historical Society</i>	<i>\$ 250</i>
<i>Harden Murrumburrah Arts Council</i>	<i>\$ 500</i>
<i>Koorawatha Progress Association</i>	<i>\$ 933</i>
<i>Boorowa Darts</i>	<i>\$ 1,000</i>

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<i>Jugiong Golf Club</i>	\$	1,000
<i>Young & District Multicultural Association</i>	\$	1,000
<i>Harden Murrumburrah Rugby League Football Club</i>	\$	500
<i>Young Rugby League Masters</i>	\$	441
<i>Murringo First Families Inc.</i>	\$	761.40
	\$	10,385.40
<i>Fund 1 - Small Scale Infrastructure (50% of total cost)</i>		
<i>Burrangong Picnic Race Club</i>	\$	8,500
<i>Young Lions Soccer Club</i>	\$	10,000
<i>Young Golf Club</i>	\$	2,900
<i>Harden Kennel Club</i>	\$	2,500
	\$	23,900

and;

2. Apply the remaining financial assistance budget of \$6,100 from Fund 1 and \$17,114.60 from Fund 2 to a second round of applications in February 2019.

Councillors: Manchester/O'Connor

18/231 – CASH AND INVESTMENTS AS AT 30 SEPTEMBER 2018

18/328 RESOLVED:

That the Statement of cash and investments as at 30 September 2018 be received.

Councillors: Horton/Manchester

18/232 – HILLTOPS LOCAL HERITAGE FUND 2018-2019

18/329 RESOLVED:

That Council; disperse \$36,000 from the Local Heritage Funds 2018-2019 via the following grants:

- (a) \$3,250.00 for Ardresier Homestead, Glen Ayr Rd, Harden.*
- (b) \$4,000.00 for Pise Cottage, 22 Derby S., Harden.*
- (c) \$2,000.00 for Bribbaree Presbyterian Church, Weedallion St, Bribbaree.*
- (d) \$2,000.00 for Calabash Cottage, 332 Douglas Gap Road, Murringo.*
- (e) \$2,000.00.00 for The Calabash Homestead, 314 Douglas Gap Road, Murringo.*
- (f) \$1,115.00 for Christ Church Anglican Church, 2260 Murringo Rd., Murringo.*
- (g) \$2,000.00 for Crowther Creek Office & Store, "Cooyong" McNights Rd., Crowther.*
- (h) \$3,000.00 for Crowther Shearing Shed, 147 Reid's Rd., Crowther.*
- (i) \$2,000.00 for Currawong Stockman's Cottage, Hartfield Rd., Harden.*

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- (j) \$4,000.00 for Galong Post Office (former), Lot 1 McMahan St., Galong.
- (k) \$1,265.00 for Grant's Store, 2255 Murringo Rd., Murringo.
- (l) \$700.00 for Old Police Station, 26 Murringo Gap Rd., Murringo.
- (m) \$1,620.00 for Orizaba Homestead, 2706 Murringo Rd., Murringo.
- (n) \$550.00 for St Mary's Convent, Lots 4 & 5 Vernon St., Murrumburrah.
- (o) \$2,400.00 for St Paul's Anglican Church, Swift St., Harden.
- (p) \$2,000.00 for Former Schoolmaster's Residence, Ward St, Harden.
- (q) \$2,100.00 for Trengove Park Grandstand, Bumbaldry St, Koorawatha.

Councillors: Manchester/Walker

18/233 – DEVELOPMENT APPLICATION STATISTICS FOR SEPTEMBER 2018

18/330 RESOLVED:

That Council; receive and note the status and processing times for development applications, as at 30 September 2018.

Councillors: Manchester/Horton

18/236 - T18/024 – DEVELOPMENT APPLICATION FOR ALTERATIONS AND ADDITIONS TO THE EXISTING BUILDING (KNOWN AS 'HISTORY HALL') AND ITS USE AS AN INFORMATION AND EDUCATION FACILITY, ALBURY ROAD, MURRUMBURRAH.

18/331 RESOLVED:

That Council approve the development application, subject to the conditions below.

- **Application No.:** T18/024
- **Property:** Lot 1 DP995403, Albury Road, Murrumburrah
- **Development:** Alterations and additions to the existing building to change its use to an Information and Education Facility (Museum and Tourist Information Office) and to formalise its existing use as a community facility.

PART 1 – DEFERRED COMMENCEMENT CONDITIONS

1 *This consent does not operate until Council is satisfied of the following matters:*

- a) *A preliminary investigation report, prepared by a suitably qualified and licensed person, must be provided to Council, attesting to the potential state of contamination of Lot 1 DP995403, in accordance with the contaminated land planning guidelines; and*

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- b) *The results of that report are implemented, including, where required, further investigation and/or remediation of the site; and*
- c) *Any works required by the investigation (Deferred Commencement Condition 1a) and by Deferred Commencement Condition 1b have been certified by a suitably qualified and licensed person as to their satisfactory completion and compliance with relevant standards.*
- 2 *Evidence required to satisfy these conditions must be submitted to Council within 12 months of the date of this consent, or the consent will lapse in accordance with Section 4.53(6) of the Environmental Planning and Assessment Act, 1979.*
- 3 *Upon satisfaction of the deferred commencement condition/s, the following conditions apply:*

PART 2 – OPERATIONAL CONDITIONS OF CONSENT

Approved Development

1. *The development shall be generally in accordance with Development Application number T18/024 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>Title of Plan</i>	<i>Date</i>
<i>A003</i>	<i>6</i>	<i>Site Plan</i>	<i>09/04/2018</i>
<i>A009</i>	<i>6</i>	<i>Untitled plan showing elevations – “North” and “NE View”.</i>	<i>09/04/2018</i>
<i>A011</i>	<i>6</i>	<i>Untitled plan showing elevations – “West Side” and “East”.</i>	<i>09/04/2018</i>
<i>A007</i>	<i>7</i>	<i>New Museum Floor</i>	<i>06/07/2018</i>
<i>A006</i>	<i>6</i>	<i>New Storage Area</i>	<i>09/04/2018</i>
<i>Statement of Environmental Effects, prepared by DA Busters P/L and signed and dated 9/7/2018.</i>			

as modified by any conditions of this consent.

2. *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).*

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3. *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

4. *A Construction Certificate is required to be issued by a Principal Certifying Authority, prior to the commencement of any works on site.*
5. *Prior to the release of a Construction Certificate, the development (including the existing path at the western edge of the site) must comply with the requirements of the Commonwealth Disability Discrimination Act, 1992 and associated codes and standards.*
- a. *Any necessary amendments to the Development Consent to ensure compliance with relevant disability requirements must be obtained, prior to the issue of a Construction Certificate.*
6. *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 Harden Contributions Plan for Other Developments Contributions Plan, adopted on 16 November 2011, which may be viewed during on Council's website: 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>\$300,000.00</i>	<i>0.5%</i>	<i>\$1500.00</i>

PRIOR TO COMMENCEMENT OF WORKS

7. *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*

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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.

8. *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

- 9. *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.*
- 10. *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.*
- 11. *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.*
- 12. *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.*
- 13. *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.*

General Manager

Mayor

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Earthworks

14. *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.*
15. *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

16. *All reticulated services, including water, electricity, sewer and telecommunications must be extended to the development.*

Stormwater

17. *Stormwater from roof and hardstand areas shall be conveyed to the existing stormwater system on the site.*

Access

18. *An all-weather access point must be provided to the rear of the property, to the relevant standards provided in Council's Engineering Guidelines for Subdivisions and Developments.*

Operation of the uses

19. *No signage that is not exempt development, is to be erected on the building without the prior approval of Council.*
20. *No deliveries are to be made to the site off Albury Street. All deliveries to the site shall be made using the rear access point off Albury Lane.*

Occupation Certificate

21. *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.*

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22. *All works required by this consent shall be completed prior to the issue of an Occupation Certificate.*
23. *Prior to the issue of an Occupation Certificate, the person having the benefit of this consent is to provide evidence to the Principal Certifying Authority of the evidence of the registration of the consolidation of Lot 1 DP995403 and Lot 3 Section 38 DP758737.*

Councillors: Horton/Roles

18/237 – T2003-025 MOD 4 – GALONG LIMESTONE MINE – INCREASED DISPATCH – 342 EUBINDAL ROAD, GALONG

18/332 RESOLVED:

Item deferred

Councillors: Ingram/Armstrong

18/238 – BURRANGONG CREEK- INCLUSIVE PLAYGROUND AND AMENITIES

18/333 RESOLVED: That;

1. *Tresillian Park be selected as the preferred location for the Playground in line with the findings in the Location Analysis;*
2. *The funding allocated to the Tresillian Park upgrade (\$145,000) be combined with the funding allocated to the Playground (\$275,000) to provide a single larger play facility compared to two smaller facilities;*
3. *The funding tagged for the amenities upgrade through SCCF (\$150,000) be used to provide a compliant toilet facility at Tresillian Park and also fund a re-fit of the toilets on the corner of Marina and Main Street (Captain Cook Weir) and procurement commence for the materials required for this work to be undertaken; and*
4. *In accordance with s55(3)(i) of the NSW Local Government Act 1993, not invite tenders for a proposed project delivery contract for the Inclusive Playground;*
 - a. *noting the reason for not calling tenders is on the grounds that Council is satisfied that inviting tenders would not achieve a satisfactory result as there would not be other tenderers of a competitive nature due to the capacity, experience and connections Variety and Touched by Olivia have in delivering Inclusive Playgrounds and;*

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- b. The Council delegate authority to the General Manager or their delegate to negotiate a Contract with Variety and the Touched by Olivia Foundation for the design, procurement and delivery of the Inclusive Playground not exceeding the funding amount that is allocated to the project.*

Councillors: Roles/Horton

18/239 – ENDORSEMENT TO ENGAGE CONSULTANT FOR LAMBING FLAT CHINESE TRIBUTE GARDEN

18/334 RESOLVED:

That Council; endorse the engagement of H3 Architects under Section 55 of the Local Government Act 1993.

Councillors: Manchester/Walker

18/240 – YOUNG TENNIS COURTS – DETAILED DESIGN

18/335 RESOLVED:

Defer the matter pending discussions with Young tennis club and a report to be supplied to the November 2018 Meeting of Council

Councillors: Armstrong/Walker

18/241 – BOOROWA TENNIS COURTS – DETAILED DESIGN

Motion

That Council; proceed with design using an asphalt base, which may be achievable within the budget, or would require considerably less additional funding.

Councillors: Armstrong/Horton

Amendment

That Council seek tenders for the Boorowa Tennis Courts for an asphalt base and concrete base with rubberised sport acrylic surface and LED lighting and inclusive of all necessary fencing.

Councillors: Flanery/Tuckerman

Amendment put and carried

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18/336 RESOLVED:

That Council seek tenders for the Boorowa Tennis Courts for an asphalt base and concrete base with rubberised sport acrylic surface and LED lighting and inclusive of all necessary fencing.

Councillors: Flanery/Tuckerman

18/242 – ENDORSEMENT TO EXPEND FUNDS AND ESTABLISH COMMITTEE FOR THE MURRUMBURRAH FLOOD STUDY

18/337 RESOLVED: *That Council;*

- 1. Endorse the carryover of \$32,400 from the 2017/18 budget into the 2018/19 budget to undertake the Murrumburrah Flood;*
- 2. Endorse the establishment of the Floodplain Risk Management Committee;*
- 3. Endorse the selection of members outlined above; and*
- 4. Endorse Councillor Manchester to be the member of the Floodplain Risk Management Committee*

Councillors: Manchester/Walker

18/243 – HILLTOPS WORKS REPORT

18/338 RESOLVED:

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

Councillors: Manchester/Walker

18/244 - ACTION SUMMARY REPORT

18/339 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/Roles

General Manager

Mayor

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18/245 – STRONGER COMMUNITIES AND STRONGER COUNTRY COMMUNITIES PROJECTS UPDATE

18/340 RESOLVED:

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

Councillors: Horton/Stadtmiller

CORRESPONDENCE FOR ATTENTION

ACTION

Nil

18/341 RESOLVED:

That the balance of correspondence be noted.

Councillors: Armstrong/O'Connor

COUNCIL COMMITTEE REPORTS

18/342 RESOLVED:

That the recommendations contained in the Murringo Community Association Inc. – 24 September 2018 be read and noted and placed on the action plan for action.

Councillors: Wallace/Horton

18/343 RESOLVED:

That the recommendations contained in the Jugiong Advancement Group – 13 September 2018, be read and noted and placed on the action plan for action.

Councillors: Horton/O'Connor

18/344 RESOLVED:

That the balance of Committee reports be noted

Moved: Mayor Ingram

General Manager

Mayor

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CLOSED COUNCIL

18/247 – EXCLUSION OF THE PRESS AND PUBLIC

18/345 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: Manchester/O'Connor

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

Mayor

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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: PERSONNEL 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:

- (a) personnel matters concerning individuals (other than Councillors)

ITEM 8: CODE OF CONDUCT 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:

- (i) alleged contraventions of any code of conduct requirements applicable under section 440.

General Manager

Mayor

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18/346 RESOLVED:

That Council move into committee of the whole

Councillors: Flanery/Horton

18/347 RESOLVED:

That Council move out of the committee of the whole

Councillors: Manchester/Armstrong

18/248 – TENDER 410 OF 2018, SUPPLY AND DISPOSAL OF ONE SMOOTH DRUM ROLLER CCF CLASS 12.5

18/348 RESOLVED: *That Council;*

- 1. Accept the quotation of Westrac Pty Ltd for the supply and delivery of one Caterpillar CS64B smooth drum roller (Supplied with Padfoot Shell Kit), in the amount of \$184,250.00 inclusive of GST (\$167,500.00 ex GST); and*
- 2. Accept the quotation of Westrac Pty Ltd for the trade of Council Plant No. 165, 2003 Hamm 3414 smooth drum roller (fitted with Padfoot Shell Kit) in the amount of \$33,000.00.00 inclusive of GST, (\$30,000.00 ex GST).*

Councillors: Walker/Armstrong

18/249 – TENDER 411 OF 2018, SUPPLY AND DELIVERY OF ONE (1) PRIME MOVER

18/349 RESOLVED: *That Council;*

- 1. Accept the quotation of Wagga Trucks for the supply and delivery of one Hino SS2848, in the amount of \$194,087.20 inclusive of GST (\$176,442.91 ex GST); and*
- 2. Accept the quotation of Wagga Trucks for the trade of Council Plant No. 242, Hino SS2848 in the amount of \$75,900.00 inclusive of GST, (\$69,000.00 ex GST).*

Councillors: Manchester/Roles

General Manager

Mayor

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18/250 – TENDER 412 OF 2018, SUPPLY AND DELIVERY OF TWO (2) WATER TANKER TRUCKS

18/350 RESOLVED: That Council;

PLANT 163

- 1. Accept the quotation of Wagga Trucks for the supply and delivery of one Hino FM2632 Auto, fitted with a Barry Burrows Body in the amount of \$244,015.88 inclusive of GST (\$221,832.62 ex GST); and*
- 2. Accept the quotation of Wagga Trucks for the trade of Council Plant No. 163, Isuzu FVZ in the amount of \$93,500.00 inclusive of GST, (\$85,000.00 ex GST).*

PLANT 408

- 1. Accept the quotation of Wagga Trucks for the supply and delivery of one Hino FM2632 Auto, fitted with a Barry Burrows Body in the amount of \$244,015.88 inclusive of GST (\$221,832.62 ex GST); and*
- 2. Accept the quotation of Wagga Trucks for the trade of Council Plant No. 408, Hino FM in the amount of \$94,600.00 inclusive of GST, (\$86,000.00 ex GST).*

Councillors: Armstrong/Roles

18/251 – TENDER 414 OF 2018, SUPPLY AND DELIVERY OF ONE (1) GRAVEL TRUCK

18/351 RESOLVED: That Council;

- 1. Accept the tender of Wagga Trucks for the supply and delivery of one Mack Granite 500, in the amount of \$256,714.70 inclusive of GST (\$233,377.00 ex GST); and*
- 2. Accept the tender of Wagga Trucks for the trade of Council Plant No. 9, Mack CX Vision in the amount of \$63,800.00 inclusive of GST, (\$58,000.00 ex GST).*

Councillors: Horton/Walker

18/252 - RFT 369of 2018 – SEWER MAIN RENEWAL WORKS

18/352 RESOLVED: That Council;

- 1. Approve Option 2 (ii)*
 - a. Decline to accept the tender due to the preferred tender price exceeding Council's 2018/19 Budget.*

General Manager

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- b. Authorise the General Manager to negotiate with the preferred tenderer to undertake the works over two financial years i.e. 2018/19 and 2019/20;*
- 2. Approve committing an additional amount of \$1,854,054.00 from the Young Sewer Reserves account to enable the additional sewer mains replacements that have been included within RFT369/2018;*
 - 3. Acceptance of the Benex non-conforming tender, including an allowance for GST for the sum of \$3,149,435.50 +GST; and*
 - 4. Authorise that a project contingency amount of \$314,944.50 be provided for this project to cover any unforeseen additional works that become necessary during the project delivery phase.*

Councillors: Horton/Armstrong

18/253 – UPDATE ON ISSUES WITH KRUGER MEDICAL CENTRE

18/353 RESOLVED: That Council;

- 1. Note the report provided by Hoxton Medical Practice Management into the Kruger Medical Centre Harden;*
- 2. Confirm the right of renewal to Geetanjali for a period of three years;*
- 3. Contract with Hoxtons Medical Practice Management to undertake a six-monthly review of the agreed Service Plan on behalf of Council and the Community; and*
- 4. Seek professional advice in 12 months time with regards to the letting of the contract for the operation of the Kruger Medical Centre Harden after the three-year lease has concluded.*

Councillors: Manchester/O'Connor

18/254 – ORGANISATIONAL STRUCTURE ADJUSTMENT

18/354 RESOLVED:

- 1. That Council, endorse the new senior contract position for Economic Development, incorporating stakeholder engagement as part of the formal Corporate Structure;*
- 2. The General Manager and Mayor have an urgent breakfast meeting and invite key businesses across Hilltops to meet the General Manager to discuss their issues; and*
- 3. Mayor Ingram, also invites all Councillors to attend.*

Councillors: O'Connor/Manchester

General Manager

Mayor

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Staff leave the meeting at 9.03pm

18/255 – INVESTIGATION INTO THE LEAKING OF CONFIDENTIAL COUNCIL INFORMATION

18/355 RESOLVED: That Council;

- 1. Note the report into the investigation of the leaking of confidential information; and*
- 2. That the General Manager refer the report and other material to a conduct reviewer to ascertain whether or not a breach of the Hilltops Code of Conduct has occurred.*

Councillors: Horton/Wallace

18/356 RESOLVED:

That the confidential Mayoral Minute tabled be accepted.

Councillors: Flanery/Horton

MAYORAL MINUTE - CONFIDENTIAL

18/256 – ADJUSTMENT TO GENERAL MANAGER TOTAL REMUNERATION PACKAGE

18/357 RESOLVED:

That Council; delegates the signing of the new contract to the Mayor so that the rental subsidy is included inside the total remuneration package and the new contract now totals the amount of \$290,000 pa.

Councillors: Manchester/Horton

18/358 RESOLVED:

That Council move out of closed meeting.

Moved: Mayor Ingram

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, 28 November 2018, Boorowa Chambers, commencing at 5.30pm

TERMINATION

There being no further business the meeting closed 9.25 pm.

General Manager

Mayor