

HILLTOPS COUNCIL ORDINARY MEETING MINUTES

26 February 2020, commencing at 4.30pm

Held in the Hilltops Council, Boorowa Chamber 6 – 8 Market Street, Boorowa

ATTENDANCE

Mayor Cr Brian Ingram

COUNCILLORS

Gregory Armstrong
Tony Flanery
John Horton
Rita O' Connor
Margaret Roles
John Walker
Matthew Stadtmiller
Antony Wallace

STAFF

D Rowland	Acting General Manager
J Osland	Director Infrastructure
J Hughes	Director Strategy and Organisational Performance

APOLOGIES

Councillor Chris Manchester

20/23 RESOLVED:

That Council:

(a) Grant leave of absence to Cr Manchester for Hilltops Council Ordinary Meeting 26 February 2020.

Councillors: Horton/O'Connor Unanimous

4.1 - 20/19 – LEAVE OF ABSENCE REQUEST COUNCILLOR TUCKERMAN

20/24 RESOLVED:

That Council:

(b) Grant a leave of absence to Cr Tuckerman from the Hilltops Council Ordinary Meeting 26 February 2020 and 25 March 2020 as requested.

Councillors: Horton/O'Connor Unanimous

PUBLIC FORUM

Nil

Acting General Manager

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;

Margaret Kite; Edna Henry; William Bourke; Frances D'Elboux; Larry McDonald; Kim Smith; Donald Hancock; Vincent Rose; Keith Noakes; Blanche Ough; Mary Kemp; Robert Bryer; Leslie Murphy

Moved: Mayor Brian Ingram

6. CONFIRMATION OF MINUTES

6.1 – 20/20 – CONFIRMATION MINUTES HILLTOPS COUNCIL ORDINARY MEETING 29 JANUARY 2020

20/25 RESOLVED:

That Council:

- (a) Confirm the Minutes from the Hilltops Council Ordinary Meeting dated 29 January 2020 as a true and accurate record.*

Councillors: Armstrong/Horton Unanimous

6.2 – 20/21 – CONFIRMATION OF MINUTES HILLTOPS COUNCIL EXTRAORDINARY MEETING 10 FEBRUARY 2020

20/26 RESOLVED:

That Council:

- (a) Confirm the Minutes from the Hilltops Council Extraordinary Meeting dated 10 February 2020 as a true and accurate record.*

Councillors: Horton/Armstrong Unanimous

7. DECLARATIONS OF INTEREST - CONFLICT OF INTEREST

Nil

8. MAYORAL MINUTE(S)

Nil

Acting General Manager

Mayor

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9. MAYORAL REPORTS

9.1 – 20/22 - MAYORAL REPORT FEBRUARY 2020

20/27 RESOLVED:

That Council:

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

ENGAGEMENT DATES

30 January	Mayoral video update
30 January	Young Showground Trust Meeting
3 February	Meeting with Director regarding Boorowa Water Security Project
4 February	Appointments with community members in Boorowa and Harden
4 February	Travelled to Sydney
5 February	Meeting with Minister re Boorowa Water Security Project
10 February	Extraordinary Meeting of Hilltops Council, Young Chambers
10 February	Meeting with School Infrastructure NSW re: Joint Use Library
11 February	Councillor workshop re IWCM Issues Paper, Young Floodplain
11 February	Management, Graymont - Galong Community Engagement
11 February	Councillor Workshop re: Local Strategic Planning Statement
12 February	Valuer General Workshop
14 February	Young Crisis Accommodation Centre Fundraising Dinner
17 February	Official Opening of Cranfield Oval amenities
17 February	Asset Management Review Group
19 February	Meeting with Acting General Manager re Council Meeting agenda and business paper
21 February	Delivering Safer Roads funding media opportunity at Wombat Street Young
23 February	State Memorial for bushfire victims. Sydney Olympic Park
25 February	Councillor Workshop re: Local Strategic Planning Statement
26 February	Hilltops Council Ordinary Meeting, Boorowa Chambers

Councillors: Horton/Walker

Unanimous

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10. COUNCILLOR REPORTS

10.1 - 20/23 - COUNCILLOR – MEETINGS ATTENDED

20/28 RESOLVED:

(a) That the reports be read and noted.

Councillor John Horton

19 January Community Concert -- Court House - Murrumburrah.
21 January Bill the Bastard meeting - Murrumburrah.
26 January Australia Day ceremony - Harden.
26 January Australia Day ceremony with Ambassador - Wombat.
26 January Australia Day presentation - Jugiong.
03 February Councillor's workshop - Young.
08 February Jugiong golf club, reforming committee meeting - Jugiong.
10 February Hilltops Council Extraordinary Meeting, Young Chambers
11 February JAG President (Tony Engel) and Director John Hugh's meeting - Young.
12 February General valuation presentation, by VG'S representatives - Young.
13 February Jugiong advancement group Monthly committee meeting - Jugiong.
14 February Library Take Five performance - Young.
15 February Lachlan Regional Transport Committee Inc. (LRTC inc) meeting - Picton.
17 February Hope / Brian Smith meeting - Murrumburrah.
20 February PA Committee meeting - Galong.
25 February LEP committee meeting - Young.
26 February Hilltops Council Ordinary Meeting, Boorowa Chambers
X3 Rotary meetings --- Murrumburrah / Harden Club.

Councillor Greg Armstrong

3 February Councillors Workshop – Tablelands Destination Development Project
10 February Hilltops Council Extraordinary Meeting, Young Chambers
11 February Councillor Workshop IWCM update
11 February Councillors update by Graymont on Galong Community Engagement findings
11 February Councillor Workshop – LSPS and LEP
12 February Valuer General Workshop with Councillors and Staff
14 February Hilltops Crisis Accommodation Fundraising Event
17 February Asset Management Committee Meeting
25 February LSPS Workshop for Councillors
26 February Hilltops Council Ordinary Meeting, Boorowa Chambers

Councillor Margaret Roles

Hosted a visit to farm from Selina Win Pe

Councillor Matthew Stadtmiller

Meetings as minuted

26 February Hilltops Council Ordinary Meeting, Boorowa Chambers
Advised that he had been told that the microphones were not working last meeting on the livestream

Acting General Manager

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Councillor Antony Wallace

26 February Planning Workshop
Asset Management Working Group
Hilltops Council Ordinary Meeting, Boorowa Chambers
Query about Customer Service Policy

Councillor Rita O'Connor

10 February Hilltops Council Extraordinary Meeting, Young Chambers
11 February Health & Wellness Action Group (HWAG) Section 355 Meeting
11 February Councillor Workshop IWCM issues paper - Young
11 February Floodplain Management, Graymont, Galong Community Engagement
11 February Councillor Workshop – Local Strategic Planning Statement
12 February Valuer General Workshop - Young
12 February Planning and DA issues in Harden meeting - Young
13 February Environmental Initiatives Committee meeting - Young
17 February Harden Visitor Information Centre committee meeting
24 February Murrumburrah Precinct Plan Consultative Group meeting
25 February Councillor Workshop – Local Strategic Planning Statement
26 February Hilltops Council Ordinary Meeting, Boorowa Chambers

Councillor John Walker

Meetings as minuted
26 February Hilltops Council Ordinary Meeting, Boorowa Chambers

Councillor Tony Flanery

10 February Hilltops Council Extraordinary Meeting, Young Chambers
11 February LEP Workshop
25 February LSPS Workshop for Councillors
26 February Hilltops Council Ordinary Meeting, Boorowa Chambers

Councillors: Flanery/Armstrong Unanimous

11. COMMUNITY RECOGNITION SCHEME

20/29 RESOLVED:

That Council;

- (a) Acknowledge the incredible valiant efforts of the Rural Fire Service over recent months, it has been absolutely outstanding despite some of the worst conditions imaginable and with a little help from rain the RFS have protected assets private and public and saved lives and delivered a service that is unparalleled anywhere in the world to the community;***
- (b) Praise the Parks and Gardens staff in Hilltops, the gardens have never looked so good considering the current conditions; and***
- (c) Village community groups, Councillor Walker visited the progress on Monteagle Hall and it is absolutely astounding as not too long ago they had no hope and disillusioned on lack of funding for the Hall and now they have a program of a***

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brand new Hall being finished by the end of the year and it's a credit to the Committee of Monteagle but also well aware of village committees throughout Hilltops area are working as equally hard.

Councillors: Armstrong/Horton Unanimous

12. GENERAL MANAGER'S REPORT

12.2 - 20/25 – CASH AND INVESTMENT REPORT

20/30 RESOLVED:

That Council:

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

Staff be commended for their efforts.

Councillors: Wallace/Roles Unanimous

12.3 – 20/26– OUTSTANDING RATES AND CHARGES COLLECTION REPORT

20/31 RESOLVED:

That Council:

(a) Receive and note the report.

Councillors: Horton/O'Connor Unanimous

12.4 – 20/27 – QUARTERLY BUDGET REVIEW

20/32 RESOLVED:

That Council:

- (a) Receive and note the December 2019 Hilltops Council Quarterly Budget Review;*
- (b) Adopt the recommended variations the Hilltops Council 2019-2020 budget as set out in the December 2019 Hilltops Council Quarterly Budget Review;*
- (c) That all uncommitted work cease on the Boorowa Waste Transfer Station until a full review and report is provided to Council for consideration; and*
- (d) Conduct budget workshops with Councillors in March 2020 to refine the budget and return the budget to the March 2020 Council meeting for review and re-adoption.*

Councillors: Horton/Roles Unanimous

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12.5 – 20/28 – DEVELOPMENT APPLICATION STATISTICS FOR JANUARY 2020

20/33 RESOLVED:

That Council:

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

Councillors: Horton/Roles

Unanimous

12.6 - 20/29 – DA2020/0006: DWELLING HOUSE – LOT 37 ON DP 753624, GLOAMING ROAD, HARDEN

20/34 RESOLVED:

That Council:

- (a) In accordance with the concurrence granted by the Department of Planning, Industry and Environment on 3 February 2020 Permit the variation to the development standard being Clause 4.2A of Harden Local Environmental Plan 2011;*
- (b) As the consent authority pursuant to section 4.16 of the Environmental Planning & Assessment Act 1979 grant consent to Development Application No. DA2020/0006 for the erection of a Dwelling House on Lot 37 DP 753624, Gloaming Road, Harden subject to conditions set out in Attachment "A"; and*
- (c) Delegate the application to the Acting Director Sustainable Growth for the preparation and the issue of the notice of determination.*

Councillors: Walker/Stadtmiller

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

Against: Councillors: Armstrong

12.7 - 20/30 – URBAN TREE MANAGEMENT POLICY WITH COUNCIL OWNED AND MANAGED LANDS

MOTION

That Council:

- (a) Endorse the draft policy to be placed on public exhibition for a period of 28 days calling for submissions;*
- (b) If any submissions are received that propose changes, or if there are substantial post public exhibition changes proposed for any other reasons, a report be submitted to Council for consideration detailing the public exhibition outcomes and with further recommendations regarding adoption;*

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- (c) If there are no submissions received proposing changes as a result of the public exhibition, or there are no substantial post public exhibition changes proposed for any other reasons, Council adopt the Urban Tree Management Policy within Council Owned and Managed lands; and
- (d) Rescind all other policies and standards relating to Urban Tree Management.

Councillors: Stadtmiller/Wallace

20/35 RESOLVED:

That Council

- (a) *Defer this item.*

Councillors: *Armstrong/Wallace* *Unanimous*

12.8 - 20/31 – RURAL ROADSIDE VEGETATION MANAGEMENT WITHIN COUNCIL OWNED AND MANAGED ROADS POLICY

20/36 RESOLVED:

That Council;

- (a) *Defer this item.*

Councillors: *Flanery/Walker* *Unanimous*

12.9 - 20/32 – UNSEALED AND SEALED ROADS PROGRAM PROGRESS REPORT

20/37 RESOLVED:

That Council:

- (a) *Receive and note the report.*

Councillors: *Walker/Flanery* *Unanimous*

12.10 - 20/33 – KRUGER HEALTH AND WELLNESS COMPLEX HYDROTHERAPY POOL MAJOR CAPITAL UPGRADES

MOTION

That Council:

- (a) Adopt the recommendation to forward all items discussed in the report to the 2020/21 Forward Estimates for consideration for the sum of \$181,000; and
- (b) Adopt the recommendation that Council formally advises The Kruger Trust of this urgent and important periodic maintenance and the estimated costs associated

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with for information and consideration of the Trust to possibly supplement the funds sought.

AMENDMENT

That Council:

- (a) Adopt the recommendation to forward all items discussed in the report to the 2020/21 Forward Estimates for consideration for the sum of \$181,000; and
- (b) Adopt the recommendation that Council formally advises The Kruger Trust of this urgent and important periodic maintenance and the estimated costs associated with for information and consideration of the Trust to possibly supplement the funds sought.
- (c) Have brought back to Council the costs to maintain the Hydrotherapy Pool for the former Harden Shire and now Hilltops Council.

Councillors: Horton/O'Connor

Amendment put and carried

20/38 RESOLVED:

That Council:

- (a) Adopt the recommendation to forward all items discussed in the report to the 2020/2021 Forward Estimates for consideration for the sum of \$181,000; and*
- (b) Adopt the recommendation that Council formally advises The Kruger Trust of this urgent and important periodic maintenance and the estimated costs associated with for information and consideration of the Trust to possibly supplement the funds sought; and*
- (c) Have brought back to Council the costs to maintain the Hydrotherapy Pool for the former Harden Shire and now Hilltops Council.*

Councillors: Horton/O'Connor

Unanimous

12.11 - 20/34 – USE OF GLYPHOSATE BY COUNCIL STAFF

FORESHADOW MOTION

That Council:

- (a) Ban the use of glyphosate by Hilltops Council.

Councillors: Roles/Horton

For: Councillors: Horton, Roles

Against: Councillors: Ingram, Armstrong, Flanery, Stadtmiller, Wallace, O'Connor, Walker

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FORESHADOW MOTION

That Council:

- (a) Receive and note the report.

Councillors: Walker/O'Connor

For: Councillors: Armstrong, O'Connor, Roles

Against: Councillors: Ingram, Flanery, Horton, Stadtmiller, Wallace, Walker

FORESHADOW MOTION

That:

- (a) A separate report come back to Council detailing what if any WHS measures can be put in place to enable the continued use of glyphosate to control noxious weeds on roadsides to protect the agricultural industry.

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

Against: Councillors: O'Connor, Roles, Horton

20/39 RESOLVED:

That:

- (a) A separate report come back to Council detailing what if any WHS measures can be put in place to enable the continued use of glyphosate to control noxious weeds on roadsides to protect the agricultural industry.***

Councillors: Flanery/Walker

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

Against: Councillors: O'Connor, Roles, Horton

12.12 - 20/35 - DAM MANAGEMENT

20/40 RESOLVED:

That Council:

- (a) Receive the information about the management of the two dams; and***
- (b) Endorse the actions proposed to achieve compliance with Dam Safety Act 2015.***

Councillors: Horton/Stadtmiller

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

Against: Councillors: Flanery, Walker

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12.13 - 20/36 – MURRUMBURRAH PRECINCT OWNERSHIP

20/41 RESOLVED:

That Council:

- (a) Delegate the General Manager to write to Hon. Melinda Pavey MP, Minister for Water, Property and Housing, or relevant body, seeking appointment of Council as Crown Land Manager for Reserve 89104 (Lot 701 DP94984); and*
- (b) Delegate the General Manager to execute any relevant documentation or affix Council's Common Seal required for appointment.*

Councillors: O'Connor/Horton

Unanimous

12.14 - 20/37 – DROUGHT COMMUNITIES EXTENSION PROGRAM

20/42 RESOLVED:

That:

- (a) Item 20/37 Drought Communities Extension Program be deferred to the March meeting of Council to allow more time for discussions and consideration of the options available;*
- (b) Item 20/37 be placed on the agenda of the planned workshop to be held on 4 March 2020; and*
- (c) Implement Skype/Zoom or similar for Council Workshops*

Councillors: Ingram/Horton

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

Councillor O'Connor left the meeting.

12.15 - 20/38 – HILLTOPS WORKS REPORT

20/43 RESOLVED:

That Council:

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

Councillors: Walker/Horton

Unanimous

Acting General Manager

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12.16 - 20/39 – ACTION SUMMARY REPORT

20/44 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/Horton

Unanimous

Councillor O'Connor returned to the meeting.

CORRESPONDENCE FOR ATTENTION

Nil

INFORMATION

12.17 – 20/40 – MEDIA RELEASES AND OFFICE OF LOCAL GOVERNMENT CIRCULARS

20/45 RESOLVED:

That Council;

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

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

Councillors: Wallace/Stadtmiller

Unanimous

COUNCIL SECTION 355 COMMITTEE REPORTS – REQUIRING ACTION

12.18 - 20/41 – HILLTOPS COUNCIL SECTION 355 COMMITTEE – BIOSECURITY (WEEDS) NOMINATIONS

20/46 RESOLVED:

That Council:

- (a) Endorse the nominations of the community members to participate on Council's Section 355 Committee – Biosecurity (Weeds):*

Mr Paul O'Connor;

Mr Tim McGrath;

Acting General Manager

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*Mr Paul Parker;
Mr Chris Holland; and
Mr Christopher Corcoran.*

Councillors: Walker/Flanery Unanimous

12.42 - 20/42 - COMMITTEE REPORTS – REQUIRING NO ACTION

20/47 RESOLVED:

That Council;

- a) Receive and note the minutes of the committee reports as presented.*
- Wombat Progress Association – 3 December 2019*
 - Murringo Community Association Inc. Minutes – 10 December 2019*
 - Hilltops Council Local Emergency Management Committee Meeting Minutes - 5 February 2020*
 - Rescue Committee Meeting Minutes - 5 February 2020*

Councillors: Armstrong/O'Connor Unanimous

13. QUESTIONS WITH NOTICE

13.1 – 20/43 - MILVALE ROAD

20/48 RESOLVED:

That Council;

- (a) Receives and note the report*

Councillors: Ingram/Wallace Unanimous

13.2 - 20/44 – YOUNG STORMWATER AND DRAINAGE LEVY RESERVE

20/49 RESOLVED:

That Council;

- (a) Receives and note the report*

Councillors: Ingram/Wallace

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

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14. NOTICE OF MOTIONS/RESCISSION

14.1 – 20/45 – MOTION: IMPLEMENTATION OF HILLTOPS COUNCIL SCHOLARSHIP SCHEME

20/50 RESOLVED:

That Council:

(a) Resolve to implement a Hilltops Council Scholarship Scheme

- i. The scholarship program to commence at \$5,000 and be reviewed yearly;*
- ii. The scheme is to help students further their education;*
- iii. A committee be formed to oversee the allocation of funds;*
- iv. Committee to be made up of 3 community members and 3 Councillors; and*
- v. Funds for this scheme to come from the current 356 funds.*

Councillors: Ingram/Horton

Unanimous

15. CONFIDENTIAL MATTERS

15.1 - 20/46 – EXCLUSION OF THE PRESS AND PUBLIC

20/51 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: O'Connor/Armstrong

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 1: RATEPAYER MATTER

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

- (b) the personal hardship of any resident or ratepayer

Acting General Manager

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15.2 - 20/47 – CONSTRUCTION OF TENNIS COURTS AT THE BOOROWA SHOWGROUND – PROJECT UPDATE

MOTION

That Council:

- (a) Note and receive the report;
- (b) Riverina Sporting Services Pty Ltd to complete all remaining works associated with the Boorowa Tennis Courts;
- (c) Delegate to the General Manager to negotiate with Riverina Sports Academy for the increase in concrete to match the proposed design; and
- (d) Delegate to the General Manager to execute contracts and related documentation for the works as required.

Councillors: O'Connor/Stadtmitter Unanimous

20/52 RESOLVED:

That Council:

- (a) Defer this item to March meeting and receive a detailed report on construction and costs.*

Councillors: Ingram/Walker Unanimous

15.3 – 20/48 – ADVISORY REPORT FIRE DAMAGED DWELLINGS

20/53 RESOLVED:

That Council;

- (a) Undertake required works to make all four sites safe; and*
- (b) All associated costs as a result of Council undertaking works be held against each respective property and costs recovered through the respective property owners.*

Councillors: Horton/Roles Unanimous

Councillor Flanery left the meeting at 7.34 pm.

Acting General Manager

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15.4 – 20.24 – CLEANAWAY – TRANSPACIFIC GREEN WASTE KERBSIDE COLLECTION CONTRACT

20/54 RESOLVED:

That Council;

- (a) Request a contract extension for the green waste collection services in Young for Cleanaway Transpacific until 28 November 2022.*

Councillors: Stadtmiller/Walker Unanimous

20/55 RESOLVED:

That Council:

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

Councillors: Armstrong/O'Connor Unanimous

20/56 RESOLVED:

That Council:

- (a) Resolve to minute the recommendations.*

Councillors: Armstrong/Wallace Unanimous

17. CONCLUSION OF THE MEETING – proposed next meeting

NEXT MEETING

The next ordinary meeting of Council scheduled to be on Wednesday, 25 March 2020, Harden Chambers, commencing at 4.30pm.

TERMINATION

There being no further business the meeting closed 7.40 pm

Acting General Manager

Mayor