

HILLTOPS COUNCIL ORDINARY MEETING MINUTES

18 December 2019, commencing at 4.30pm

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
Wendy Tuckerman
John Walker
Matthew Stadtmiller

STAFF

J Osland	Acting General Manager
J Hughes	Director Strategy and Organisational Performance
M Crisp	Acting Director Infrastructure
M Batley	Manager Major Projects
A Raines	Senior Statutory Planner

APOLOGIES

19/446 RESOLVED:

That Council:

- (a) Grant a leave of absence to Cr Wallace from the Hilltops Council Ordinary Meeting 18 December 2019 as requested.

Councillors: Manchester/Walker Unanimous

PUBLIC FORUM

Nil

5. SYMPATHY EXPRESSIONS

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

Jeffrey Choat, Terrence Callaghan.

Moved: Mayor Brian Ingram

General Manager

Mayor

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6. CONFIRMATION OF MINUTES

6.1 – 19/411 – CONFIRMATION MINUTES HILLTOPS COUNCIL ORDINARY EXTRAORDINARY MEETING 27 NOVEMBER 2019

19/447 RESOLVED:

That Council:

- (a) *Confirm the Minutes from the Hilltops Council Extra-Ordinary Meeting dated 27 November 2019 as a true and accurate record.*

Councillors: *Horton/Flanery Unanimous*

6.2 – 19/412 - CONFIRMATION OF MINUTES HILLTOPS COUNCIL ORDINARY MEETING 27 November 2019

19/448 RESOLVED:

That Council:

- (a) *Confirm the Minutes from the Hilltops Council Ordinary Meeting dated 27 November 2019 as a true and accurate record.*

Councillors: *Horton/Manchester*

*For : Mayor, Flanery, Horton, Manchester, O'Connor, Roles, Stadtmiller, Tuckerman, Walker
Against: Armstrong*

7. DECLARATIONS OF INTEREST - CONFLICT OF INTEREST

- Councillor Flanery – Pecuniary Interest - 19/415 – Hilltops Local Heritage Fund 2019-2020

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.

- Councillor Manchester – Non-Pecuniary Interest – 19/415 – Hilltops Local Heritage Fund 2019-2020

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

- Councillor Roles – Non-Pecuniary Interest – 19/443 – Encroachments into Road Reserve Lot 228 DP754103

General Manager

Mayor

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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

- Councillor Tuckerman – Non-Pecuniary Interest - 19/426 – Determination on transfer of Crown Road known as Willawong Road

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

- Councillor Tuckerman – Non-Pecuniary Interest - 19/441 – New lease 4 Corcorans Court, Boorowa NSW 2586

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

- Councillor Tuckerman – Non-Pecuniary Interest - 19/442 – Amendment and Extension of current lease on Council Reservoir Land

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

8. MAYORAL MINUTE(S)

Nil

9. MAYORAL REPORT

9.1 – 19/413 - MAYORAL REPORT NOVEMBER 2019

19/449 RESOLVED:

That Council:

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

ENGAGEMENT DATES – November - December 2019

27 November	Hilltops Council Extraordinary Meeting, Boorowa Chambers
28 November	Mayoral Video Blog
28 November	Councillor Workshop
29 November	Meetings with constituents
2 December	Meeting with new CEO of HRDC
2 December	Meeting with Inspector Jacob Reeves
4 December	ACT/CRJO Regional Waste Round Table in Canberra
5 December	ARIC Meeting
6 December	CRJO Board Meeting in Tumut
6 December	Opening of the 2019 National Cherry Festival
7 December	Interview with Xinhua News China
7 December	National Cherry Festival Street Parade and Coronation

General Manager

Mayor

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10 December Hilltops Seniors Community Luncheon
10 December LEP Working Committee
10 December Young Public School Presentation
11 December Industry Capability Workshop Young
11 December TAFE NSW Graduation
11 December Meet and Greet with spouses of Heads of Missions
11 December Hennessy Catholic College Presentation
12 December Young North Public School Presentation
12 December Boorowa Central School Presentation
16 December Murrumburrah Public School Presentation
17 December St Marys School Presentation
17 December Chinese delegation economic development meeting
18 December Hilltops Council Ordinary Meeting, Harden Chambers

Moved: Armstrong/Stadtmiller

Unanimous

10. COUNCILLOR REPORTS

10.1 - 19/414 - COUNCILLOR – MEETINGS ATTENDED

19/450 RESOLVED:

(a) That the reports be read and noted.

Councillor John Horton

27 November Hilltops Council Extraordinary Meeting, Boorowa Chambers
30 November Murrumburrah Writer's Group Christmas party. Murrumburrah
6 December Attended The Hub Christmas party - Provided Music at lunch time. Young
9 December Played music for Harden Hospital Nursing Home Christmas party. Harden
10 December LEP Committee meeting. Young
12 December Hilltops Council Christmas function at Boorowa
13 December Attended take five open microphone end of year performance at Library. Young
17 December Young Police District
18 December Hilltops Council Ordinary Meeting, Harden Chambers
Murrumburrah High School Presentation Assembly
Bribbaree official opening of the Bowling Green and Community Hall amenities with Steph Cooke
Young Police District Liaison Meet Forum

Councillor Greg Armstrong

28 November Asset Management Committee meeting
4 December Councillors Workshop
5 December Hilltops ARIC meeting
6, 7 & 8 Dec attended National Cherry Festival Events
10 December LEP Working Committee meeting
17 December Hilltops Economic Development Committee AGM
18 December Hilltops Council Ordinary meeting

General Manager

Mayor

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Attended the Annual School Presentation events at Murringo Public School, Maimuru Public School, Monteagle Public School, Koorawatha Public School, Bribbaree Public School, Hennessy Catholic College, North Young Primary School, St Mary's Primary School and Young High School and wish all recipients of awards all the best.

Extend hearty congratulations to all people involved in organising the Cherry Festival and Cherry Festival events and ask the Acting General Manager to convey to the Parks and Gardens staff in particular, the fantastic condition and visual amenity that was provided through our parks and playing fields during the period was absolutely exceptional and certainly demands recognition.

Councillor Margaret Roles

27 November Hilltops Council Extraordinary Meeting, Boorowa Chambers
4 December Councillor Workshop – Customer Service
4 December Hilltops Cherry Festival Art Show Opening
6 December National Cherry Festival
7 December National Cherry Festival
10 December LEP working committee
11 December Industry Capability Network - Workshop
12 December LSPS Workshop
12 December Hilltops Staff Christmas Function at Boorowa
13 December Murrumburrah High School Presentation Assembly
18 December Hilltops Council Ordinary Meeting, Harden Chambers
Bribbaree official opening of the Bowling Green and Community Hall amenities with Steph Cooke
Young Police District Liaison Meet Forum
National Cherry Festival Art Show

Councillor Matthew Stadtmiller

Attended on behalf of Goldenfields the TAFE presentation in Young, Jugiong Public School, Murrumburrah Public School, Trinity Primary School and Murrumburrah High School and had a great time at all events enjoying their musical performances

Councillor Chris Manchester

Meetings as minuted
10 December LEP working committee
12 December LSPS Workshop
16 December VPA Graymont

Councillor Wendy Tuckerman

14 December Draw of Local Business House initiative for Hilltops at Boorowa
Congratulate the Business Associations for Hilltops for a great initiative and especially commend Alison Foreman from Label A in Young and Mike Ward from Boorowa
Carols by Candlelight at Boorowa

General Manager

Mayor

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thank staff especially Rohan and Pierre for dealing with issues with microphones and electricity and Jody, Deidre and Mel for the wonderful job in preparing the event and the grounds staff as the Recreation Ground looked fantastic and ask the Acting General Manager that an urgent assessment needs to be done on the electricity at the Rotunda. Also encourage Grants Officer to start looking at Grants for installation of a new system.

St Joseph's School Presentation

Councillor Rita O'Connor

3 December Regional Tourism Committee
4 December Customer Service Councillor workshop
11 December meeting RE: Grant Application
12 December Harden Murrumburrah VIC meeting followed by Volunteer thank you event
17 December Young Police District Liaison Meet Forum
18 December Kruger Medical Centre meetings
Hilltops Ordinary meeting

Councillor John Walker

Meetings as minuted

Councillor Tony Flanery

Meetings as minuted

16 December HRDC meeting
Asset Management meeting
Kruger Medical Centre meetings

Councillors: O'Connor/Roles Unanimous

11. COMMUNITY RECOGNITION SCHEME

Nil

General Manager

Mayor

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12. GENERAL MANAGER'S REPORT

12.1 - 19/415 – HILLTOPS LOCAL HERITAGE FUND 2019-2020

Councillor Flanery left the meeting.

19/451 RESOLVED:

That Council:

(a) Resolve to Disperse \$36,000.00 from the combined Young Shire and Harden Shire Local Heritage Funds 2019-2020 via the following grants:

- a. \$4,000.00 for Barnes Store, 346-358 Albury Street, Murrumburrah.
- b. \$2,000.00 for Bribbaree Presbyterian Church, 48 Weedallion St., Bribbaree.
- c. \$2,000.00 for The Calabash Homestead, 314 Douglas Gap Road., Murringo.
- d. \$1,240.00 for Christ Church Anglican Church, 2260 Murringo Rd., Murringo.
- e. \$3,500.00 for Crowther Shearing Shed, 147 Reid's Rd., Crowther.
- f. \$1,070.00 for Koorawatha Regional Rooms, Boorowa Street, Koorawatha
- g. \$3,000.00 for Louvain Shearers Quarters, 462 Murringo Road,
- h. \$1,300.00 for Pise Cottage. 23 Swift Street, Harden.
- i. \$1,500.00 for Pise Cottage, 22 Derby Street, Harden.
- j. \$750.00 for Pise Victorian Cottage, 122 Albury Street, Harden.
- k. \$4,000.00 for Roseville Stables, Roseville, Kingsvale Road, Kingsvale.
- l. \$1,000.00 for St Joseph's Kindergarten, Campbell Street, Young.
- m. \$2,500.00 for St Mark's Anglican Church, 10 Tiverton Road, Currawong.
- n. \$4,000.00 for St Mary's Convent, Lots 4 & 5 Vernon St., Murrumburrah.
- o. \$3,000.00 for St Paul's Anglican Church, Swift St., Harden.
- p. \$1,140.00 for Trengove Park Grandstand, Bumbaldry St, Koorawatha.

Councillors: Walker/Armstrong Unanimous

Councillor Flanery returned to the meeting.

12.2 - 19/416 – STRONGER COMMUNITIES FUND PROJECT UPDATES

19/452 RESOLVED:

That Council:

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

Councillors: Horton/Manchester Unanimous

General Manager

Mayor

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12.3 - 19/417 – CASH AND INVESTMENT REPORT

19/453 RESOLVED:

That Council:

(a) Receive the Statement of cash and investments as at 30 November 2019.

Councillors: Horton/Manchester Unanimous

12.4 - 19/418 – OUTSTANDING RATES AND CHARGES COLLECTION REPORT

19/454 RESOLVED:

That Council:

(a) Receive and note the report;

Councillors: Walker/Horton Unanimous

12.5 - 19/419 – DEVELOPMENT APPLICATION STATISTICS FOR NOVEMBER 2019

19/455 RESOLVED:

That Council:

(a) Receive and note the status and processing times for Development Applications and Complying Development Certificates as at 30 November 2019.

Councillors: Manchester/O'Connor Unanimous

12.6 - 19/420 – 2019/DA-00109: ONE LOT INTO TWO LOT SUBDIVISION – LOT 5 DP708618, 560 HENRY LAWSON WAY, YOUNG

19/456 RESOLVED:

That Council;

(a) Permit the variation to the development standard as per clause 4.1 (3) of Young Local Environmental Plan 2010; and

General Manager

Mayor

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- (b) As the consent authority pursuant to section 4.16 of the Environmental Planning & Assessment Act, 1979 grant consent to Development Application No. 2019/DA-00109 for the one (1) lot into two (2) lots subdivision on Lot 5 DP 708618, 560 Henry Lawson Way, Young subject to conditions set out in Attachment "A".
- (c) Delegate the application to the Acting Director Sustainable Growth for the preparation and the issue of the notice of determination.

Councillors: *Walker/Horton* *Unanimous*

12.7 - 19/421 - 2019/DA-00092: CLAUSE 4.6 VARIATION AND CONVERSION OF AN EXISTING SHED INTO A DWELLING - LOT 115 DP754611, 4501 OLYMPIC HIGHWAY SOUTH, YOUNG

19/457 RESOLVED:

That Council:

- (a) In accordance with the concurrence granted by the Department of Planning, Industry and Environment on 11 November 2019 Council permit the variation to the development standard set down in 6.1(3) of Young Local Environmental Plan 2010; and
- (b) As the consent authority pursuant to section 4.16 of the Environmental Planning & Assessment Act, 1979 grant consent to Development Application No. 2019/DA-00092 for the conversion of an existing shed into a dwelling on Lot 115 DP 754611, 4501 Olympic Highway, South, Young subject to conditions set out in Attachment "A".
- (c) Delegate the application to the Acting Director Sustainable Growth for the preparation and the issue of the notice of determination.

Councillors: *Manchester/Horton*

For: Mayor, Flanery, Horton, Manchester, O'Connor, Roles, Stadtmiller, Tuckerman and Walker.

Against: Armstrong

12.8 - 19/422 - GALONG CEMETERY GATEWAY INCIDENT

19/458 RESOLVED:

That Council:

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

Councillors: *Manchester/Horton*

General Manager

Mayor

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For: Mayor, Flanery, Horton, Manchester, O'Connor, Roles, Stadtmiller, Tuckerman and Walker.

Against: Armstrong

12.9 - 19/423 – NEILL STREET HARDEN TREES REPLACEMENTS CLARIFICATION

19/459 RESOLVED:

That Council:

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

Councillors: Horton/Walker

Unanimous

12.10 - 19/424 – SWIFT STREET MURRUMBURRAH KERB ISSUES

19/460 RESOLVED:

That Council:

- (a) *Receives and notes the report.*

Councillors: Horton/Stadtmiller

Unanimous

12.11 - 19/425 – NORTH STREET MURRUMBURRAH, NEW KERB AND GUTTER

19/461 RESOLVED:

That Council:

- (a) *Receives and notes the report.*

Councillors: Horton/Roles

Unanimous

12.12 - 19/426 – DETERMINATION ON TRANSFER OF CROWN ROAD KNOWN AS WILLAWONG ROAD

Councillor Tuckerman declared a non-significant/non-pecuniary interest in this item and abstained from discussion and voting.

General Manager

Mayor

HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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Motion

That Council:

- (a) Provide agreement for the Crown Road known as Willawong Road to be transfer to Council as a public council road;
- (b) Notes the low use of the road, and the road categorised such to align with this use in terms of levels of service of this road, noting the ongoing maintenance cost of the road; and
- (c) Authorise the appropriate delegation to the General Manager to execute documentation concerning the transfer of the road from Department of Industry to Council.

Councillors: Roles/Manchester

Against: Mayor, Armstrong, Flanery, Horton, Manchester, O'Connor, Roles, Stadtmiller, Walker.

The motion was declared LOST.

12.13 - 19/427 – REQUEST CHANGE OF DATE JANUARY 2020 ORDINARY MEETING OF HILLTOPS COUNCIL

19/462 RESOLVED:

That Council:

- (a) Change the Hilltops Council Ordinary Meeting date from 22 January 2020 to Wednesday, 29 January 2020; and
- (b) Advertise the meeting date change in the media.

Councillors: Horton/Manchester Unanimous

12.14 - 19/428 – HILLTOPS WORKS REPORT

19/463 RESOLVED:

That Council:

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

Councillors: Horton/Manchester Unanimous

General Manager

Mayor

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12.15 - 19/429 – ACTION SUMMARY REPORT

19/464 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: Horton/Roles

Unanimous

12. CORRESPONDENCE FOR ATTENTION

19/465 RESOLVED:

That Council:

- a) Note the media releases and dates of release from November – December 2019. 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 November 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: Manchester/O'Connor

Unanimous

COUNCIL SECTION 355 COMMITTEE REPORTS – REQUIRING ACTION

12.16 – 19/430 – JUGIONG ADVANCEMENT GROUP SECTION 355 COMMITTEE ANNUAL GENERAL MEETING (AGM) AND MEMBERSHIP

19/466 RESOLVED:

That Council:

- (a) Receive and note the minutes of the Jugiong Advancement Group S355 Committee AGM, held 14 November 2019
- (b) Endorse the Jugiong Advancement Group Section 355 Committee membership as nominated at the Committees 2019 Annual General Meeting (AGM), held 14 November 2019;
 - a. Councillor representation: Councillors R O'Connor and J Horton

General Manager

Mayor

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- b. President: Tony Engel
- c. Vice President x 2: Paul Leseberg and Kim Gamble
- d. Secretary: Joy Coggan
- e. Treasurer: Barry Coggan
- f. Bookings Officer: Michelle Delaney;
- (c) Receive and note the minutes of the Jugiong Advancement Group S355 Committee Meeting, held 14 November 2019; and
- (d) Note the Action List provided.

Councillors: *Horton/O'Connor* *Unanimous*

12.17 - 19/431 – HILLTOPS REGIONAL TOURISM SECTION 355 COMMITTEE MEETING AND MEMBERSHIP

19/467 RESOLVED:

That Council:

- (a) Receive and note the minutes of the Hilltops Regional Tourism Section 355 Committees Meeting, held 15 October 2019;
- c) Endorse the Hilltops Regional Tourism Section 355 Committees membership as nominated at the Committees Meeting, held 15 October 2019;
 - i. Councillor representation: Councillors R O'Connor
 - ii. Chairperson: Brian Mullany
 - iii. Deputy Chairperson: Tricia Mack
 - iv. Secretary: Hilltops Council
 - v. Treasurer: Hilltops Council
 - vi. Executive: All committee members;
- d) Receive and note the Terms of Reference of the Regional Tourism Committee;
- e) Support the expenditure from the Tourism Budget 2019/2020 budget for a feature in the Regional Lifestyle Magazine Winter 2020 Edition
- f) Continue to seek funding from State Government for Blackguard Gully Project;
- g) Take up the feasibility option of the site becoming owned and operated by private not for profit organisation/trust;
- h) Works with the Hilltops Regional Tourism Committee to brainstorm options moving forward; and
- i) Note the Action List provided.

Councillors: *O'Connor/Walker* *Unanimous*

12.18 - 19/432 – WOMBAT PROGRESS ASSOCIATION SECTION 355 COMMITTEE ANNUAL GENERAL MEETING (AGM) AND MEMBERSHIP

19/468 RESOLVED:

That Council:

General Manager

Mayor

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- i) Receive and note the minutes of the Wombat Progress Association S355 Committee AGM, held 12 November 2019
- ii) Endorse the Wombat Progress Association Section 355 Committee membership as nominated at the Committees 2019 Annual General Meeting (AGM), held 12 November 2019;
 - a. Councillor representation: Councillors Rita O'Connor and Christopher Manchester
 - b. President: Shelley McRae
 - c. Vice President: Chris Holmes
 - d. Secretary: Position not filled
 - e. Treasurer: Jessica Holmes
 - f. Bookings Officer: Kylie Bloor;
 - g. Publicity Officer: Erica Pye; and
- iii) Receive and note the minutes of the Wombat Progress Association S355 Ordinary Committee Meeting, held 12 November 2019.

Councillors: O'Connor/Manchester

Unanimous

12.19 – 19/433 – BOOROWA COMMUNITY GARDEN

19/469 RESOLVED:

That Council:

- i) Receive and note the minutes of the Boorowa Community Garden S355 Committee meeting, held 12 November 2019
- ii) Endorse the Boorowa Community Garden Section 355 Committee recommendations as nominated at the Committees 2019 Meeting, held 12 November 2019;
 - a) That Steve Moss – declared President
 - b) That Maria Stanton – declared Treasurer
 - c) That Council note the contractual arrangement with MPHN

Councillors: Armstrong/Manchester

Unanimous

12.20 – 19/434 – MURRINGO COMMUNITY ASSOCIATION INC & SECTION 355 COMMITTEE MEETING

Motion

That Council:

1. Receive and note the minutes of the Murringo Community Association Inc & Section 355 Committee

General Manager

Mayor

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2. Recommendation to Council that the Halls be fumigated for spiders, white ants and pests
3. Recommendation that Council organises the pump out of the septic system as there is no recollection of this being done and there be an assessment carried out on if the whole system needs replacing
4. Recommendation to Council that the Halls and public toilets be included in the Councils cleaning schedule as they are after all public facilities
5. Recommendation that Council look at the Phase 3 power available on the power poll opposite the Hall to accommodate the air conditioning unites and extra power required during functions.

19/470 RESOLVED:

That Council defer this report until further information be provided.

Councillors: *Armstrong/O'Connor* *Unanimous*

12.21 – 19/435 – HILLTOPS COUNCIL LOCAL TRAFFIC ADVISORY COMMITTEE

19/471 RESOLVED:

That Council:

- (a) Endorse the special event, ANZAC Day Memorial Commemorative Dawn and March Services at various locations in the Hilltops Council LGA, Saturday, 25 April 2020; and acknowledge recommendations contained in the minutes;
- (b) Endorse the Special Event, Lambing Flat Chinese Festival, Boorowa Street (between Clarke Street and Main Street) Young, Saturday, 21 March 2020 and acknowledge recommendations contained in the minutes;
- (c) Note the 40km/h HPAA, Jugiong Road, Riverside Drive, Prudence Street in the Jugiong Village CBD and 80 km/h speed limit for remaining section of Riverside Drive and section of Bundarbo Road, Jugiong Village;
- (d) Approve the installation of Give Way regulatory signage and pavement and pavement Hold Line on the Service Link Road and Stevens Road to provide Old Temora Road with the priority;**
- (e) Approve the installation of a no entry sign in Lighting Lane vicinity rear of St George Bank, Young;**
- (f) Defer to March 2020 LTAC Meeting as requested by Transport for NSW, temporary speed limit, Burley Griffin Way at the Murrumburrah Cemetery Murrumburrah, due to impacts on State Road;**
- (g) 40 km/h school speed zone flashing lights, new Madinah College, Lachlan Street, Young as zone flashing lights have been installed and operating.**

Councillors: *Walker/Manchester* *Unanimous*

General Manager

Mayor

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12.22 – 19/436 – COMMITTEE REPORTS – REQUIRING NO ACTION

19/472 RESOLVED:

That Council:

- a) Receive and note the minutes of the Committee reports as presented:
- Boorowa Showground Users Group
 - Rye Park Progress Association

Councillors: O'Connor/Tuckerman

Unanimous

13. QUESTIONS WITH NOTICE

13.1 – 19/437 – REQUEST FOR UPATE ON PROJECTS

19/473 RESOLVED:

That Council:

- a) Receive and note the response to questions from former General Manager Edwina Marks, as requested by Mayor Ingram.

Councillors: O'Connor/Stadtmitter

Unanimous

14. NOTICE OF MOTIONS/RESCISSION

To be dealt with in Confidential Matters.

General Manager

Mayor

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15. CONFIDENTIAL MATTERS

15.1 - 19/439 – EXCLUSION OF THE PRESS AND PUBLIC

19/474 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: Flanery/Manchester

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.

ITEM 4: COMMERCIAL MATTER

This item is classified CONFIDENTIAL under section 10A(2)(i) 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

HILLTOPS COUNCIL ORDINARY MEETING MINUTES

18 December 2019, commencing at 4.30pm

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

ITEM 5: COMMERCIAL MATTER

This item is classified CONFIDENTIAL under section 10A(2)(i) 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: 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:

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

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:

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

ITEM 8: COMMERCIAL MATTER

This item is classified CONFIDENTIAL under section 10A(2)(i) 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.

15.2 - 19/440 – COUNCIL OWNED PROPERTIES - LEASED

19/475 RESOLVED:

That Council:

- (a) Receive and note the report

Councillors: *Horton/Walker*

Unanimous

15.3 - 19/441 – NEW LEASE 4 CORCORANS COURT, BOOROWA NSW 2586

Councillor Tuckerman declared a non-significant/non-pecuniary interest in this item and abstained from discussion and voting.

General Manager

Mayor

HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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19/476 RESOLVED:

That Council:

- (a) Enter into a new lease for 4 Corcorans Court with Essential Energy, with a rental fee be as per the rental market appraisal;
- (b) Allocate \$25,000 from building maintenance to replace the existing sliding doors with roller doors;
- (c) Delegate to the General Manager to negotiate with Essential Energy;
- (d) Delegate to the General Manager to execute all documentation; and
- (e) Delegate to the General Manager to use the Common Seal of Council in executing the Lease

Councillors: Manchester/Horton

Unanimous

15.4 - 19/442 – AMENDMENT AND EXTENSION OF CURRENT LEASE ON COUNCIL RESERVOIR LAND

Councillor Tuckerman declared a non-significant/non-pecuniary interest in this item and abstained from discussion and voting.

19/477 RESOLVED:

That Council:

- (a) Delegate the General Manager authority to affix Council's Seal, and to sign the documentation as required for the lease to NSW Telco Authority of a portion of the 242 Olympic Way North Lot 1 DP 1006974 (North Young Reservoir);
- (b) The lease be for a period of 5 years with 3 additional 5-year options; and
- (c) The rent for the lease be in accordance with the information in the report.

Councillors: Walker/Horton

Unanimous

15.5 - 19/443 – ENCROACHMENTS INTO ROAD RESERVE – LOT 228 DP754103

Councillor Roles declared an interest and left the meeting

19/478 RESOLVED:

That Council:

- (a) Receive and Note the Report;
- (b) Delegate to the General Manager to negotiate with the owner of Lot 228 DP754103 to resolve the encroachment of structures into Councils Road Reserve;
- (c) Delegate the to the General Manager to execute documentation as required; and

General Manager

Mayor

HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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- (d) Delegate to the General Manager to affix the Common Seal of Council to the sale of land in resolving the issue.
- (e) Council requires the applicant to be responsible for all costs of the purchase and transfer

Councillors: Tuckerman/Manchester

For: Mayor, Armstrong, Horton, Manchester, O'Connor, Stadtmiller, Tuckerman and Walker
Against: Flanery

Councillor Roles returned to the room

15.6 19/444 – BOOROWA WASTE TRANSFER STATION

19/479 RESOLVED

That Council:

- a) Receive and Note the Report

Councillors: Stadtmiller/Tuckerman

Unanimous

15. NOTICE OF MOTIONS/RESCISSION

15.7 – 19/445 – NOTICE OF MOTION: REQUEST FOR REVIEW OF MAYORAL MINUTE PUT TO COUNCIL ON THE MATTER OF THE CROWN LANDS NEGOTIATION PROGRAM

Councillor Walker and Stadtmiller left the meeting at 6.07 pm during the discussion on this matter.

Motion

That:

A review be conducted in to the Mayoral Minute put to Council on the matter of the Crown Lands Negotiation Program to determine if:

- a) The tabling of Mayoral Minute met the Code of Meeting Policy;
- b) The information contained was misleading;
- c) That the information given verbally to Councillors by the General Manager and Mayor was misleading and incorrect; and
- d) Whether the Motion is considered lawful.

Councillors: Tuckerman/Manchester

For: Tuckerman, O'Connor, Manchester and Roles

General Manager

Mayor

HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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Against: Mayor, Armstrong, Horton and Flanery

Motion put – 4/4

Mayor used his casting vote

The Motion was LOST.

15.8 - 19/446 – CODE OF CONDUCT REPORT - MARKS VS STADTMILLER

19/480 RESOLVED

That Council:

(a) Receive and note the report

Councillors: *Armstrong/Horton* *Unanimous*

19/481 RESOLVED

That Council accept the Late Report regarding the Kruger Medical Centre, Harden.

Councillors: *Manchester/Flanery*

19/482 RESOLVED

That Council obtains further information and reports back to Council as a matter of urgency.

Councillors: *Flanery/Horton* *Unanimous*

19/483 RESOLVED

That the General Manager interviews take place on 29th January 2019.

Councillors: *Flanery/Armstrong* *Unanimous*

19/484 RESOLVED

That Council:

Move out of Closed Council and resolutions made in Closed Council were read and moved as a block in Open Council.

General Manager

Mayor

HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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Councillors: *Manchester/Horton* *Unanimous*

17. CONCLUSION OF THE MEETING – proposed next meeting

NEXT MEETING

The next ordinary meeting of Council scheduled to be on Wednesday, 29 January 2020, Young Chambers, commencing at 4.30pm.

TERMINATION

There being no further business the meeting closed 6.45 pm

DRAFT

General Manager

Mayor