

HILLTOPS COUNCIL ORDINARY MEETING MINUTES

26 July 2017, commencing at 5.30 PM

Held in the Hilltops Council, Boorowa Chamber, 6-10 Boorowa Street, Boorowa

ATTENDANCE

Administrator W Tuckerman

STAFF

A McMahon General Manager
L Furness Executive Director Corporate and Community
J Jordan Chief Financial Officer
D Wymer Director Infrastructure Services
S Langman Director Sustainable Growth

PUBLIC FORUM

- Mr John Patterson – Item - 17/143 – 2016/DA-00086 – Proposed Residential Subdivision – 5 Forsythe Ave, Young

17/170 RESOLVED:

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

- Item - 17/143 – 2016/DA-00086 – Proposed Residential Subdivision – 5 Forsythe Ave, Young

Moved and declared carried by: Administrator W Tuckerman

17/143 – 2016/DA-00086 – PROPOSED RESIDENTIAL SUBDIVISION – 5 FORSYTHE AVE, YOUNG

17/171 RESOLVED:

That Council determine the following development application, by way of approval, subject to conditions identified below:

- *Application No.:* 2016/DA-00086,
- *Property:* Lot 6 DP 874807, 5 Forsythe Avenue, Young
- *Development:* Subdivision – 17 residential lots, including construction of a new road

General Manager

Administrator

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PART A – ADMINISTRATIVE CONDITIONS

Terms of approval

A1. *The developer shall carry out the development generally in accordance with the:*

(a) the following plans:

<i>Plan No.</i>	<i>Project No.</i>	<i>Issue</i>	<i>Prepared by</i>	<i>Dated</i>	<i>Submitted</i>
<i>1 of 2</i>	<i>17855</i>	<i>B</i>	<i>CPC</i>	<i>10 January 2017</i>	<i>10 January 2017</i>

Inconsistencies between documents

A2. *In the event of any inconsistency between the documentation referred to in Condition A1, the most recent document shall prevail to the extent of the inconsistency.*

A3. *In the event of any inconsistency between conditions of this approval and documents referred to in Condition A1, the conditions of this approval shall prevail to the extent of the inconsistency.*

Lapsing of approval

A4. *This development approval shall lapse five (5) years after the date on which it is granted, unless the works associated with the development have physically commenced.*

Statutory Requirements

A5. *All licences, permits and approvals must be obtained and maintained as required throughout the life of the development. No condition of this approval removes the requirement to obtain, renew or comply with such licences, permits or approvals.*

Cost of works

A6. *All works associated with the proposal, or required by this consent, will be at no cost to Council.*

Prescribed Conditions

A7. *All relevant prescribed conditions under Part 6, Division 8A of the Environmental Planning & Assessment Regulation 2000 apply and must be complied with.*

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PART B – PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Construction Environmental Management Plan

B1. Prior to the issue of a construction certificate for the development, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved by the Certifying Authority, and a copy submitted to Council. The Plan shall address, but not be limited to, the following matters:

- (a) hours of work, as follows:
 - (i) Mondays to Fridays – 7:00 am to 6:00 pm*
 - (ii) Saturdays – 8:00 am to 5:00 pm*
 - (iii) Sundays and public holidays – Nil*
 - (iv) Any other times – only with the prior written consent of Council;**
- (b) noise management – including minimising noise emissions from plant and equipment, by installing and maintaining, wherever practicable, efficient silencers and low-noise mufflers;*
- (c) management of dust to protect the amenity of the neighbourhood - all activities on the site shall be undertaken with the objective of preventing visible emissions of dust from leaving the site, including wind-blown and traffic-generated dust, in accordance with Part 6 of Council's Engineering Guidelines for Subdivision and Development. Should such visible dust emissions occur at any time, the Developer shall identify and implement all practicable dust mitigation measures, including cessation of relevant works or dampening of site roads and work areas, as appropriate, such that emissions of visible dust cease;*
- (d) soil erosion and sediment control measures shall be designed in accordance Council's Engineering Guidelines for Subdivision and Development.*
- (e) measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site,*
- (f) construction waste management – including:
 - (i) storage of waste shall occur within the boundaries of the site, by way of a screened area of silt stop fabric, shade cloth or waste disposal bin/skip;*
 - (ii) any waste materials removed from the site shall only be directed to a waste management facility lawfully permitted to accept the materials.*
 - (iii) the Developer shall maximise the treatment, reuse and/or recycling on the site of any excavated soils, slurries, dusts, aggregate and sludges associated with the development, to minimise the need for treatment or disposal of those materials outside the site;**

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- (g) *tree protection measures - all trees on the site (not approved for removal), and that may be threatened by the works, are to be suitably protected in accordance with AS 4970-2009 Protection of trees on development sites, by way of tree guards, barriers or other measures as necessary in order to protect tree root systems, trunks and branches, during construction;*
- (h) *site security.*

B2. *In the event of any inconsistency between the approval and the CEMP, the approval shall prevail.*

Road design plan

B3. *A road design plan shall be prepared by a Civil Engineer or other suitably qualified professional, in accordance with all relevant Austroads "Guide to Road Design". The plan shall be submitted to, and approved by, Council or the Certifying Authority, prior to the issue of a construction certificate. The plan shall include but not be limited to details of design and construction for the following:*

- (a) *construction and sealing of the proposed road and the intersection, in accordance with Council's Engineering Guidelines for Subdivision and Development, including the provision of kerb and guttering (roll-top) and stormwater drainage,*
- (b) *design for the intersection of the proposed road and Forsythe Avenue, that complies with Austroads Part 4A Unsignalised Intersections,*
- (c) *terminus of the road being constructed and sealed with a minimum of a ten (10) metre radius,*
- (d) *a temporary cul-de-sac head (sealed) for each stage of the subdivision involving road construction, to cater for a garbage truck,*
- (e) *a 1.5-metre-wide concrete footpath, in Forsythe Avenue adjacent the property, along the eastern side of the proposed road and around the head of the cul-de-sac to the boundary of Lots 11 and 12, including pram ramps at intersections,*
- (f) *signage and line marking in accordance with Australian Standard AS1742 - Manual of uniform traffic control devices.*

Stormwater and drainage works plan

B4. *A comprehensive stormwater drainage system shall be designed by a suitably qualified practising Civil or Hydraulic Engineer, other suitably qualified professional, in accordance with Council's Engineering Guidelines for Subdivision and Development. The plan shall be submitted to, and approved by, Council or the Certifying Authority, prior*

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to the issue of a construction certificate. The plan shall include, but not necessarily be limited to, the following:

- (a) detailed engineering plans for the management of stormwater (collection and disposal) from the site as a whole, the individual lots, and the proposed new roads, including any inter-allotment drainage system,*
- (b) the hydrology and hydraulic calculations shall be based on models described in the current edition of Australian Rainfall and Runoff,*
- (c) incorporate escape paths for overland flow of water in the event of a major rainfall event. The escape paths shall be properly constructed overflow channels for floor relief for the 100-year ARI event.*

Water

B5. A comprehensive reticulated water supply system shall be designed by a Civil Engineer or other suitably qualified professional, in accordance with Council's Engineering Guidelines for Subdivision and Development. The plan shall be submitted to, and approved by, Council or the Certifying Authority, prior to the issue of a construction certificate. The plan shall include, but not necessarily be limited to, the following:

- (a) extension of the existing reticulated water supply system, to service each lot in the subdivision,*
- (b) the provision of a water tapping for each allotment (connection but excluding the water meter).*

B6. The existing water connection and meter can be used for Lot 1, and a new connection and meter shall be provided to service the house lot.

Sewer

B7. A comprehensive reticulated sewerage drainage system shall be designed by Civil Engineer or other suitably qualified professional, in accordance with Council's Engineering Guidelines for Subdivision and Development. The plan shall be submitted to, and approved by, Council or the Certifying Authority, prior to the issue of a construction certificate. The plan shall include, but not necessarily be limited to, the following:

- (a) extension of the existing reticulated sewerage system, to service each lot in the subdivision,*
- (b) the provision of a sewer junction for each allotment,*
- (c) the possible relocation of any sewer main or manhole impacted by the location of the proposed road or stormwater system.*

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Power supply

- B8. Prior to the issue of a construction certificate, design plans showing the location and nature of the proposed electricity infrastructure (street lighting, power lines, transformers, etc), shall be submitted to the Principle Certifying Authority (PCA) and Council. The plans shall be prepared by an Accredited Service Provider, and certified that they comply with the following standards.*
- (a) underground backbone high voltage power mains and low voltage power mains shall be provided to service each allotment within the subdivision, (including multiple distribution substations as required) in accordance with the requirements of Essential Energy,*
 - (b) street lighting shall be provided within the subdivision and along Forsythe Avenue, adjacent the subdivision, in accordance with the requirements of Australian Standard AS1158 Lighting for Roads and Public Spaces – Table 1.1 (category P4 for cul de sacs and collector roads).*

Telecommunications

- B9. Prior to the issue of a construction certificate, design plans showing the location and nature of the proposed telecommunication infrastructure to each allotment, shall be submitted to the PCA and Council. The plans shall be prepared by an Accredited Service Provider.*

Gas

- B10. Prior to the issue of a construction certificate, design plans showing the location and nature of the proposed gas infrastructure, shall be submitted to the PCA and Council. The plans shall be prepared by an Accredited Service Provider.*

Street trees

- B11. A street tree plan shall be submitted to, and approved by, Council, prior to the issue of a construction certificate. The plan shall include, but not necessarily be limited to, the following:*
- (a) provision of a minimum of one (1) street tree per lot,*
 - (b) provision of four Australian native shrubs (up to 5 metres in height), on the southern side of Forsythe Avenue, opposite the proposed intersection, and at 2 metre spacings,*
 - (c) trees to be advanced specimens at the time of planting (minimum height of 1.2 metres measured from ground level when planted),*
 - (d) details of the type of trees (including common and botanical name, height and width at the time of maturity),*

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- (e) *trees and shrubs shall be chosen from Appendix G of the Young DCP,*
- (f) *trees to be located central to each lot (where lots have frontages less than 15 metres in width, trees may be placed elsewhere in the subdivision),*
- (g) *trees to be planted in accordance with Section 4.1 of the Engineering Guidelines for Subdivision and Development,*
- (h) *maintenance/watering program, to ensure the survival of the trees for a minimum period of twelve (12) months, from issue of subdivision certificate.*

Pesticide residue

- B12. Soil testing for pesticide residues shall be carried out on the site in accordance with Council's Policy, as the site has been identified as old orchard land. The results and report shall be submitted to Council.*
- B13. Should the results of the soil testing be found to exceed the relevant thresholds, a construction certificate shall not be issued until such time as remedial work has been undertaken, and further soil testing shows that the site meets the relevant thresholds.*

PART C – PRIOR TO COMMENCEMENT OF WORKS

Construction Certificate

- C1. A Construction Certificate must be obtained from Council or an Accredited Certifier prior to work commencing, for all construction works.*
- C2. Full engineering design plans, prepared in accordance with Part B conditions, shall accompany the applications for construction certificates, and shall cover all civil and utility works*

Notice to be Given Prior to Commencement

- C3. The PCA and Council shall be given written notice, at least 48 hours prior to the commencement of works on the site.*
- C4. Seven days prior to commencement of engineering works on the site, the person having the benefit of the consent shall notify Council and the PCA of:
 - (a) the appointed Project Manager*
 - (b) the appointed Construction Contractor*
 - (c) the intention to start site works,*
 - (d) a 24-hour telephone number, for contact with the construction manager, to be operated for the duration of the construction works.**

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- C5. *The Project Manager shall arrange an on-site meeting with the nominated Contractor, Council's Engineering Representative and PCA, prior to work commencing.*

Application to carry out works in road reserve

- C.6 *Any works constructed or undertaken on public roads dedicated in the name of Hilltops Council, or utilised for the carrying out of work on adjacent properties, shall not be undertaken until an approval under the Roads Act, 1993 (works within the road reserve application), has been obtained.*
- C.7 *The following documentation and plans shall accompany the application for approval under the Roads Act 1993:*
- (a) a Traffic Control Plan (TCP prepared by an accredited person, which contains their Certification Number, origin of issue and the date of issue),*
 - (b) the approved road design plans and accompanying construction certificate (where Council has not issued the construction certificate).*

Site notice

- C.8 *A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of development details including, but not limited to:*
- (a) details of the Principal Certifying Authority;*
 - (b) the approved hours of work;*
 - (c) the name of the site/project manager and the primary contract the responsible managing company (if any), its address and 24-hour contact phone number for any inquiries; and*
 - (d) a statement that unauthorised entry to the site is not permitted.*

Construction environmental management measures

- C9. *All measures contained in the CEMP (Condition B1), including, but not limited to the following, are to be implemented prior to the commencement of construction and be maintained throughout construction:*
- (a) sediment and erosion control measures,*
 - (b) site security measures,*
 - (c) tree protection measures.*

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PART D – DURING CONSTRUCTION

Construction environmental management measures

D1. All measures contained in the CEMP (Condition B1), including, but not limited to the following, shall be adhered to/maintained throughout construction:

- (a) hours of work,*
- (b) noise management measures,*
- (c) dust mitigation measures,*
- (d) waste management measures,*
- (e) erosion and sedimentation controls,*
- (f) tree protection measures.*

Approved Plans to be On-site

D2. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification, and all relevant environmental approvals, shall be kept on the site at all times, and shall be made available for perusal by any officer of Council or the PCA on request.

D3. A copy of the CEMP shall be kept on-site at all times, during the course of construction.

Setting out of Infrastructure / Structures

D4. The engineering works shall be set out by a registered surveyor to verify the correct position of the infrastructure in relation to property boundaries and the approved alignment levels. A report from the registered surveyor shall be furnished to the PCA and Council for verification prior to any inspections being carried out by the PCA.

Removal of trees

D5. Approval is granted to remove:

- all trees and shrubs located within the proposed road reserve, and*
- all trees located in Forsythe Avenue adjacent the site, where they impact on the intersection and sight distance.*

D6. Approval is granted to remove:

- the eastern most row of native shrubs located adjacent the eastern boundary of the site, and*
- the middle row of native shrubs located adjacent the eastern boundary of the site, only where it unreasonably impacts on the sewer and stormwater main and easement.*

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D7. The western most row of native shrubs located adjacent the eastern boundary of the site, is not permitted to be removed.

D8. The removal of any other trees or shrubs from the site (except where exempt under the DCP), requires Council consent.

Certification and inspection of subdivision works

D9. The subdivision works must be inspected and tested by the PCA, at each relevant stage of construction to demonstrate compliance with the approved plans. Where Council is not the PCA, documentary evidence shall be provided by the PCA to Council, demonstrating compliance.

D10. The PCA is to be given a minimum of 48 hours' notice prior to any critical stage inspection or any other inspection nominated by the Principal Certifying Authority via the notice under Section 81A of the Environmental Planning and Assessment Act 1979.

Disposal of seepage and stormwater

D11. Any seepage or stormwater collected on-site during construction must not be pumped to any public road stormwater system or watercourse.

Installation of services

D12. Service conduits for electricity and telecommunications cabling shall not be trenched across any road pavements.

State Survey Marks

D13. The developer shall ensure that any existing State Survey Marks (Permanent Mark) will not be disturbed. If it so happens that this mark falls within any works associated with the development it shall be relocated at the developer's cost or if it is disturbed, reinstatement costs shall also be borne by the developer.

PART E – PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

Completion of engineering works

E1. All engineering works (roadworks, water supply, sewerage and stormwater) shall be completed in accordance with the approved plans and construction certificate, prior to the issue of a subdivision certificate

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Services

- E2. *Prior to the issue of a subdivision certificate, written evidence shall be submitted to the PCA and Council, stating that satisfactory arrangements have been made throughout the proposed subdivision, and to each allotment, with respect to the provision of:*
- (a) telecommunication services - from Telstra Australia,*
 - (b) power and street lighting – from Essential Energy,*
 - (c) gas - from the appropriate authority,*
 - (d) water, sewer and stormwater – from Infrastructure Services.*

Works as Executed Plans

- E3. *A set of final works as executed plans showing all works carried out on the site and the location of all services, shall be submitted to Council, prior to the issue of a subdivision certificate.*
- E4. *The plans shall be clearly marked to show all variations of the completed works from the approved design plans. The plans shall also show contain the location and depth of any fill placed on any lot.*
- E5. *The works as executed plans shall be signed by a licensed Surveyor or Engineer, or the relevant professional. The plans shall be clean, neat and suitable for long term storage, and an electronic version of the plans shall also be provided.*
- E6. *A schedule of quantities (including cost) relating to the as constructed assets shall be submitted to Council.*

Fencing

- E7. *Fencing shall be erected along all external boundaries of the subdivision (excluding the Forsythe Avenue boundary). The developer shall ensure that all fences are located on the correct boundary alignments, by having the boundaries marked by a Registered Surveyor.*
- E8. *The proposed fencing shall be a solid residential type fence, a minimum of 1.8 metres in height, uniform in colour and material.*

Access

- E9. *A vehicular access (layback and vehicular crossing) shall be constructed to Council's specifications, to service the existing house, from a public road, at each relevant stage of the subdivision (as necessary to maintain legal access as the subdivision progresses).*

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Damage to infrastructure or services

E10. The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the subject site as a result of construction works associated with the approved development, is to be met in full by the developer prior to the release of any subdivision certificate.

Road dedication

E11. The proposed internal subdivision roads shall be dedicated as public roads in the name of Hilltops Council. All costs associated with the dedication of the road in the NSW Government Gazette, shall be at full cost to the developer.

Road name

E12. Council shall determine the name for the proposed internal roads, after considering any requests from the developer.

E13. The street names shall comply with the NSW Addressing User Manual prepared by the Geographical Names Board of NSW.

E14. Street naming signs, conforming to the Australian Standard AS1742.5 Manual Uniform Traffic Control Devices – Street Name and Community Facility Name Signs, shall be purchased from Council and erected in the locations nominated by Council.

Street trees

E15. Street tree planting shall be completed in accordance with the approved plan.

E16. A maintenance bond of \$ 200.00 per tree shall be lodged with Council for a period of twelve (12) months from the issue of the subdivision certificate, to ensure the survival of the trees. At the end of twelve (12) months, the bond shall be refunded, less \$ 200 per tree that did not survive. The residual bond money shall be used by Council to replant and maintain the trees.

Street addressing

E17. A street addressing number plate shall be erected on the kerb adjacent each lot by Council, at full cost to the developer, at the price listed in Council's Management Plan, at the time of payment.

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- E18. *Street numbers shall in accordance with the NSW Addressing User Manual prepared by the Geographical Names Board of NSW be as follows:*

<i>Lot No.</i>	<i>Primary number</i>	<i>Secondary/reserved number</i>
1	1 new road	5A Forsythe Avenue
2	3 new road	
3	5 new road	
4	7 new road	
5	9 new road	
6	11 new road	
7	13 new road	
8	15 new road	
9	17 new road	
10	16 new road	
11	14 new road	
12	12 new road	
13	10 new road	
14	8 new road	
15	6 new road	
16	4 new road	
17	2 new road	5B Forsythe Avenue

Contributions

- E19. *Evidence shall be submitted to Council that the Water and Sewer Supply Authority's obligations have been met with regards to headworks and contributions for this development. Such Certificate of Compliance of payment, or satisfactory arrangements, shall be furnished prior to issuing of the subdivision certificate.*
- E20. *The point of contact for the Water and Sewer Supply Authority for this development is the Hilltops Council.*
- E21. *The following contributions are applicable, if paid prior to the 30th June 2017:*

<i>Name</i>	<i>No. ETs</i>	<i>Rate per ET (2016/2017)</i>	<i>Total</i>
<i>GFCC water</i>	<i>16</i>	<i>\$ 7,134</i>	<i>\$ 114,144</i>
<i>Section 64 water</i>	<i>16</i>	<i>\$ 3,427</i>	<i>\$ 54,832</i>
<i>Section 64 sewer</i>	<i>16</i>	<i>\$ 4,139</i>	<i>\$ 66,224</i>

- E22. *Payment of the contribution will be at the ET rate nominated by at the time of payment, which is subject to annual review.*

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Defects Liability Period

- E23. For a period of twelve (12) months after the subdivision certificate is issued, the subdivider must remedy any defects or omissions in the subdivision works.*
- E24. Defects do not include reasonable wear and tear or damage caused to the works by inappropriate use (e.g. damage or abuse from traffic accidents or vandalism).*

Defects Liability Bond

- E25. The defects liability bond must be submitted with the subdivision certificate application. The bond must be in the form of cash or unconditional bank guarantee (no lapse date) for an amount of 5% of the agreed value of the subdivision works or \$ 5,000, whichever is the greater.*

Remedying Defects during the Defects Liability Period

- E26. At any time during the defects liability period, the consent authority may direct the subdivider to rectify any omission or defect in the subdivision works.*
- E27. The direction will identify the scope of works to rectification and state the time by which the subdivider shall complete the work of rectification (or stages of the rectification) and may state the time by which rectification shall commence.*
- E28. If the subdivider fails conforming to the direction or part of the direction, the consent authority may perform the works and charge costs to the subdivider. The Council will deduct any costs incurred from the defects liability bond.*

Refund of defects liability bond

- E29. At the expiry of the defects liability period the subdivider shall arrange Council to carry out an inspection of the subdivision works, and request a return of the defects liability bond.*
- E30. If Council determines that the subdivision works are satisfactory, Council will refund the balance of the defects liability bond.*
- E31. If unremedied subdivision work defects or omissions are detected by the Council during the inspection, the subdivider must remedy these works and re-apply for an off defects liability inspection. Council may retain*

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some or all of the defects liability bond for a further period of twelve (12) months.

Final subdivision plans

E32. The submission of a final plan of subdivision (and seven copies), suitable for registration at the Land Titles Office.

Registration of easements and restriction as to users

E33. Easements shall be created over all services to the satisfaction of the relevant authority, and/or wherever Council deems necessary to allow unrestricted access to the service, and restrictions as to user created, under section 88B of the Conveyancing Act 1919, including, but not limited to, the following:

a) easements to drain stormwater and sewerage.

E34. The 88B Instrument shall be submitted to the PCA with the final plan of subdivision as a prerequisite to the endorsement of the subdivision certificate.

E35. The 88B Instrument creating restrictions as to user and easements shall contain a provision, enabling such restrictions or easements to be revoked, varied, modified or released only with the consent of Council.

E36. A restriction as to user shall be placed on proposed Lot 13, which prevents the erection of any habitable structure within 25 metres of its northern boundary.

Moved and declared carried by: Administrator W Tuckerman

17/172 RESOLVED:

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

Moved and declared carried by: Administrator W Tuckerman

APOLOGIES

Nil

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SYMPATHY EXPRESSIONS

17/173 RESOLVED:

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

Marie Lowrey; Lynn Hewson; Betty Henderson; Brian Dunn; Catherine Bloor; Edward Ryan; Gwenneth Wilson; Neroli Morgan; Kathleen Stassen; Nancy Terry; Evelyn Brennan; Gerarda Van Zandbeek; Abdullah Chemeit; Terry Hampstead; Florence Hart; Olive Smith; Janet Menzies

Moved and declared carried by: Administrator W Tuckerman

CONFIRMATION OF MINUTES

17/174 RESOLVED:

That Council modify the minutes of 28 June 2017, ordinary meeting resolution number 17/131, in relation to Development Application No. 046/2016 - Subdivision (One into Two lots), and Construction of Two New Dwellings at Lot 2 DP1112582, 68 Queen Street, Boorowa to read, at Condition 11 - amount payable (0.5% of cost) \$1,900.00, due to a typographical error.

Moved and declared carried by: Administrator W Tuckerman

17/175 RESOLVED:

That the minutes of the Ordinary Meeting of Council held on 28 June 2017, be confirmed as a true and accurate record, with the modification as stated above.

Moved and declared carried by: Administrator W Tuckerman

17/176 RESOLVED:

That the minutes of the Extraordinary Meeting of Council held on 12 July 2017, be confirmed as a true and accurate record.

Moved and declared carried by: Administrator W Tuckerman

BUSINESS ARISING – MINUTES

Noted in the General Manager - Action Report

DECLARATIONS OF INTEREST - CONFLICT OF INTEREST

Administrator Wendy Tuckerman declared no pecuniary or conflict of interest.

17/177 RESOLVED:

That the Administrator Report be noted

Moved and declared carried by: Administrator W Tuckerman

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GENERAL MANAGER'S REPORT

17/113 - EXPRESSION OF INTEREST FOR CROWN LAND NEGOTIATION PROGRAM

17/178 RESOLVED: That Council;

- 1. Submit an expression of interest for the Land Negotiation Program; and*
- 2. Commit to allocating the resources necessary to successfully deliver the program should the EOI be successful;*
- 3. Contact Local Aboriginal Land Councils with an interest within the Hilltops Local Government Area seeking their endorsement to participate in the program; and*
- 4. A further report be provided to Council to consider alternative options should the EOI not be successful*

Moved and declared carried by: Administrator W Tuckerman

17/114 – INVESTIGATION REPORT INTO MANAGEMENT OF ALLEGATIONS OF CORRUPT CONDUCT, SERIOUS AND SUBSTANTIAL WASTE AND MALADMINISTRATION

17/179 RESOLVED: That Council;

Note that the Report of Mr Warren Hart titled "Report Into Allegations Of Corrupt Conduct, Serious And Substantial Waste and/or Maladministration – Hilltops Council" ("the Hart Report") and legal advice have been received from Williamson Barwick Solicitors (both under legal professional privilege) in response to Council resolution 17/139.

Based on the Advice of Williamson Barwick Solicitors Council will:

- 1. Instruct Williamson Barwick solicitors to inform Mr Stadtmiller that his allegations have been independently investigated and have no substance;*
- 2. Instruct Williamson Barwick solicitors to inform Mr Langford that the investigations of Mr Stadtmiller's allegations have been investigated and have been independently found to have no substance;*
- 3. Instruct Williamson Barwick solicitors to lodge a complaint with the Australian Press Council re Mr Stadtmiller's breaches of the Australian Press Council's General Principles of:*
 - accuracy and clarity;*
 - fairness and balance;*
 - privacy and avoidance of harm;*
 - integrity and transparency.*

General Manager

Administrator

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4. *Provide a full copy of the Hart Report to ICAC and to the Office of Local Government; and*
5. *In the interests of transparency, make available to the public, a redacted copy of the Hart Report excluding references to Commercial in Confidence Information, Council employees and any provided witness statements. Williamson Barwick to assist with the redaction process.*

Moved and declared carried by: Administrator W Tuckerman

17/115 – SAFE AND SECURE WATER PROGRAM and WATER & SEWERAGE SERVICES

17/180 That Council;

1. *Note the report;*
2. *Endorse staff working with Goldenfields Water County Council to review current service arrangements as part of Integrated Water Cycle Management Plans being developed with a view to deliver optimised outcomes to customers and the community within Hilltops;*
3. *Write to Goldenfields Water County Council requesting they consider owning and operating a bulk water pipeline to service the Galong and Boorowa communities and authorise the General Manager to undertake negotiations on behalf of Council around potential arrangements with a view to bring a further report to Council pending negotiation outcomes; and*
4. *Request a joint meeting with Goldenfields Water County Council and the Honourable Niall Blair to demonstrate to the Minister a mutual commitment to addressing Boorowa's Water Security issue and delivering a safe and secure water supply across the Hilltops area*

Moved and declared carried by: Administrator W Tuckerman

17/116 – DRAFT CODE OF MEETING PRACTICE

17/181 RESOLVED: That Council;

1. *Approve the Draft Code of Meeting Practice be placed on Public Exhibition for 28 Days, with changes as tabled; and*
2. *If there are no submissions received adopt the Hilltops Council Code of Meeting Practice at the completion of the 28-day exhibition period.*

Moved and declared carried by: Administrator W Tuckerman

General Manager

Administrator

HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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17/117 – DRAFT HILLTOPS COUNCIL LIVE STREAMING OF COUNCIL MEETINGS POLICY

17/182 RESOLVED: That Council;

- 1. Approve the Draft 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.*

Moved and declared carried by: Administrator W Tuckerman

17/118 – DRAFT CUSTOMER SERVICE POLICY & CHARTER

17/183 RESOLVED: That Council;

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

Moved and declared carried by: Administrator W Tuckerman

17/119 – DRAFT COMPLAINTS MANAGEMENT POLICY

17/184 RESOLVED: That Council;

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

Moved and declared carried by: Administrator W Tuckerman

17/120 – DRAFT HILLTOPS COUNCIL COUNCILLOR EXPENSES AND FACILITIES POLICY

17/185 RESOLVED: That Council;

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

Moved and declared carried by: Administrator W Tuckerman

General Manager

Administrator

HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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17/121 - AUDIT AND RISK IMPROVEMENT COMMITTEE (ARIC)

17/186 RESOLVED:

That Council adopt the draft Audit and Risk Improvement Committee Charter.

Moved and declared carried by: Administrator W Tuckerman

17/122 - ALCOHOL FREE ZONE SUSPENSION

17/187 RESOLVED:

That Council; approve the suspension of the Alcohol Free Zone in the current location from 9am - 6pm, Sunday 1 October 2017:

- *Marsden Street between Pudman and Queen Streets;*
- *Queen Street between Scott and Market Streets;*
- *Market Street between Pudman and Queen Streets;*
- *Pudman Street between Scott and Market Streets.*

Moved and declared carried by: Administrator W Tuckerman

17/123 - ACTION SUMMARY REPORT

17/188 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*

Moved and declared carried by: Administrator W Tuckerman

17/124 - DRAFT POLICY ON SPONSORSHIP

17/189 RESOLVED: That Council;

- 1. Place the Draft Sponsorship Policy on public exhibition for 28 days; and*
- 2. If no submissions are received, adopt the Sponsorship Policy at the completion of the 28 day exhibition period.*

Moved and declared carried by: Administrator W Tuckerman

General Manager

Administrator

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17/125 – DRAFT EQUAL EMPLOYMENT OPPORTUNITY POLICY

17/190 RESOLVED: That Council;

- 1. Adopt the Equal Employment Opportunity Policy and;*
- 2. Develop an Equal Employment Opportunity Management Plan*

Moved and declared carried by: Administrator W Tuckerman

17/126 – DRAFT POLICY ON RELATED PARTY DISCLOSURE

17/ 191 RESOLVED: That Council;

- 1. Place the Draft Related Party Disclosures Policy on public exhibition for 28 days; and*
- 2. If no submissions are received adopt the Related Party Disclosures Policy at the completion of the 28 day exhibition period.*

Moved and declared carried by: Administrator W Tuckerman

17/127 – MANAGING CONFLICTS OF INTEREST

17/192 RESOLVED: That Council;

- 1. Reaffirm its support for managing conflicts of interest to ensure the continued integrity of Council decision making; and*
- 2. Make available conflict of interest forms to elected officials and the Administrator to enable the reporting and management of Conflicts of interest.*

Moved and declared carried by: Administrator W Tuckerman

17/128 HILLTOPS COUNCIL AND HARDEN MURRUMBURRAH ARTS COUNCIL INC – LEASE OF OLD COURT HOUSE, MURRUMBURRAH

17/193 RESOLVED: That Council;

- 1. consent to the renewal of the lease of the old Court House to the Harden Murrumburrah Arts Council Inc; and*
- 2. the General Manager or his nominee is delegated authority to execute all documents on behalf of Council.*

Moved and declared carried by: Administrator W Tuckerman

General Manager

Administrator

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17/129 – CASH AND INVESTMENTS AS AT 30 JUNE 2017

17/194 RESOLVED:

That the Statement of cash and investments as at 30 June 2017 be received.

Moved and declared carried by: Administrator W Tuckerman

17/131 – AMENDED 2017/2018 FEES AND CHARGES

17/195 RESOLVED: That Council;

- 1. Approve the Revised 2017/2018 Fees and Charges be placed on Public Exhibition for 28 Days; and*
- 2. If there are no submissions received adopt the revised 2017/2018 Fees and Charges at the completion of the 28-day exhibition period*

Moved and declared carried by: Administrator W Tuckerman

17/132 – DRAFT ENFORCEMENT POLICY

17/196 RESOLVED: That Council;

- 1. Place the draft Enforcement Policy on public exhibition for a period of 28 days; and*
- 2. Should no submissions be received, adopt the Hilltops Council Enforcement Policy.*

Moved and declared carried by: Administrator W Tuckerman

17/133 – DRAFT SUBDIVISION BONDS AND GUARANTEES POLICY

17/197 RESOLVED: That Council;

- 1. Place the draft Subdivision Bonds and Guarantees Policy on public exhibition for a period of 28 days; and*
- 2. Should no submissions be received, adopt the Subdivision Bonds and Guarantees Policy.*

Moved and declared carried by: Administrator W Tuckerman

General Manager

Administrator

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17/134 – DRAFT SWIMMING POOL INSPECTION PROGRAM POLICY

17/198 RESOLVED: That Council;

- 1. Place the draft Swimming Pool Inspection Program Policy on public exhibition for a period of 28 days; and*
- 2. Should no submissions be received, adopt the Swimming Pool Inspection Program Policy.*

Moved and declared carried by: Administrator W Tuckerman

17/135 – DRAFT ON SITE SEWERAGE MANAGEMENT POLICY

17/199 RESOLVED: That Council;

- 1. Place the draft On Site Sewerage Management Policy on public exhibition for a period of 28 days; and*
- 2. Should no submissions be received, adopt the On Site Sewerage Management Policy.*

Moved and declared carried by: Administrator W Tuckerman

17/136 – DRAFT ACTIVITIES APPROVAL POLICY

17/200 RESOLVED: That Council;

- 1. Place the draft Activities Approval Policy on public exhibition for a period of 28 days; and*
- 2. Should no submissions be received, adopt the Activities Approval Policy.*

Moved and declared carried by: Administrator W Tuckerman

17/137 – DRAFT PLANNING AGREEMENT POLICY

17/201 RESOLVED: That Council;

- 1. Place the draft Planning Agreement Policy on public exhibition for a period of 28 days; and*
- 2. Should no submissions be received, adopt the Planning Agreement Policy.*

Moved and declared carried by: Administrator W Tuckerman

General Manager

Administrator

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17/138 – DRAFT PLUMBING AND DRAINAGE POLICY

17/202 RESOLVED: That Council;

- 1. Place the draft Plumbing and Drainage Policy on public exhibition for a period of 28 days; and*
- 2. Should no submissions be received, adopt the Plumbing and Drainage Policy.*

Moved and declared carried by: Administrator W Tuckerman

17/139 – DEVELOPMENT APPLICATION STATISTICS FOR JUNE 2017

17/203 RESOLVED:

That Council receive and note the status and processing times for development applications, as at 30 June 2017.

Moved and declared carried by: Administrator W Tuckerman

17/140 – 2017/DA-00068 – YOUNG SHOWGROUND GRANDSTAND REFURBISHMENT – 4570 MURRINGO ROAD, YOUNG

17/204 RESOLVED:

- A. That Council grants an exemption to Public Works from payment of the s94A contribution, in relation to development application 2017/DA-00068.*
- B. That Council approves the following development application, subject to the conditions identified below:*
 - Application No.: 2017/DA-00068,*
 - Property: Lot 1895 DP 754611 Road, 4570 Murringo Young*
 - Development: Restoration of the existing grandstand at Young Showground*

General

- 1. The builder shall at times, maintain on the site, a legible copy of the:*
 - development consent including plans and related documentation, and*
 - construction certificate, including plans, specifications and certificates, bearing the stamp of Council.*

General Manager

Administrator

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2. *The building works shall be carried out in conformity with the provisions of the Environmental Planning and Assessment Act, 1979, and the Regulations made thereunder, in accordance with the plans and specifications approved by Council.*
3. *The development being generally in accordance with the following information:*
 - *the following plans, submitted 28th April 2017:*

<i>Sheet No.</i>	<i>Revision /Issue</i>	<i>Name of Plan</i>	<i>Date of plan</i>
<i>Site plan</i>	<i>-</i>	<i>Young Showground – Grandstand Upgrade</i>	<i>-</i>
<i>A01</i>	<i>T1</i>	<i>Demolition plan</i>	<i>05/04/2017</i>
<i>A02</i>	<i>T2</i>	<i>Proposed plan</i>	<i>28/04/2017</i>
<i>A03</i>	<i>T1</i>	<i>Demolition elevations 1</i>	<i>05/04/2017</i>
<i>A04</i>	<i>T2</i>	<i>Demolition elevations 2</i>	<i>28/04/2017</i>
<i>A05</i>	<i>T2</i>	<i>Proposed elevations 1</i>	<i>28/04/2017</i>
<i>A06</i>	<i>T2</i>	<i>Proposed elevations 2</i>	<i>28/04/2017</i>

- *the statement of heritage impact (15 pages) dated March 2017, submitted 19th April 2017,*

as modified by any conditions of this consent.

4. *No departure from the approved plans and specifications shall be made unless the prior approval of Council has been obtained in writing.*
5. *The use not commencing until such time as the requirements of this consent have been carried out to Council's reasonable satisfaction, as signified in writing.*
6. *No more than two signs shall be erected at the front of the site to display the following details. At least one of these signs shall have the following minimum information:*
 - *the name of the Principal Certifying Authority, their address and telephone number;*
 - *the name of the person in charge of the work site and telephone number at which that person may be contacted during work hours;*
 - *that unauthorised entry to the work site is prohibited;*

and both signs shall be maintained to a tidy and must be removed when the work has been completed.

General Manager

Administrator

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Demolition

7. *Approval for the demolition of the works identified in the demolition plans is granted subject to the following conditions:*
- (a) Demolition of the subject building shall be carried out in accordance with the requirements of Australian Standard AS2601 The Demolition of Structures;*
 - (b) The demolisher shall comply with the requirements of the Occupational Health and Safety (OHS) Act 2000 and its subordinate documents, and shall prepare and maintain on-site, a safe work method statement in accordance with the OHS Act 2000 and the OHS Regulations 2001.*
 - (c) Precautions shall be taken in accordance with the requirements of the WorkCover Authority of NSW in respect of:*
 - i) Protection of site workers and the public;*
 - ii) Asbestos handling and disposal where applicable. In particular, a Licensed Asbestos removal agent shall be used to perform these works, who shall, in turn, give appropriate notice to the Landfill that disposal will be required.*
 - (d) Suitable measures shall be taken to ensure that there is no adverse effect to occupants of adjoining buildings and the public by the generation of dust and noise;*
 - (e) Protection shall be afforded to the users of any public place by the provision of hoardings adjacent to any public places;*
 - (f) Adequate and satisfactory arrangements shall be made to ensure the disposal of any rubbish generated and such arrangements are following Council's policies on rubbish and waste disposal.*
8. *Written evidence shall be provided to Council of the appropriate disposal of asbestos materials. This may be done by the provision of dockets/receipts provided by the appropriately licensed waste facility.*
9. *It is the responsibility of the person having the benefit of this consent to notify the adjoining neighbours two (2) days prior to commencing work of the intention to carry out demolition works. The notification shall detail the type of machinery to be utilised, hours of operation, likely duration of works, and safety measures taken to protect property and persons from damage*

Building

10. *The proposed development has been assessed under the provisions of the Building Code of Australia as:*
- Class - 5 & 9b*
 - Rise - 2 Storeys*
 - Type - 'B' Construction (no clause C1.7 exemption)*

General Manager

Administrator

HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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11. *All building work must be carried out in accordance with the requirements of the Building Code of Australia. In particular, your attention is directed to the following conditions.*

Use of building

12. *Consent is granted to use of those rooms without nominated uses on sheet A02, as follows:*
- (a) former servery – use as a non-commercial kitchenette,*
 - (b) former function area / store – use as a pavilion / display area.*
13. *Should alternate uses be proposed for these area, further consent of Council shall be required.*

Construction Certificate

14. *A Construction Certificate must be obtained from Council or an Accredited Certifier prior to work commencing.*

Erosion Control

15. *Appropriate erosion and sedimentation controls shall be implemented, before demolition and construction commences, and shall be maintained during demolition and construction as required, to prevent material moving off-site.*

Construction noise

16. *The noise levels generated during demolition and construction shall not give rise to offensive noise when measured at the boundaries of the premises.*

Hours of demolition / construction

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

Stormwater

18. *Stormwater from roof and hardstand areas shall be conveyed at least 3m clear of the building and disposed of without causing erosion or nuisance. This shall include the stormwater overflow from any tank or collection system.*

General Manager

Administrator

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Fire resistance

- 19. The Early Fire Hazard Indices of materials and assemblies shall comply with Specification C1.10 of the Building Code of Australia. Any materials used in the building shall comply, when required, with the requirements for the "flammability" index, "spread of flame" index, and "smoke developed" index as set out in Building Code of Australia.*

Fire services

- 20. A suitable fire hose reel system, which allows the occupants to undertake initial fire extinguishment without being placed in immediate danger, must be provided to serve the whole building. A fire hose reel system satisfies this requirement if it is installed in accordance with Australian Standard AS2441 Installation of Fire Hose Reels, and Clause E1.4(b) of the Building Code of Australia.*
- 21. Portable fire extinguishers containing an extinguishing agent suitable for the risk being protected must be installed in the building. Portable fire extinguishers satisfy this requirement if they are installed in accordance with Australian Standard AS2444 Portable Fire Extinguishers and Fire Blankets – Selection and Location and water type extinguishers are located adjacent to required exits and extinguishers provided for fires other than Class A fires, are suitably located adjacent to their relevant risk.*
- 22. No exit may be blocked at the point of discharge and where necessary, suitable barriers must be provided to prevent vehicles from blocking the exit, or access to it.*
- 23. A door in a required exit or in a path of travel to a required exit must be readily openable without a key from the side that faces a person seeking egress, by a single hand downward action or pushing action on a single device which is located between 900 mm and 1200 mm from the floor.*
- 24. The unobstructed height in a path of travel to an exit shall be 2 metres and the unobstructed width shall be 1 metre. The unobstructed height of a required exit shall be 1980 mm. The doorway width may be reduced to mm in this instance.*
- 25. An emergency lighting system must be installed in the building in accordance with the requirements of the Building Code of Australia.*

General Manager

Administrator

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26. *Exit signs must be clearly visible to persons approaching the exit and installed in accordance with part E4.5 of the Building Code of Australia and Australian Standard AS2293.1 Emergency Escape Lighting and Exit Signs for Buildings – System Design, Installation and Operation.*
27. *A Final Safety Certificate must be issued for the building prior to the issue of an Occupation Certificate. As soon as practicable after a Final Fire Safety Certificate is issued, the owner of the building to which it relates must cause a copy of the certificate (together with a copy of the current fire safety schedule) to be prominently displayed in the building.*
28. *The owner shall submit to Council an Annual Essential Service Compliance Certificate, each twelve months after the original certificate was issued.*

Disabled access and facilities

29. *Access for the disabled must be provided to the building in accordance with Australian Standard AS1428.1 Design for Access and Mobility – General Requirements for Access – New Building Work.*
30. *Ramps provided for disabled access shall comply with Australian Standard AS1428.1 Design for Access and Mobility – General Requirements for Access – New Building Work.*
31. *The applicant shall provide all required tactile indicators, audible indicators and signage as required by Australian Standard AS1428.1 Design for Access and Mobility – General Requirements for Access – New Building Work applicable to the level of development proposed.*
32. *Should there be a public-address system installed, this system must comply with D3.7 of the Building Codes of Australia and Disability (Access to Premises – Buildings) Standards 2010 for Hearing Augmentation.*

Occupation certificate

33. *When all work as indicated on the approved plans/specifications is completed, the applicant shall notify the PCA to arrange for the issue of a final Occupation (Completion) Certificate.*

Moved and declared carried by: Administrator W Tuckerman

General Manager

Administrator

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17/141 – 2017/DA-00053 REV01 – AGED CARE FACILITY, ALTERATIONS AND ADDITIONS – 61 CAMPBELL STREET, YOUNG

17/205 RESOLVED:

That Council grant an exemption to McAuley Property from payment of the s94A contribution, in relation to development application 2017/DA-00053; and.

B. That Council approve the following s96 modification application:

- *Application No.: 2017/DA-00053 REV01*
- *Property: Lot 1 DP 1129796, 61 Campbell Street, Young*
- *Modification: Deletion of Condition 16, relating to the payment of the s94A contribution.*

Moved and declared carried by: Administrator W Tuckerman

17/142 – 2017/DA-00087 – DWELLING – 602 SPRING CREEK ROAD, YOUNG

17/206 RESOLVED:

That Council approve the Clause 4.6 variation of the development standard contained in Clause 6.1 of the Young LEP 2010, relating to the minimum lot size for the erection of a dwelling, and approve the following application, subject to the conditions below.

- *DA no. 2017/DA-00087*
- *Property: Lot 1 DP101823, Lots 760, 1262 and 1309 DP754611 602 Spring Creek Road, Young, NSW, 2594*
- *Development: Dwelling (new) – four (4) bedroom, single storey, brick veneer, attached double garage; and consolidation of four (4) lots*

General

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

- *Front and Rear Elevations (Sheet 1 of 5), dated 17 May 2017*
- *Side Elevations (Sheet 2 of 5), dated 17 May 2017*
- *Section Plan (Sheet 3 of 5), dated 17 May 2017*
- *Site Plan (Sheet 4 of 5), dated 17 May 2017*
- *Floor Plan (Sheet 5 of 5), dated 17 May 2017*
- *BASIX Certificate no. 822355S, dated 17 May 2017.*

and as modified by any conditions of this consent.

General Manager

Administrator

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2. *No departure from the approved plans and specifications shall be made unless the prior approval of Council has been obtained in writing.*
3. *The development shall be carried out in conformity with the provisions of the Environmental Planning and Assessment Act, 1979, and the regulations made thereunder, in accordance with the plans and specifications approved by Council.*
4. *The builder shall maintain on the site, at all times a legible copy of the following:*
 - *Development Consent including plans and related documentation;*
 - *S68 approval, including plans, specifications and certificates.*

Consolidation

5. *Lot 1 DP 101823 and Lots 760, 1262 and 1309 DP 754611 shall be consolidated into a single lot, prior to the issuing of a construction certificate for the dwelling.*

Wastewater drainage

6. *A section 68 approval under the Local Government Act, for the installation and operation of an on-site effluent management system, shall be obtained from Council, prior to any works commencing on site.*

Section 94A contribution

7. *Prior to the issue of any construction certificate, a Section 94A Contribution of \$ 2,500 is required towards the provision of public amenities and services, in accordance with the Young Shire Council Section 94A Developer Contributions Plan.*

If payment is made after 30th June 2018, payment of the contribution will be at the rate nominated in Council's Fees and Charges.

Signs

8. *No more than two signs shall be erected at the front of the site to display the following details. At least one of these signs shall have the following minimum information:*
 - *the name of the Principal Certifying Authority, their address and telephone number;*
 - *the name of the person in charge of the work site and telephone number at which that person may be contacted outside working hours;*
 - *that unauthorised entry to the work site is prohibited;*

General Manager

Administrator

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and both signs shall be maintained to a tidy and legible standard at all times and must be removed when the work has been completed.

Building Code of Australia and Home Building Act

9. *All building work must be carried out:*
 - (a) *In accordance with the requirements of the Building Code of Australia. In particular, your attention is directed to the conditions in this consent;*
 - (b) *In addition, in the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, such contract of insurance must be in force before any building work authorised by this consent commences.*
10. *Residential building work within the meaning of the Home Building Act 1989 shall not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being a Council) has given the Council written notice of the following information:*
 - (a) *In the case of work for which a principal contractor is required to be appointed, the name, licence number and name of insurer if the principal contractor*
 - (b) *In the case of work to be done by an owner-builder, the name and owner-builder permit number (where required).*

Changes to the residential building work shall not be carried out unless the Principal certifying Authority has given the Council written notice of the changes. This condition does not apply to Crown building work as defined.

11. *The builder or person who does the residential building work must comply with the applicable requirements of Part 6 of the Home Building Act 1989. This requirement may be satisfied by the provision of an owner-builder permit of Home Owners Warranty Insurance.*

Inspection/Certification

12. *Prior to commencement of work, the person having the benefit of the Development Consent:*
 - (a) *shall appoint a Principal Certifying Authority (PCA); and*
 - (b) *shall ensure a Construction Certificate is issued by the PCA;*
 - (c) *shall notify Council of their intention to commence the site works (at least 2 days notice is required).*

General Manager

Administrator

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13. *The Principal Certifying Authority shall determine the inspections and compliance certificate that are required.*
14. *Where Hilltops Council is nominated as the Principal Certifying Authority, the following requirements shall be satisfied before works commence:*
 - *The Principal Certifying Authority Service Agreement shall be completed and signed by the applicant; and*
 - *Terms and conditions of the Principal Certifying Authority Service Agreement shall be satisfied.*
15. *Where Hilltops Council is not the Principal Certifying Authority, the following requirements shall be satisfied before works commence:*
 - *Principal Certifying Authority name, address and registration details (evidencing registration with the Building Professionals Board) shall be submitted to Council; and*

Occupation Certificate

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

Note: 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.

Cut and Fill

17. *Cut and fill shall be limited to a maximum of one (1) metre, and plans demonstrating this shall be lodged with Council, prior to the issue of a construction certificate.*
18. *The applicant shall ensure that any cut or fill on site is appropriately graded, drained, retained and vegetation commenced.*
19. *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.*

General Manager

Administrator

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20. *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:*

- *Protect and support the adjoining premises from possible damage from the excavation; and*
- *Where necessary, underpin the adjoining premises to prevent any such damage;*

This condition does not apply if the person having the benefit of the consent owns the adjoining land or the owner of the adjoining land has given written consent to this condition not applying.

Erosion Control

21. *Erosion and sedimentation control measures shall be implemented on the site prior to work commencing.*

NOTE: ENSURE THAT SEDIMENT AND EROSION CONTROL ARE IN PLACE BEFORE EARTHWORKS COMMENCE

Builders Toilet

22. *The applicant shall ensure that a suitable builders' toilet is situated on the property, prior to commencing construction and is serviced and maintained in clean condition during construction.*

Threshold

23. *Where threshold to the front entry doorway exceeds 190mm above adjacent surface, steps designed in accordance with the Building Code of Australia shall be incorporated.*

Kitchen Exhaust

24. *Kitchen exhaust shall discharge externally of the roof covering and not discharge into the roof space. Any ductwork through roof space is to be of non-combustible material.*

Smoke Alarms

25. *A smoke alarm system complying with Australian Standard AS3786 Self Contained Smoke Alarms or listed in the Scientific Services Laboratory (SSL) Register of Accredited Products - Fire Protection Equipment shall be installed in suitable locations on or near the ceiling.*

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26. *The smoke alarm system must be connected to the mains electrical power supply and must have a standby (battery backup) power supply.*
27. *Prior to issue of the Occupation Certificate, the Licensed Electrician responsible for the smoke alarm installation shall issue a certificate to the Principal Certifying Authority to verify the following:*
 - *To verify the SSL number; and*
 - *To verify that the installation on the site complies with manufacturers specification.*

Stormwater Drainage

28. *Stormwater from roof and hardstand areas shall be conveyed at least 3m clear of the building and disposed of without causing erosion or nuisance to adjoining premises. This shall include the stormwater overflow from any tank or collection system.*

Survey

29. *A document from a registered and practising land surveyor shall be submitted to Council at the following stages of construction:*
 - (a) *Set out of the development and prior to construction commencing.*

Trees

30. *Any trees not approved for removal (on development site or on public footpath) shall be protected from damage during construction. This includes protection from compaction of the ground within the root zone, damage to the trunk or crown of the tree.*

Addressing

31. *The applicant shall erect the property's individual rural addressing numberplate on the gatepost or the fence adjacent to the entrance gate, but not on the gate itself. If the access location moves, the property rural address will change to reflect the location of the new access.*

Hours of Construction

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

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Access

33. *Prior to issue of an Occupation Certificate the following requirements shall be satisfied:*
- *Vehicular access application form shall be submitted to and approved by Council;*
 - *Vehicular access shall be located and constructed in accordance with Council's approval;*
 - *All work shall comply with Council's Engineering Guidelines for Subdivisions and Developments.*

Roads

34. *Any construction works, including accesses, footpaths, or the like on public roads (Council or Crown Road Reserves) shall comply with the following requirements:*
- *Application made to Council for a Works Within Road Reserve Permit for the site;*
 - *Works Within Road Reserve Permit issued by Council for the site;*
 - *Works constructed in accordance with Works Within Road Reserve Permit for the site;*
35. *Any works within the road reserve requires the following to be carried out prior to commencement:*
- *A Traffic Control Plan (TCP) shall be prepared and submitted to Council for approval;*
 - *The Traffic Control plan shall be developed by an accredited person and it shall contain the certification number and the date of issue by the accredited person.*

Water supply - domestic

36. *In recognition that no reticulated water exists, an 80,000-litre water supply tank shall be provided for the exclusive use of the dwelling.*

Water supply – fire-fighting purposes

37. *In recognition that no reticulated water exists, a 20,000-litre dedicated water supply tank shall be provided for fire-fighting purposes, and a 65mm Stortz fitting installed in the tank.*

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Covered vehicle area (garage)

38. *The access door of the attached covered vehicle area must be fitted with a self-closing device that is a minimum of size two (2) spring strength in accordance with Australian Standard AS4145.5*
39. *The latching mechanism of the access door to the attached covered vehicle area must be a minimum of 1500mm above finished floor level.*
40. *The access door to the garage must open away from the vehicle area.*

Moved and declared carried by: Administrator W Tuckerman

17/144 – APPLICATION TO AMEND SCHEDULE 1 OF THE YOUNG LOCAL ENVIRONMENTAL PLAN TO INCLUDE “VEHICLE SALES OR HIRE PREMISES” AS AN ADDITIONAL PERMITTED USE ON LAND IN WOMBAT AND MURRINGO STREETS (LOT 9 SECTION 57 DP759144 AND LOT 2A DP976203).

17 /207 RESOLVED:

That Council prepare a Planning Proposal to amend Schedule 1 to the Young Local Environmental Plan to allow a ‘vehicle sales or hire premises’ on Lot 2A DP976203 and Lot 9 Section 57 DP759144 as detailed in this report.

Moved and declared carried by: Administrator W Tuckerman

17/145 PROPOSED OFF LEASH DOG PARK; JACK HOWARD RESERVE YOUNG

17/208 RESOLVED: That Council;

1. *Allocate the \$25,000 funds held in reserve toward a fenced dog off leash enclosure in the Jack Howard Reserve; and*
2. *Advise the Young Lions Club that their proposed contributions towards this project will be welcomed.*

Moved and declared carried by: Administrator W Tuckerman

17/146 – UPGRADE OF A SECTION OF CUNNINGAR WATER DISTRIBUTION MAIN

17/209 RESOLVED:

That Council accepts the proposal of upgrading the section of 150mm Asbestos Cement distribution main to 250mm Ductile Iron (DICI) main, which will be impacted due to access upgrade to the GrainCorp silo in Cunningar.

Moved and declared carried by: Administrator W Tuckerman

General Manager

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CORRESPONDENCE FOR ATTENTION

17/210 RESOLVED:

That the balance of correspondence be noted.

Moved and declared carried by: Administrator W Tuckerman

COUNCIL COMMITTEE REPORTS

17/211 RESOLVED:

That the Murringo Community Association - 10 April 2017, committee report be noted.

Moved and declared carried by: Administrator W Tuckerman

CLOSED COUNCIL

17/147 – EXCLUSION OF THE PRESS AND PUBLIC

17/212 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.*

Moved and declared carried by: Administrator W Tuckerman

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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

GENERAL MANAGER'S CLOSED REPORTS

17/148 – TENDER 328 OF 2017, SUPPLY AND DISPOSAL OF ONE (1) STREET SWEEPER

17/213 RESOLVED: That Council; (for Plant 83-001)

- 1. accept the quotation of Bucher Municipal (MacDonald Johnson) for the supply and delivery of one VT651 Street Sweeper in the amount of \$318,720.52 inclusive of GST (\$289,745.93 ex GST); and*
- 2. accept the quotation of Bucher Municipal (MacDonald Johnson) for the trade of Council Plant No. 83-001, Rosmech Scarab Mistral in the amount of \$70,000.00 inclusive of GST, (\$63,636.36 ex GST).*

Moved and declared carried by: Administrator W Tuckerman

17/149 – TENDER 327 OF 2017: WASTE MANAGEMENT SERVICES

17/214 RESOLVED: That Council;

- 1. Accept the tender of \$225,000 from Elouera for the operation of the MRF and gatehouse; and*
- 2. Accept the alternate tender using refurbished vehicles for the provision of recycling and garbage collections of \$481,187.64 from JR Richards.*

Moved and declared carried by: Administrator W Tuckerman

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17/215 RESOLVED:

That Council move out of closed.

Moved and declared carried by: Administrator W Tuckerman

NEXT MEETING

The next ordinary meeting of Council is scheduled to be on Wednesday, 23 August 2017, commencing at 5.30pm.

TERMINATION

There being no further business the meeting closed 6.34pm

General Manager

Administrator