

HILLTOPS COUNCIL ORDINARY MEETING MINUTES

28 November 2018, commencing at 5.30 PM

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

ATTENDANCE

Mayor Cr Brian Ingram

COUNCILLORS

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

STAFF

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

APOLOGIES

Councillor Matthew Stadtmiller

18/359 RESOLVED:

That the apology be accepted.

Councillors: Flanery/Manchester

PUBLIC FORUM

- Item - 18/268 – T2003-025 MOD 4 – Galong Limestone Mine – Increased Dispatch – 342 Eubindal Road, Galong. Don Cheong - Environment Manager, Australia, Sibelco
- Item - 18/268 – T2003-025 MOD 4 – Galong Limestone Mine – Increased Dispatch – 342 Eubindal Road, Galong. Gail Flanery
- Item - 18/268 – T2003-025 MOD 4 – Galong Limestone Mine – Increased Dispatch – 342 Eubindal Road, Galong. Julie Henderson
- Item - 18/268 – T2003-025 MOD 4 – Galong Limestone Mine – Increased Dispatch – 342 Eubindal Road, Galong. John Flanery

General Manager

Mayor

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SYMPATHY EXPRESSIONS

18/360 RESOLVED:

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

William Gleeson, Kenneth Dillon, Bradley Britt, Neil Miller, Dauriel King, Bette Frost, John Watson, Marie Ryan, Marjorie Heath, Mary Batinich, Leslie Graham; Sister Mary Smyth, Tyler Pope, Joan Callaghan, Kay Emblem, Jamie Graham, Isaac Paterson, Robert Viney, Marguerite Nowlan, Madge Styles, Beth Grocott, Brian Nowlan, Ian Murray, Norma Graziani, Stanley Smith, Diana Boyd, Katie Phelps, Gene Pearsall, Shane O'Leary

Moved: Mayor Ingram

CONFIRMATION OF MINUTES

18/361 RESOLVED:

That the minutes of the Ordinary Meeting of Council held on 24 October 2018, be confirmed as a true and accurate record.

Councillors: Flanery/O'Connor

DECLARATIONS OF INTEREST - CONFLICT OF INTEREST

- Cr Flanery - Non-Pecuniary Interest – Item 18/268 – T2003-025 MOD 4 – Galong Limestone Mine – Increased Dispatch – 342 Eubindal Road, Galong

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 Flanery – Non-pecuniary Interest – Item 18/276 – Galong Road Upgrade- Vegetation Removal

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

General Manager

Mayor

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MAYORAL MINUTE

18/256 – SAVE OUR RECYCLING CAMPAIGN

18/362 RESOLVED: That Council;

- 1. Endorse Local Government NSW's campaign, Save Our Recycling, to realise the reinvestment of a 100% of the Waste Levy collected each year by the NSW Government in waste minimisation, recycling and resource recovery;*
- 2. Make representation to the local State Member(s), Ms Steph Cooke, MP, and Ms Pru Goward MP, in support of this campaign objective - for the NSW Government to commit to reinvest 100% of the Waste Levy in waste minimisation, recycling and resource recovery;*
- 3. Write to the Premier, the Hon Gladys Berejiklian MP, the Opposition Leader, the Hon Luke Foley MP, the Minister for Local Government and the Minister for the Environment, the Hon Gabrielle Upton MP, and the Shadow Minister for the Environment and Heritage, Penny Sharpe MLC, seeking bipartisan support for the 100% reinvestment of the Waste Levy collected each year into waste minimisation, recycling and resource recovery;*
- 4. Take a lead role in activating the Local Government NSW Save Our Recycling campaign locally;*
- 5. Endorse the distribution and display of the Local Government NSW Save Our Recycling information on Council premises, as well as involvement in any actions arising from the initiative; and*
- 6. Formally advise Local Government NSW that Council has endorsed the Save Our Recycling advocacy initiative.*

Councillors: Horton/Roles

18/257 – MAYORS REPORT NOVEMBER 2018

18/363 RESOLVED: That Council;

- 1. Receive Mayor report; and*
- 2. Meetings attended October – November 2018*

Councillors: O'Connor/Flanery

General Manager

Mayor

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18/258 – COUNTRY MAYORS WASTE TO ENERGY FEASIBILITY STUDY 2019

18/364 RESOLVED:

That Council contribute \$15,000 to the feasibility study led by Tenterfield Council.

Councillors: Horton/Roles

COUNCILLOR REPORT'S

18/259 – LGNSW ANNUAL CONFERENCE ALBURY – 21 - 23 OCTOBER 2018

18/365 RESOLVED: That Council;

- 1. Note Cr Roles Report from the LGNSW Annual Conference and Workshop in Albury, 21 - 23 October 2018; and*
- 2. Meetings attended October – November 2018*

Councillors: Horton/Manchester

COUNCILLOR REPORT'S

JOHN HORTON

As per Business Paper

MARGARET ROLES

As per Business Paper

GREGORY ARMSTRONG

Meetings as minuted

Library Steering Committee Meeting

Economic Development Committee and Business
Community Meeting – Harden

Milvale Community Meeting with Councillors and staff at
Milvale

Councillors Workshop re: Development matters

Economic Development Committee Workshop with PSA
Consulting – LEP Review Update

General Manager

Mayor

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Murrumboola Creek Area Development Stakeholder
Meeting with Design Consultants – Harden

Hilltops Asset Workshop – Young

LEP Review Working Committee

Meetings with Constituents re: Council Customer Service
Experiences

28 November Hilltops Council Ordinary Meeting – Boorowa

ANTONY WALLACE

Various Workshops

28 November Hilltops Council Ordinary Meeting – Boorowa

CHRISTOPHER MANCHESTER

Meetings as minuted

Wombat Progress Association – AGM

Remembrance Day Service

Flood Study Meeting – Harden

2 x Bill the Bastard Meetings

28 November Hilltops Council Ordinary Meeting – Boorowa

WENDY TUCKERMAN

Meetings as minuted

25 October JUPA/PRG Meeting - Young

28 October Boorowa Touch Football Netball Carnival

2 November JUPA Meeting Teleconference – Boorowa

5 November JUPA/PRG Meeting Young

8 November Boorowa Community Garden Meeting
Workshop – Young

11 November Boorowa Remembrance Day – unveiling of plaque

13 November Boorowa Showground Users Group Meeting

14 November Workshop

General Manager

Mayor

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- 19 November JUPA/PRG Meeting – Young
20 November Boorowa Community Garden Meeting
28 November Hilltops Council Ordinary Meeting – Boorowa

RITA O'CONNOR

Meetings as minuted

- 5 November Library Workshop
6 November Wombat Progress Association
8 November Sibelco Workshop
13 November Regional Tourism Committee Meeting – Jugiong
15 November Water and Sewerage Workshop
28 November Murrumbidgee Local Health District Meeting re: new Harden Hospital
Hilltops Council Ordinary Meeting – Boorowa

JOHN WALKER

Meetings as minuted

- 11 November Remembrance Day Service Murringo and Launch of Book
28 November Hilltops Council Ordinary Meeting – Boorowa

TONY FLANERY

Meetings as minuted

- Murrumboola Creek consultation process
Workshops and LEP Meetings
28 November Hilltops Council Ordinary Meeting – Boorowa

18/366 RESOLVED:

That the Councillor reports be noted.

Councillors: Armstrong/O'Connor

General Manager

Mayor

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COMMUNITY RECOGNITION SCHEME

18/367 RESOLVED: That Council forward a letter of congratulations to:

June Gibson, Wombat Progress Committee Member for a number of years, an extremely hard worker on the committee and is retiring and will be missed.

Councillors: Manchester/O'Connor

18/368 RESOLVED:

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

- *18/268 – T2003-025 MOD 4 – Galong Limestone Mine – Increased Dispatch – 342 Eubindal Road, Galong*

Councillors: Wallace/Horton

Cr Flanery leaves the room at 6.22pm

18/268 – T2003-025 MOD 4 – GALONG LIMESTONE MINE – INCREASED DISPATCH – 342 EUBINDAL ROAD, GALONG

18/369 RESOLVED:

That the matter be deferred, and a further report be brought addressing all matters raised by Councillors with a view to referring the assessment to another decision-making body.

Councillors: Wallace/Horton

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, Tuckerman, Walker, Wallace

Against: Nil

Absent: Councillor: Stadtmiller

Cr Flanery returns to room 6.43pm

General Manager

Mayor

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GENERAL MANAGER'S REPORT

18/370 RESOLVED:

That Council move into the committee of the whole.

Councillors: Tuckerman/Wallace

18/371 RESOLVED:

That Council move out of the committee of the whole.

Councillors: Flanery/Manchester

18/260 – ANNUAL REPORT 2017-2018

18/372 RESOLVED: That Council;

The report be brought back to 12 December 2018 meeting of Council with corrections.

Councillors: Manchester/Tuckerman

18/261 – LOCAL GOVERNMENT CIRCULAR NO 18-35 - CODE OF MEETING PRACTICE CHANGES

18/373 RESOLVED:

That Council receive and note the Code of Meeting Practice changes and transition arrangements including live web broadcasting report.

Councillors: Walker/Manchester

18/262 – STRONGER COMMUNITIES AND STRONGER COUNTRY COMMUNITIES PROJECTS UPDATE

18/374 RESOLVED:

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

Councillors: Manchester/O'Connor

General Manager

Mayor

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18/263 – MODEL CODE OF CONDUCT COMPLAINTS STATISTICS REPORT 2017-2018

18/375 RESOLVED:

That Council; receive and note the Code of Conduct Complaints Statistics Report for the period, 1 September 2017 to 31 August 2018 as presented.

Councillors: Wallace/Manchester

18/264 – TABLING OF PECUNIARY INTEREST RETURNS

18/376 RESOLVED:

That the register of pecuniary interest returns be tabled.

Councillors: Manchester/Armstrong

18/265 - CHANGE TO STRONGER COMMUNITIES FUND PROJECT – YOUNG LIONS SOCCER CLUB

18/377 RESOLVED:

That Council; Approve the request from the Young Lions Soccer Club to reallocate the Stronger Communities Funding to projects at both Hall Brothers and Gus Smith Ovals.

Councillors: Horton/Roles

18/266 – CASH AND INVESTMENTS AS AT 31 OCTOBER 2018

18/378 RESOLVED:

That the Statement of cash and investments as at 31 October 2018 be received.

Councillors: Horton/O'Connor

General Manager

Mayor

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18/267 – QUARTERLY BUDGET REVIEW STATEMENT (QBRS)

18/379 RESOLVED:

- 1. That the September quarterly budget review be received and noted;*
- 2. That the revote recommendations details in the September Quarterly budget review be adopted;*
- 3. That the budget recommendations detailed within the September quarterly budget review be adopted;*
- 4. Customer Service Policy amount be reduced to \$20,000; and*
- 5. Information Technology Audit be reduced by half to \$25,000*

Councillors: Tuckerman/Flanery

18/269 – SUBMISSION ON DRAFT URBAN DESIGN FOR REGIONAL NSW

18/380 RESOLVED:

That the submission on the Draft Urban Design for Regional NSW, as detailed in Attachment 2, to be made to the Government Architect NSW and the Department of Planning.

Councillors: Walker/O'Connor

18/270 – HILLTOPS LOCAL ENVIRONMENTAL PLAN PROJECT – PROGRESS REPORT NOVEMBER 2018

18/381 RESOLVED:

That the progress to date on the Hilltops Planning Instruments Review (LEP Project) be noted.

Councillors: Flanery/Roles

18/271 – BIOSECURITY FUNCTIONS – HILLTOPS COUNCIL

18/382 RESOLVED:

That Council; endorse the report for information purposes.

Councillors: Flanery/Manchester

General Manager

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18/272 – DEVELOPMENT APPLICATION STATISTICS FOR OCTOBER 2018

18/383 RESOLVED:

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

Councillors: Manchester/O'Connor

18/273 – NRMA ELECTRIC VEHICLE CHARGE POINTS

18/384 RESOLVED:

That Council; via the General Manager, Council staff continue to work with the NRMA in the provision of such charge points with Council being updated via future reports and to also adopt the recommendation to arrange co-branding (Council/NRMA) on the EV chargers.

Councillors: Horton/O'Connor

18/274 – DISASTER RECOVERY FUNDING ARRANGEMENTS

18/385 RESOLVED:

That Council; advise the Office of Emergency Management that Council wish to Opt-in to the Interim NSW Day Labour Co-Funding Arrangements.

Councillors: Flanery/Manchester

18/275 – UPDATE ON CHERRY CAPITAL BUILDING

18/386 RESOLVED: *That Council;*

- 1. Note the status of the project; and*
- 2. Endorse engagement with business currently leasing the Cherry Capital Building.*

Councillors: Horton/Manchester

General Manager

Mayor

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18/276 – GALONG ROAD UPGRADE- VEGETATION REMOVAL

18/387 RESOLVED:

That the report be deferred.

Councillors: Wallace/Horton

Cr Flanery took no part in report and declared a non-pecuniary interest.

18/277 – CONDITION ASSESSMENT FOR SPRING CREEK BRIDGE (OVER LITTLE SPRING CREEK ON SPRING CREEK ROAD), CUDGELL CREEK BRIDGE (OVER CUDGELL CREEK ON OLD FORBES ROAD) AND HANNONS BRIDGE (OVER MURRINGO CREEK ON MURRINGO GAP ROAD).

18/388 RESOLVED: That Council,

- 1. Read and note the report; and*
- 2. That council be provided with a report at the December meeting of what if any state and federal government funds we are currently in receipt of that council may seek approval to repurpose towards the bridge replacement.*

Councillors: Flanery/Manchester

18/278 – HILLTOPS WORKS REPORT

18/389 RESOLVED:

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

Councillors: Flanery/Horton

18/279 - ACTION SUMMARY REPORT

18/390 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: Armstrong/Manchester

General Manager

Mayor

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CORRESPONDENCE FOR ATTENTION

ACTION

Nil

18/391 RESOLVED:

That the balance of correspondence be noted.

Councillors: O'Connor/Horton

COUNCIL COMMITTEE REPORTS

18/392 RESOLVED:

- ◆ *That the recommendations contained in the Jugiong Advancement Group – 18 October 2018 – actions be noted.*

Councillors: Armstrong/Flanery

18/393 RESOLVED:

That the balance of Committee reports be noted.

Moved: Mayor Ingram

General Manager

Mayor

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CLOSED COUNCIL

18/280 – EXCLUSION OF THE PRESS AND PUBLIC

18/393 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: O'Connor/Horton

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:

- (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:

- (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:

- (i) prejudice the commercial position of the person who supplied it.

General Manager

Mayor

HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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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:

- (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:

- (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:

- (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:

- (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:

- (i) prejudice the commercial position of the person who supplied it.

General Manager

Mayor

HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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18/281 – AFFIXING OF COUNCIL'S SEAL – TRANSFER GRANTING EASEMENT AT NORTH STREET, HARDEN

18/394 RESOLVED:

That Council; authorise the affixing of its seal to documents relating to the Transfer Granting Easement at Lots 7, 8, 9 and 10 DP31876 North Street Harden

Councillors: Manchester/Flanery

18/282 – CONTAINER DEPOSIT SCHEME REFUND SHARING AGREEMENT

18/395 RESOLVED:

That Council; note the information provided and authorise the General Manager to finalise negotiations with Elouera Inc as required by legislation.

Councillors: Flanery/Horton

18/283 – TENDER 436 OF 2018, SUPPLY AND DELIVERY OF ONE (1) ROAD MAINTENANCE UNIT - BOOROWA

18/396 RESOLVED: That Council;

- 1. Accept the tender of Wagga Trucks for the supply and delivery of one Hino GH1828 Auto fitted with Flocon Road Maintenance Body, in the amount of \$344,886.85 inclusive of GST (\$313,533.50 ex GST); and*
- 2. Accept the tender of Wagga Trucks for the trade of Council Plant No. 9236, 2010 Isuzu FVZ fitted with Ausroad Jetmaster Road Maintenance Body in the amount of \$70,000.00 inclusive of GST, (\$63,636.36 ex GST).*

Councillors: Wallace/Manchester

18/284 – RFT394 OF 2018 SUPPLY & DELIVERY COMPACTION WASTE TRANSFER SEMI-TRAILER

18/397 RESOLVED:

That Council; approve the engagement of Wastech Engineering or the supply and delivery of one (1) steel tri axle bulk waste transfer semi-trailer to the Hilltops Council Harden Depot at a cost of \$270,099.50 inclusive of GST (\$245,545 exclusive of GST).

Councillors: Wallace/Horton

General Manager

Mayor

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18/285 – TENDER 430 OF 2018: PROPOSED CONSTRUCTION OF FACILITIES AT CRANFIELD OVAL

18/398 RESOLVED:

That Council, accept the tender of A D Tanner Constructions Pty Ltd of \$651,709.09 ex GST (\$716,880.00 incl GST), for the construction of the new amenities at Cranfield Oval.

Councillors: Manchester/Horton

18/286 – SUPPLY OF A COMPACTION WASTE TRANSFER SEMI-TRAILER (SECOND HAND)

18/399 RESOLVED: That Council;

- 1. approve the purchase of one (1) steel tri axle bulk waste transfer semi-trailer from Banyule City Council at cost of \$45,000 exclusive of GST (\$49,500 inclusive of GST);*
- 2. The associated costs to put this trailer into service of an additional \$21,000 exclusive of GST (\$23,100 inclusive of GST), to yield a total purchase cost of \$66,000 exclusive of GST (\$72,600 inclusive of GST); and*
- 3. The funding of such a total purchase cost is to be sourced from the South West Regional Waste Management Group Trailer Reserve.*

Councillors: Horton/O'Connor

18/287 – ENGAGEMENT OF CONSULTANTS UNDER A PROFESSIONAL SERVICES AGREEMENT

18/400 RESOLVED: That Council;

- 1. Endorse the engagement of BECA under a Professional Services Agreement pending agreement on revised fees; and*
- 2. Delegate authority to the General Manager to execute the options to extend the contract.*

Councillors: Horton/Wallace

General Manager

Mayor

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18/288 – ORGANISATIONAL STRUCTURE REVIEW STAGE 1

MOTION

That Council allocate \$50,000 as part of the 2018/19 budget to this project and that this support be provided by LG Solutions Pty Ltd.

Councillors: Horton/Walker

The motion was put and lost

18/401 RESOLVED:

1. *That the General Manager provide a plan in February 2019 for Councillors to review; and*
2. *That a day on a weekend be put aside in March to meet at Galong to review and finalise plan.*

Councillors: Flanery/Manchester

18/402 RESOLVED:

That Council move out of closed council

Councillors: Walker/Roles

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, 12 December 2018, Harden Chambers, commencing at 5.30pm

TERMINATION

There being no further business the meeting closed 9.05 pm.

General Manager

Mayor