

HILLTOPS COUNCIL ORDINARY MEETING MINUTES

22 June 2016, commencing at 5.30 PM

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

ATTENDANCE

Administrator W Tuckerman

STAFF

A McMahon General Manager
D Wymer Director of Operations
M Crisp Director Technical Services
T Drowley Director Corporate Services
C Filmer Director Planning and Environment
S Langman Director Environmental Services

PUBLIC FORUM

Mrs Heather Johnson representing – Cunningham Valley Action Group – Item 16/29 – Independent Hearing and Assessment Panel for DA T205/078

APOLOGIES

D Aber Deputy General Manger
J Jordan Assistant General Manager
P Grove Acting Director of Utilities

16/36 RESOLVED:

That the apologies be accepted

Moved and declared carried by: Administrator W Tuckerman

SYMPATHY EXPRESSIONS

16/37 RESOLVED:

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

Mrs Robyn Anderson; Mrs Isabell Sheehan; Mr William Richens, Mr Laurence Prest, Mrs Judith Cockburn, Mr Peter Gales, Mrs Joan Shaw

Moved and declared carried by: Administrator W Tuckerman

DECLARATIONS OF INTEREST - CONFLICT OF INTEREST

Administrator Wendy Tuckerman declared no declaration of interest and no conflict of interest

General Manager

Administrator

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CONFIRMATION OF MINUTES

16/38 RESOLVED:

That the minutes of the Extraordinary Meeting of Council held on 24 May 2016 be confirmed as a true and accurate record.

Moved and declared carried by: Administrator W Tuckerman

BUSINESS ARISING – MINUTES

Administrator W Tuckerman - Request Action Plan be implemented

GENERAL MANAGERS REPORT

1 LATE REPORT

- 16/36 – Rye Park Wind Farm Voluntary Planning Agreement

16/39 RESOLVED:

That the late reports be considered at the end of General Manager Report

Moved and declared carried by: Administrator W Tuckerman

16/23 – SECTION 355 COMMITTEE STANDARD CONSTITUTION

16/40 RESOLVED:

That Council endorse the draft Section 355 Committee Standard Constitution and Instrument of Delegation for adoption by Council.

Moved and declared carried by: Administrator W Tuckerman

16/24 - COMMON SEAL OF HILLTOPS COUNCIL

16/41 RESOLVED:

That the new Hilltops Council common seal as attached to this report be adopted as the official seal of the Hilltops Council and be used for all statutory requirements.

Moved and declared carried by: Administrator W Tuckerman

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16/25 – SOUTHERN SLOPES COUNTY COUNCIL

16/42 RESOLVED: That Council:

1. *delegate the General Manager to prepare a proposal to the Local Government Minister to dissolve the Southern Slopes County Council trading as the Southern Slopes Noxious Plants Authority; and*
2. *Consult further with Yass Valley Council and the staff of the Southern Slopes County Council on transition arrangements should the dissolution proceed.*

Moved and declared carried by: Administrator W Tuckerman

16/26 – CHANGES TO RFS FUNDING ALLOCATION METHODOLOGY

16/43 RESOLVED:

That Council write to the NSW RFS Commissioner and Local Government NSW formally expressing its dissatisfaction with the revised funding methodology and its removal of local input in terms of financial capacity and allocation of funds to local fire fighting operations.

Moved and declared carried by: Administrator W Tuckerman

16/27 – CASH AND INVESTMENTS

16/44 RESOLVED:

That the Statement of cash and investments as at 31 May 2016 be received.

Moved and declared carried by: Administrator W Tuckerman

16/28 – LOAN BORROWING PROGRAM - HARDEN

16/45 RESOLVED: That Council:

1. *Fund the following capital works programs from the Harden Shire Council 2015/16 Loan Borrowing Program:*

	\$
<i>Harden Skate Park</i>	<i>193,000</i>
<i>Streetscape Gardens – Neill Street, Harden</i>	<i>52,000</i>
<i>Streetscape Tree Planting – Albury Street, Harden</i>	<i>110,000</i>
<i>Murrumburrah CBD Toilet Block</i>	<i>60,000</i>
<i>Iris Street Park, Murrumburrah – Landscaping</i>	<i><u>26,000</u></i>
<i>Borrowing Program 2015/16</i>	<i><u>\$441,000</u></i>

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2. Defer the following capital works programs from the Harden Shire Council 2015/16 Loan Borrowing Program:

	\$
Carpark – Neill Street Harden	50,000
Gas Feasibility Study – Harden	<u>53,000</u>
Deferred Borrowing Program 2015/16	<u>\$103,000</u>

3. Identify the following alternative sources of funding to replace external loan borrowings in 2015/16 for the capital works programs identified in part 1 of the recommendation:

	\$	\$
External Reserves – Unexpended Loan Funds		68,800
Industrial Sheds/ Industrial Development	2,800	
Land Purchase Residential Development	25,000	
Village Transfer Station Rehabilitation	<u>41,000</u>	
Internal Reserves		30,000
Harden Pool Storage Shelter	<u>30,000</u>	
SW Regional Waste Management		116,970
Retire Existing Loan No 99 and transfer to General Fund	<u>116,970</u>	
Plant Replacement Reserve – Internal Loan With repayment over 5 years from Section 94A Reserve	<u>225,230</u>	225,230
2015/16 Replacement Borrowing Program	\$441,000	\$441,000

Moved and declared carried by: Administrator W Tuckerman

16/29 – INDEPENDENT HEARING AND ASSESSMENT PANEL FOR DA T2015/078

16/46 RESOLVED: That Council:

- 1. establish an Independent Hearing and Assessment Panel to assess the aspects of groundwater usage and management, odour, soil conditions and capability, traffic and road usage, biodiversity of development application T2015-078 for a piggery at Eulie Rd, Harden; and**
- 2. delegate the General Manager to seek expressions of interest from suitably qualified and experienced professionals in the aforementioned areas, appoint panel members and make maximum payment of \$2,000 (Inc GST) per panel member per day.**

Moved and declared carried by: Administrator W Tuckerman

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16/30 – 2016/DA-00014 – SUBDIVISION – 10 BOYDS LANE, YOUNG

Item 16/30 - Withdrawn by applicant

16/31 – APPLICATION TO MODIFY DEVELOPMENT CONSENT 2015/DA-00175 – CARPORT AT LOT 1 DP907607, 64 WOMBAT STREET, YOUNG

16/47 RESOLVED:

That application 2015/DA-00175 REV01 to modify the consent for a carport on Lot 1 DP907607, 64 Wombat Street, be determined by way of refusal. The reasons for refusal are that the proposal is:

- *inconsistent with Performance Outcome PAD1 of the Young Development Control Plan;*
- *inconsistent with Control AAD1.2 of the Young Development Control Plan; and*
- *It does not meet the requirements of Condition 9(a) of Development Consent 2015/DA-00175 that sought to provide for compliance with the Performance Outcome PAD 1 and Control AAD1.2 of the Young Development Control Plan*

Moved and declared carried by: Administrator W Tuckerman

16/32 – DEVELOPMENT APPLICATIONS STATISTICS

16/48 RESOLVED;

That Council receive and note the status and processing times for development applications, as at 31 May 2016.

Moved and declared carried by: Administrator W Tuckerman

GENERAL MANAGERS - LATE REPORT

16/36 – RYE PARK WIND FARM VOLNTARY PLANNING AGREEMENT

16/49 RESOLVED;

1. *Place the attached voluntary planning agreement, and explanatory note, between Hilltops Council and Rye Park Renewable Energy Pty Ltd on exhibition for a period of not less than 28 days; and*
2. *Providing no substantial objections are received as a result of public exhibition, the General Manager and Administrator be authorised to sign the voluntary planning agreement on behalf of Hilltops Council.*

Moved and declared carried by: Administrator W Tuckerman

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CORRESPONDENCE FOR ATTENTION

16/50 RESOLVED:

That the balance of correspondence be noted.

Moved and declared carried by: Administrator W Tuckerman

COUNCIL COMMITTEE REPORTS

16/51 RESOLVED:

That the balance of the committee reports be noted.

Moved and declared carried by: Administrator W Tuckerman

CLOSED COUNCIL

16/33 – EXCLUSION OF THE PRESS AND PUBLIC

16/52 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

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:

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business

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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:

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business

16/34 – APPOINTMENT OF EXTERNAL AUDITOR

16/53 RESOLVED; that Council;

- 1. receive the tenders for auditing services submitted by the closing time of 4.00pm on Friday, 17 June 2016;**
- 2. accept the tender submitted by Crowe Horwath Auswild and appoint the auditor as Council's external financial auditor for the six years ending 30 June 2022; and**
- 3. The General Manager and Administrator are delegated authority to execute all documents on behalf of Council.**

Moved and declared carried by: Administrator W Tuckerman

16/35 – ASSESSMENT OF TENDER FOR REDEVELOPMENT OF BOOROWA SWIMMING POOL AMENITIES BUILDING

16/54 RESOLVED; that Council;

That Council; award contract BC – 11.4.8 Redevelopment of Boorowa Swimming Pool Amenities Building to A. L. Banks

Moved and declared carried by: Administrator W Tuckerman

16/55 RESOLVED:

That Council move out of closed.

Moved and declared carried by: Administrator W Tuckerman

NEXT MEETING

The next meeting of Council is scheduled to be on Wednesday, 27 July 2016, commencing at 5.30pm.

TERMINATION

There being no further business the meeting closed 6.20pm.

General Manager

Administrator