

HILLTOPS COUNCIL ORDINARY MEETING MINUTES

24 August 2016, commencing at 5.30 PM

Held in the Hilltops Council, Young Chamber, 189 Boorowa Street, Young

ATTENDANCE

Administrator W Tuckerman

STAFF

A McMahon General Manager
D Aber Deputy General Manger
J Jordan Chief Financial Officer
D Wymer Director of Infrastructure
T Drowley Director Governance
C Filmer Director Environmental Health and Building
S Langman Director Planning
G Armstrong Acting Executive Director Corporate and Community

APOLOGIES

Nil

SYMPATHY EXPRESSIONS

16/84 RESOLVED:

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

John Drew; Cheri Terry; Elizabeth Barton; Elizabeth Jones; Phoebe Sargeant; Daniel Griffiths; Olive McManus; Marian Smith; Robert Chandler; Joan Church; Jeffrey Mcquillan; Heather Jeanette Cameron; Anne Margaret Davidson

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

CONFIRMATION OF MINUTES

16/85 RESOLVED:

That the minutes of the Ordinary Meeting of Council held on 27 July 2016 be confirmed as a true and accurate record.

Moved and declared carried by: Administrator W Tuckerman

General Manager

Administrator

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Held in the Hilltops Council, Young Chamber, 189 Boorowa Street, Young

16/86 RESOLVED:

That the minutes of the Extraordinary Meeting of Council held on 10 August 2016 be confirmed as a true and accurate record.

Moved and declared carried by: Administrator W Tuckerman

BUSINESS ARISING – MINUTES

Nil

GENERAL MANAGERS REPORT

16/54 – DRAFT HILLTOPS COUNCIL – PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO ADMINISTRATORS, IMPLEMENTATION ADVISORY GROUP AND LOCAL REPRESENTATION COMMITTEE MEMBERS

16/87 RESOLVED:

That Council adopt the Hilltops Council Payment of Expenses and Provision of Facilities to Administrators, Implementation Advisory Group and Local Representation Committee Members Policy.

Moved and declared carried by: Administrator W Tuckerman

16/55 – MEMORANDUM OF UNDERSTANDING – CANBERRA REGION JOINT ORGANISATION

16/88 RESOLVED:

That Council, endorse the Memorandum of Understanding (MoU) between the Canberra Region Joint Organisation (CBRJO) and its member Councils, which includes the Hilltops Council.

Moved and declared carried by: Administrator W Tuckerman

16/56 – LGNSW MEMBERSHIP

16/89 RESOLVED that Council;

- 1. become a member of LGNSW for 2016/17;*
- 2. does not participate in any of the bundled services; and*
- 3. review its continued membership for future years on a value for money basis*

Moved and declared carried by: Administrator W Tuckerman

General Manager

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16/57 – BOOROWA COMMUNITY GARDEN COMMITTEE – HILLTOPS COUNCIL SECTION 355 COMMITTEE ENDORSEMENT

16/90 RESOLVED: That Council;

1. Endorse Boorowa Community Garden Committee as a Section 355 Committee of Hilltops Council; and
2. Appoint the following members to the Committee:
 - R Gibson
 - S Moss
 - D Evans
 - C Southwell
 - S Pescud

Moved and declared carried by: Administrator W Tuckerman

16/58 – HILLTOPS COUNCIL REGIONAL ECONOMIC DEVELOPMENT COMMITTEE

16/91 RESOLVED: that Council;

1. Endorse the establishment of the Hilltops Council Regional Economic Development Committee as a Section 355 Committee of Council; and
2. Call for nominations for the Hilltops Council Regional Economic Development Committee for a period of 21 days.

Moved and declared carried by: Administrator W Tuckerman

16/59 – MURRINGO COMMUNITY ASSOCIATION – HILLTOPS COUNCIL SECTION 355 COMMITTEE ENDORSEMENT

16/92 RESOLVED: that Council;

1. Endorse Murringo Community Association as a Section 355 Committee of Hilltops Council.
2. Appoint the following members to the Committee:
 - T Mack
 - L Coggan
 - G Galvin
 - C Hewson
 - M Gillespie
 - H Ritchie
 - T Porter
 - M Virgo

Moved and declared carried by: Administrator W Tuckerman

General Manager

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24 August 2016, commencing at 5.30 PM

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16/60 – REGIONAL SECTION 355 COMMITTEES

16/93 RESOLVED: that Council;

1. Endorse the establishment of the following Regional Section 355 Committees of Council and call for nominations for a period of 21 days.

- Environmental Initiatives Committee
- Youth Initiatives Committee
- Tourism Committee
- Access Committee
- Arts and Cultural Committee

Moved and declared carried by: Administrator W Tuckerman

16/61 - DRAFT CODE OF CONDUCT

16/94 RESOLVED:

That Council, adopt the draft Hilltops Council Code of Conduct.

Moved and declared carried by: Administrator W Tuckerman

16/62 – TARRANTS GAP ROAD

16/95 RESOLVED:

That Council, reallocate the budget of \$80,000 for causeway renewals on the Reids Flat Road to causeway renewals on Tarrant's Gap Road.

Moved and declared carried by: Administrator W Tuckerman

16/63 - ALCOHOL FREE ZONE SUSPENSION

16/96 RESOLVED:

That Council, approve the suspension of the Alcohol Free Zone in the current location from 9am - 6pm, Sunday, 2 October 2016:

- 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

General Manager

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16/64 – PROPOSED ROAD CLOSURES – IRISH WOOLFEST CELEBRATIONS

16/97 RESOLVED:

That Council, endorse the proposed road closures for Irish Woolfest weekend 2016.

Moved and declared carried by: Administrator W Tuckerman

16/65 – CMCA SOLOS NETWORK REQUEST FOR WAIVERING FEES

16/98 RESOLVED:

That Council, support the request from the Solos Network.

Moved and declared carried by: Administrator W Tuckerman

16/66 – HILLTOPS INFRASTRUCTURE PURCHASING AND PROCUREMENT PLAN

16/99 RESOLVED:

That Council, note the Purchasing and Procurement Plan and adopt the procurement methods as detailed in the plan.

Moved and declared carried by: Administrator W Tuckerman

16/67 – ROADS AND MARITIME SERVICES REGIONAL ROAD GRANTS 2016/17

16/100 RESOLVED:

That Council, note the information provided on the RMS Regional Roads Block Grant for 2016/17 and acknowledge receipt of the grant to the NSW Roads and Maritime Services.

Moved and declared carried by: Administrator W Tuckerman

16/68 – CASH AND INVESTMENTS

16/101 RESOLVED:

That the Statement of cash and investments as at 31 July, 2016 for Hilltops be received.

Moved and declared carried by: Administrator W Tuckerman

General Manager

Administrator

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16/69 – FINANCIAL STATEMENTS – FORMER YOUNG SHIRE COUNCIL

16/102 RESOLVED:

1. That Council's Financial Statements be referred to audit in accordance with section 413(1) of the Local Government Act.
2. That Council note that the financial statements have been prepared in accordance with;
 - The Local Government Act 1993 (as amended) and the Regulations made there under
 - The Australian Accounting Standard and professional pronouncements,
 - The Local Government Code of Accounting Practice and Financial Reporting.
3. That Council note that the financial statements present fairly the operating result and financial position, and accord with Council's accounting and other records.
4. That Council is not aware of any matter that would render the financial statements false or misleading in anyway.
5. That, in accordance with section 413(2)c the Administrator, Interim General Manager and Responsible Accounting officer sign the Statement by Members and Management of the financial statements; and
6. That the General Manager be delegated authority to issue the financial statements upon receipt of the audit report.

Moved and declared carried by: Administrator W Tuckerman

16/70 – 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 8 SECTION 58 AND LOT 9 SECTION 57 DP759144 AND LOT 2A DP976203).

16/103 RESOLVED:

That the matter be deferred to a future meeting of Council at the request of the applicant.

Moved and declared carried by: Administrator W Tuckerman

16/71 – DEVELOPMENT APPLICATIONS STATISTICS FOR JULY 2016

16/104 RESOLVED:

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

Moved and declared carried by: Administrator W Tuckerman

General Manager

Administrator

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24 August 2016, commencing at 5.30 PM

Held in the Hilltops Council, Young Chamber, 189 Boorowa Street, Young

16/72 – DRAFT VOLUNTARY PLANNING AGREEMENT – RYE PARK WIND FARM

16/105 RESOLVED:

That Council, authorise the General Manager and Administrator to sign the voluntary planning agreement on behalf of Hilltops Council.

Moved and declared carried by: Administrator W Tuckerman

16/73 – ACTION SUMMARY REPORT

16/106 RESOLVED: *that Council;*

- 1. Note the status of Council resolutions from the Action Plan;*
- 2. Endorse the removal of completed items from the Action Plan; and*
- 3. Endorse participation in the Grain Harvest Management Scheme in accordance with details included in the Action Plan*

Moved and declared carried by: Administrator W Tuckerman

CORRESPONDENCE FOR ATTENTION

16/107 RESOLVED:

That the balance of correspondence be noted.

Moved and declared carried by: Administrator W Tuckerman

COUNCIL COMMITTEE REPORTS

16/108 RESOLVED:

That the balance of the committee reports be noted.

Moved and declared carried by: Administrator W Tuckerman

General Manager

Administrator

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24 August 2016, commencing at 5.30 PM

Held in the Hilltops Council, Young Chamber, 189 Boorowa Street, Young

CLOSED COUNCIL

16/74 – EXCLUSION OF THE PRESS AND PUBLIC

16/109 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: RATEPAYER 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:

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

ITEM 2: RATEPAYER 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:

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

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

General Manager

Administrator

HILLTOPS COUNCIL ORDINARY MEETING MINUTES

24 August 2016, commencing at 5.30 PM

Held in the Hilltops Council, Young Chamber, 189 Boorowa Street, Young

ITEM 4: RATEPAYER 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:

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

ITEM 5: RATEPAYER 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:

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

ITEM 6: COMMERCIAL MATTER

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

- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it.

ITEM 7: COMMERCIAL MATTER

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

- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it.

ITEM 8: 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:

- (a) personnel matters concerning particular individuals (other than Councillors)

General Manager

Administrator

HILLTOPS COUNCIL ORDINARY MEETING MINUTES

24 August 2016, commencing at 5.30 PM

Held in the Hilltops Council, Young Chamber, 189 Boorowa Street, Young

GENERAL MANAGERS CLOSED REPORTS

16/75 – ARTC HARDEN WATER AND INTEREST CHARGES RAISED IN ERROR

16/110 RESOLVED: that Council;

1. reverse the water, sewer and interest charges, in the amount of \$10,138.13 raised on the ARTC in error since 2012; and
2. the charges be adjusted in the final accounts of the water and sewer trading undertakings of the former Harden Shire Council for the relevant financial reporting periods.

Moved and declared carried by: Administrator W Tuckerman

16/76 – ASSIGNMENT OF LEASE – 314 ALBURY STREET, MURRUMBURRAH

16/111 RESOLVED: that Council;

1. consent to the transfer of the lease of the Sewell Building, 314 Albury Street, Murrumburrah from Meridian Agriculture Pty Ltd to SAS Pty Ltd, trading as Premier Advisory Australia Pty Ltd;
2. the transfer take effect from 1 July 2016 and terminate on 31 July 2018;
3. clarify that the Property included in the lease is all of the property known as the Sewell Building, 314 Albury Street Murrumburrah;
4. the lessee be required to meet the legal and registration costs associated with the transfer of the lease; and
5. the General Manager and Administrator are delegated authority to execute all documents on behalf of Council.

Moved and declared carried by: Administrator W Tuckerman

16/77 – PROPOSED EXTENSION TO GRAVEL WINNING AND CRUSHING CONTRACT; TENDER 246/2015

16/112 RESOLVED:

That Council, vary the works under the existing gravel crushing contract to allow the execution of additional winning and crushing works at Perkins and Quamby gravel pits.

Moved and declared carried by: Administrator W Tuckerman

General Manager

Administrator

HILLTOPS COUNCIL ORDINARY MEETING MINUTES

24 August 2016, commencing at 5.30 PM

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16/78 – WRITE OFF OF WATER INTEREST CHARGES – A/C 12440381

16/113 RESOLVED: that Council;

1. authorise Recoveries and Reconstructions to make a without prejudice offer to the ratepayer to settle the water usage account 1244038 upon the payment of \$9,062.28 in full settlement of all outstanding water charges on account 12440381
2. delegate approval to the General Manager to write off outstanding interest and recovery charges in the amount of \$4,564.75 subject to the ratepayer making payment of the water usage charges set out in (1) above.

Moved and declared carried by: Administrator W Tuckerman

16/79 – UNDETECTED LEAK – MURRUMBURRAH

16/114 RESOLVED: that Council;

1. Does not provide a reduction in the water account requested on the basis the applicant has not strictly complied with the former Harden Shire Council's undetected leak policy; and
2. A further report be provided to Council to consider the appropriateness of an undetected leak policy for Hilltops Council.

Moved and declared carried by: Administrator W Tuckerman

16/80 – TENDER ASSESSMENT REPORT – PROVISION OF TRAFFIC CONTROL SERVICES

16/115 RESOLVED: that Council;

1. establish a panel contract for the provision of traffic control service between August 2016 and 30 June 2018 with the following suppliers:

§ Care Traffic Services Pty Ltd

§ Platinum Traffic Services Pty;

§ SJC TRANS PTY LTD t/a SJC Traffic Management; and

§ Stop Slow Traffic Control (NSW) Pty Ltd

2. note that the requirements of the Local Government Tendering Regulation (2005) will preclude additional suppliers being added to the panel for the contract term; and

General Manager

Administrator

HILLTOPS COUNCIL ORDINARY MEETING MINUTES

24 August 2016, commencing at 5.30 PM

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3. That Council note that as the contract conditions state:

Nothing in this document obliges Council to:

- a. engage the Contractor to perform any, or a minimum number of Services;
- b. exclusively use the Contractor for the provision of the Services; or
- c. pay any form of retainer to the Contractor;

Council can and will engage non-panel contractors in accordance with the Local Government regulation (2005) if it is financially beneficial to do so.

Moved and declared carried by: Administrator W Tuckerman

16/81 – TENDER ASSESSMENT REPORT: SUPPLY OF QUARRY MATERIALS

16/116 RESOLVED: that Council;

1. **establish a panel contract for the supply of quarry materials between August 2016 and 30 June 2018 with the following suppliers:**

- § Bald Hill Quarry Pty Ltd;
- § Bogo Operations Pty Ltd;
- § Bonnyview Quarries (Young) Pty Ltd;
- § Denrith Pty Ltd;
- § Eulonga Quarries Pty Ltd;
- § Glenella Quarry Pty Ltd;
- § Manso Holdings Pty Ltd Trading as Millers Metals;
- § Sibelco Australia Ltd;
- § Tegra Australia Pty Ltd; and
- § Young landscape and gravel supplies

2. note that the requirements of the Local Government Tendering Regulation (2005) will preclude additional suppliers being added to the panel for the contract term; and

3. note that as the contract conditions state:

Nothing in this document obliges Council to:

- a. engage the Contractor to perform any, or a minimum number of Services;
- b. exclusively use the Contractor for the provision of the Services; or
- c. pay any form of retainer to the Contractor;

Council can and will engage non-panel contractors in accordance with the Local Government regulation (2005) if it is financially beneficial to do so.

Moved and declared carried by: Administrator W Tuckerman

General Manager

Administrator

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Staff leave the meeting at 6.18pm

16/82 – REMUNERATION REVIEW

16/117 RESOLVED:

That the General Manager's total remuneration be \$272,900 as recommended by the independent review (as tabled) and that the Administrator in consultation with General Manager, implement a Performance Agreement pursuant to the increase role and responsibilities.

Moved and declared carried by: Administrator W Tuckerman

16/118 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, 28 September 2016, commencing at 5.30pm.

TERMINATION

There being no further business the meeting closed 6.24pm.

General Manager

Administrator