

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

27 September 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 Aber Deputy General Manger  
L Furness Executive Director Corporate and Community  
J Jordan Chief Financial Officer  
S Langman Director Planning  
G Armstrong Director Business Planning

## APOLOGIES

D Wymer Director of Infrastructure  
C Filmer Director Building and Environmental Health

**16/119 RESOLVED:**

*That the apologies be accepted*

*Moved and declared carried by: Administrator W Tuckerman*

## SYMPATHY EXPRESSIONS

**16/120 RESOLVED:**

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

Marlene Robinson; Francis Galvin; Ian Coull; Luke Cotter; Mary Dixon;  
Keith Bruce; William Ross White; Thomas Maxwell Holmes;  
Robert James Mitchell; Glen Perkins; Douglas Foreman; William Walker;  
David Flett; Marie Murphy; Keith Watts; Bronwyn Mullins; Joan Anderson;  
Joan Plummer; Norman Price; Skye Edwards; Cheryl Keefe; June Harris;  
Clare Woods; John Burdett; Terence Hall; Dawn Worthington Roberts;  
Margery Doreen Hughes; Vernon Peter Harper; Noel Victor Hopwood;  
Julia Harvey; Keith Jones; James Mark Rowan

*Moved and declared carried by: Administrator W Tuckerman*

## CONFIRMATION OF MINUTES

**16/121 RESOLVED:**

*That the minutes of the Ordinary Meeting of Council held on 23 August 2016 be confirmed as a true and accurate record.*

*Moved and declared carried by: Administrator W Tuckerman*

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General Manager

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## BUSINESS ARISING – MINUTES

Nil

## DECLARATIONS OF INTEREST - CONFLICT OF INTEREST

Administrator Wendy Tuckerman declared no pecuniary or conflict of interest.

David Aber – closed report – Item 16/101 – Insurance Australia Group Limited  
Off-Market Buy Back – Share Holder

## ADMINISTRATOR REPORT

16/83 – ADMINISTRATOR REPORT – CENTROC BOARD MEETING 25 AUGUST 2016,  
COWRA SERVICES CLUB

*16/122 RESOLVED:*

*That the report be noted*

*Moved and declared carried by: Administrator W Tuckerman*

## GENERAL MANAGERS REPORT

16/84 – HILLTOPS COUNCIL PUBLIC SWIMMING POOLS REVIEW AND OPENING  
HOURS

*16/123 RESOLVED: That Council;*

- 1. undertake a full review of pool facilities and operational practices before the end of the 2016/2017 financial year;*
- 2. adopt the proposed operating period and hours for the swimming pools including in this report; and*
- 3. approve 'free entry' for the Harden, Jugiong and Boorowa Pools for Australia Day and the opening day of these pools.*

*Moved and declared carried by: Administrator W Tuckerman*

16/85 – ACCESSIBLE TOILETS FOR COMMUNITY EVENTS

*16/124 RESOLVED: That Council endorse;*

- 1. the hire of an accessible toilet for the Harden Kite Festival; and*
- 2. the purchase of an accessible toilet to be used at all future Council events where required.*

*Moved and declared carried by: Administrator W Tuckerman*

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## 16/86 – REQUEST TO WAIVE HALL HIRE FEES – BREAKING THE ICE FORUM

**16/125 RESOLVED:**

*That Council elect to sponsor the event by hosting the Breaking the Ice Forum in the Young Town Hall.*

*Moved and declared carried by: Administrator W Tuckerman*

## 16/87 – ONGOING SUPPORT REQUEST – MACQUARIE PHILHARMONIA

**16/126 RESOLVED:**

*That Council does not provide support to the Philharmonia Orchestra this year.*

*Moved and declared carried by: Administrator W Tuckerman*

## 16/88 – HILLTOPS COUNCIL SECTION 355 COMMITTEE ENDORSEMENT AND AMENDMENT TO THE HILLTOPS COUNCIL SECTION 355 COMMITTEE STANDARD CONSTITUTION AND INSTRUMENT OF DELEGATION

**16/127 RESOLVED: That Council;**

- 1. Endorse the amendment to Clause 9.4 of the Hilltops Council Section 355 Committee Standard Constitution and Instrument of Delegation as reported.*
- 2. Notify the two Section 355 Committees endorsed at the August Ordinary Meeting of Council to inform the Murringo Community Association and the Boorowa Community Garden Committee of the amendment to the constitution.*
- 3. Endorse the Harden Kite Festival Committee as a Section 355 Committee of Hilltops Council and endorse the attached schedule.*
- 4. Appoint the following members to the Harden Kite Festival Committee:*
  - Nicole Sommer*
  - Cathy Sanderson*
  - Julie Dunstan*
  - Karen Tanswell*
  - Wendy Medway*
  - Caron Cantrill*
  - Eliza Muldoon*

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5. *Endorse the Red Hill Reserve Committee as a Section 355 Committee of Hilltops Council and endorse the attached schedule.*
6. *Appoint the following members to the Red Hill Reserve Committee:*
  - *Melissa Henry*
  - *Kathryn McGuirk*
  - *Albert Wilson*
  - *David Evans*
  - *Ingrid Corcoran*
  - *Andrew Southwell*
  - *Linda Cavanagh*
  - *Pat Thompson*
7. *Endorse the Jugiong Advancement Group as a Section 355 Committee of Hilltops Council and endorse the tabled schedule.*
8. *Appoint the following members to the Jugiong Advancement Group:*
  - *Wesley Leseberg*
  - *Paul Leseberg*
  - *Barry Coggan*
  - *Joy Coggan*
9. *Endorse the Wombat Progress Association as a Section 355 Committee of Hilltops Council and endorse the attached schedule.*
10. *Appoint the following members to the Wombat Progress Association:*
  - *June Gibson*
  - *Shelley McCrae*
  - *Colin C. Overy*
  - *Kevin Williams*
  - *Joanne Norris*
  - *Yvonne Bailes*

*Moved and declared carried by: Administrator W Tuckerman*

16/89 – REGIONAL COMMITTEE – SENIORS WEEK

*16/128 RESOLVED:*

*That Council endorse the establishment of a Seniors Week Regional Section 355 Committee of Council and call for nominations for a period of 21 days.*

*Moved and declared carried by: Administrator W Tuckerman*

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## 16/90 – EMERGENCY SERVICES LEVY

*16/129 RESOLVED:*

*That Council note the information.*

*Moved and declared carried by: Administrator W Tuckerman*

## 16/91 – HILLTOPS LOCAL HERITAGE FUND 2016-17

*16/130 RESOLVED: That Council;*

*1. Disperse \$22,500 from the Hilltops Local Heritage Fund 2016-2017 via the following grants for items in the former Young Shire Council area:*

- (a) \$2,800 for Bribbaree Presbyterian Manse, 48 Weedallion St, Bribbaree*
- (b) \$2,000 for Calabash Homestead, 314 Douglas Gap Rd, Murringo*
- (c) \$2,000 for Crowther Shearing Shed, 147 Reid's Rd, Crowther*
- (d) \$2,000 for Lower Coolegong Shearing Shed, 706 Jerrybang L, Bulla Creek*
- (e) \$1,500 for Millard Centre, 192 Boorowa St, Young*
- (f) \$2,600 for Murringo Police Barracks (fmr), 2244 Murringo Rd, Murringo*
- (g) \$1,000 for Orizaba Homestead, 2706 Murringo R., Murringo*
- (h) \$2,800 for St John's Anglican Church, 15 Cloete St, Young*
- (i) \$2,000 for St Joseph's Kindergarten (fmr), 10 Dundas St, Young*
- (j) \$1,000 for St Paul's Presbyterian Church, 26 Lynch St, Young*
- (k) \$2,800 for Young Showground Art Hall, 4570 Murringo Road, Young*

*2. Disperse \$16,000 from the Hilltops Local Heritage Fund 2016-2017 via the following grants for items in the former Harden Shire Council area:*

- (a) \$2,800 for Ardresier Homestead, Glen Ayr Rd, Harden*
- (b) \$2,800 for Bank of NSW (fmr), 319 Albury St, Murrumburrah*
- (c) \$3,300 for Currawong Stockman's Cottage, Hartfield Rd, Harden*
- (d) \$3,300 for Cottage, 220 Neill St, Murrumburrah*
- (e) \$1,000 for Pise Victorian Cottage, 122 Albury St, Harden*
- (f) \$2,800 for The Old Rectory, 40 Iris St, Murrumburrah*

*Moved and declared carried by: Administrator W Tuckerman*

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## 16/92 – CASH AND INVESTMENTS

*16/131 RESOLVED:*

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

*Moved and declared carried by: Administrator W Tuckerman*

## 16/93 – FINANCIAL ASSISTANCE GRANT

*16/132 RESOLVED: That Council;*

- 1. read and note the report; and*
- 2. note the budget variation of \$15,660 to be included in the September Quarterly Budget review.*

*Moved and declared carried by: Administrator W Tuckerman*

## 16/94 – FINANCIAL STATEMENTS – FORMER BOOROWA COUNCIL

*16/133 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.*
- 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*

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16/95 – 2016/DA-00056 – PROPOSED RESIDENTIAL SUBDIVISION – CORNER PURCHAS & TEMPLEMORE STREETS, YOUNG

*16/134 RESOLVED:*

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

- *Application No.:* 2016/DA-00056,
- *Property:* Lot 2182 DP 754611, 14 Purchas Street (corner Templemore Street), Young
- *Development:* Subdivision – 13 residential lots, including construction of a new road

## 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 1</i>	<i>11085</i>	<i>B</i>	<i>CPC</i>	<i>17/6/2016</i>	<i>30<sup>th</sup> June 2016</i>

*b) The following documents:*

- (i) statement of environmental effects (10 pages), prepared by CPC Land Development Consultants Pty Ltd, undated, submitted 22<sup>nd</sup> April 2016.*

### *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.*

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## *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.*

## **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;*

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- (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;*
- (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) *provision of kerb and gutter (roll-top) and road shoulder construction and sealing in Purchas Street, adjacent the site, in accordance with Council's Engineering Guidelines for Subdivision and Development,*

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- (c) *provision of kerb and gutter (roll-top) and half road width construction and sealing in Templemore Street, adjacent the site, in accordance with Council's Engineering Guidelines for Subdivision and Development,*
- (d) *design for the intersection of the proposed road and Purchas Street, that complies with Austroads Part 4A Unsignalised Intersections,*
- (e) *terminus of the road being constructed and sealed with a thirteen (13) metre radius,*
- (f) *a 1.5-metre-wide concrete footpath, along the eastern side of the proposed road (adjacent Lots 1, 2, 3 and 4), along the northern side of Purchas Street (adjacent Lots 1, 8, 9 and 10) and along the eastern side of Templemore Street (adjacent Lots 10 and 11), including pram ramps at intersections,*
- (g) *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 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,*
  - (d) *the location and construction of a stormwater outlet into the natural drainage course to the north of the site, so as not to cause erosion or damage,*
  - (e) *the provision of gross pollutant traps.*

## *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*

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*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).*

*NOTE: The existing water connections and meter can be used for Lot 10.*

## *Sewer*

- B6.** *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.*

## *Power supply*

- B7.** *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 Purchas Street and Templemore Street 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),*
  - (c) the existing power pole (and street light) located in Purchas Street, at the proposed intersection, shall be relocated.*

## *Telecommunications*

- B8.** *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.*

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## Gas

- B9. *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

- B10. *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) trees to be advanced specimens at the time of planting (minimum height of 1.2 metres measured from ground level when planted),*
  - (c) details of the type of trees (including common and botanical name, height and width at the time of maturity),*
  - (d) trees to be chosen from Appendix G of the Young DCP,*
  - (e) 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),*
  - (f) trees to be planted in accordance with Section 4.1 of the Engineering Guidelines for Subdivision and Development,*
  - (g) maintenance/watering program, to ensure the survival of the trees for a minimum period of twelve (12) months, from issue of subdivision certificate.*

## 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.*

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- 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 24hour telephone number, for contact with the construction manager, to be operated for the duration of the construction works.*
- 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*

- C6. *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.*
- C7. *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*

- C8. *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 24hour contact phone number for any inquiries; and*
  - (d) a statement that unauthorised entry to the site is not permitted.*

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## *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.*

## **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.*

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## *Removal of trees*

- D5. *Approval is granted to the removal of all trees on-site, and in both Templemore and Purchas Street, adjacent the site.*

## *Certification and inspection of subdivision works*

- D6. *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.*
- D7. *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*

- D8. *Any seepage or stormwater collected on-site during construction must not be pumped to any public road stormwater system or watercourse.*

## *Installation of services*

- D9. *Service conduits for electricity and telecommunications cabling shall not be trenched across any road pavements.*

## *State Survey Marks*

- D10. *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*

\_\_\_\_\_  
General Manager

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Administrator

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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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 Utility 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 Templemore and Purchase Street boundaries). 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 a solid residential type fence, a minimum of 1.8 metres in height, uniform in colour and material.*

## *Damage to infrastructure or services*

- E9. *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.*

\_\_\_\_\_  
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\_\_\_\_\_  
Administrator



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## Road dedication

E10. *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

E11. *Council shall determine the name for the proposed internal roads, after considering any requests from the developer.*

E12. *The street names shall comply with the NSW Addressing User Manual prepared by the Geographical Names Board of NSW.*

E13. *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

E14. *Street tree planting shall be completed in accordance with the approved plan.*

E15. *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

E16. *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.*

E17. *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>
<i>1</i>	<i>2 new road</i>	<i>14 Purchas Street</i>
<i>2</i>	<i>4 new road</i>	

\_\_\_\_\_  
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3	6 new road	
4	8 new road	
5	7 new road	
6	5 new road	
7	3 new road	
8	1 new road	16 Purchas Street
9	18 Purchas Street	
10	20 Purchas Street	92 Templemore Street
11	90 Templemore Street	
12	88 Templemore Street	
13	86 Templemore Street	

## Contributions

- E18. 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.
- E19. The point of contact for the Water and Sewer Supply Authority for this development is the Hilltops Council.
- E20. The following contributions are applicable, if paid prior to the 30th June 2016:

Name	No. ETs	Rate per ET (2016/2017)	Total
GFCC water	12	\$ 7,134	\$ 85,608
Section 64 water	12	\$ 3,427	\$ 41,124
Section 64 sewer	12	\$ 4,139	\$ 49,668

- E21. Payment of the contribution will be at the ET rate nominated by at the time of payment, which is subject to annual review.

## Defects Liability Period

- E22. 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.
- E23. 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).

\_\_\_\_\_  
General Manager

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Administrator

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## *Defects Liability Bond*

*E24. 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*

*E25. 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.*

*E26. 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.*

*E27. 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*

*E28. 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.*

*E29. If Council determines that the subdivision works are satisfactory, Council will refund the balance of the defects liability bond.*

*E30. If un-remedied 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 some or all of the defects liability bond for a further period of twelve (12) months.*

## *Final subdivision plans*

*E31. The submission of a final plan of subdivision (and seven copies), suitable for registration at the Land Titles Office.*

\_\_\_\_\_  
General Manager

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Administrator

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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## *Registration of easements and restriction as to users*

*E32. 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*

*b) easement to drain stormwater over Lot 1 DP 1012664, Lot 1 DP 1126009 and Lot 2247 DP 754611.*

*E33. 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.*

*E34. 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.*

*Moved and declared carried by: Administrator W Tuckerman*

## 16/96 – DEVELOPMENT APPLICATIONS STATISTICS FOR AUGUST 2016

*16/135 RESOLVED:*

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

*Moved and declared carried by: Administrator W Tuckerman*

## 16/97 – PROPOSED ROAD TRANSFER AND ACQUISITION OF LAND FOR ROAD WIDENING PURPOSES, TEMPLEMORE STREET, YOUNG

*16/136 RESOLVED: That Council;*

- 1. Commence the process of transferring Templemore Street (Crown road) to Council.*
- 2. Council commence discussions with the owner of Lot 650 DP 754611, with a view to acquiring land for road widening purposes in Templemore Street.*

*Moved and declared carried by: Administrator W Tuckerman*

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General Manager

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Administrator

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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## 16/98 – PROPOSED TRUCK WASH

*16/137 RESOLVED: That Council;*

- 1. endorse the submission of an application under the Fixing Country Roads Truck Washes program for the construction of a new truck wash facility at the Young Sewerage Treatment Works Site at an estimated project cost of \$1,013,211;*
- 2. commit to provide a contribution of \$100,000 towards the truck wash project should the grant application be successful; and*
- 3. a further report be provided to Council to consider the source of its funding contribution should the grant application be successful*

*Moved and declared carried by: Administrator W Tuckerman*

## 16/99 – ACTION SUMMARY REPORT

*16/138 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*

## CORRESPONDENCE FOR ATTENTION

*16/139 RESOLVED:*

*That the balance of correspondence be noted.*

*Moved and declared carried by: Administrator W Tuckerman*

## COUNCIL COMMITTEE REPORTS

*16/140 RESOLVED:*

*That Council endorse the recommendation from the Red Hill Reserve Committee:*

## 16/03 – DEPARTMENT OF LANDS UPDATE

*That Hilltops Council write a letter to Department of Lands to ask for written confirmation of a progress report on the PoM approval process, to enable commencement of the Bendigo Bank Grant 'Life & Signs Project'.*

*Moved and declared carried by: Administrator W Tuckerman*

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General Manager

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Administrator

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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*16/141 RESOLVED:*

*That Council endorse the recommendation from the IAG Committee with exception of recommendation 16/04:*

## IAG 16/08 – ENDORSE BOOROWA LRC MEETING MINUTES

*That a letter be drafted and sent to the Department of Planning requesting clarification on their role in setting up consultative committees and provide confirmation the Department will fund all costs incurred as a result of noise complaints.*

## IAG 16/09 – ENDORSE HARDEN LRC MEETING MINUTES

*That Council consider the reconstitution of the Healthy Harden Committee as a s355 committee of Council.*

*That Council fund portable accessible toilets for the Harden Kite festival.*

*Moved and declared carried by: Administrator W Tuckerman*

*16/142 RESOLVED:*

*That the balance of the committee reports be noted.*

*Moved and declared carried by: Administrator W Tuckerman*

## CLOSED COUNCIL

### 16/100 – EXCLUSION OF THE PRESS AND PUBLIC

*16/143 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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General Manager

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Administrator

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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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

## **ITEM 3: COMMERCIAL MATTER**

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

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

## **ITEM 4: COMMERCIAL MATTER**

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

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Administrator

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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## GENERAL MANAGERS LATE – CLOSED REPORT

### ITEM 5: LEGAL PROCEEDINGS

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:

- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege

### 16/105 – SQUIRES CREDIT SAIL REPORT

That Council consider the late closed report as tabled, Squires Credit Sail Report Item 16/105 at the end of the General Manager's closed reports

**16/144 RESOLVED:**

*That the late report be accepted*

*Moved and declared carried by: Administrator W Tuckerman*

## GENERAL MANAGERS CLOSED REPORTS

### 16/101 – INSURANCE AUSTRALIA GROUP LIMITED OFF-MARKET BUY BACK

**16/145 RESOLVED:**

*That Council nominate to participate in the buy-back proposal with a minimum tender return of \$5.40.*

*Moved and declared carried by: Administrator W Tuckerman*

### 16/102 – AUDIT OF THE FORMER HARDEN SHIRE COUNCIL

**16/146 RESOLVED: That Council;**

1. *increase the allocation for Audit Services for the former Harden Shire Council by \$45,000;*
2. *provide permission to allow Crowe Howarth Auswild to access the interim audit files the of Intentus for the former Harden Shire Council;*

\_\_\_\_\_  
General Manager

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Administrator



# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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3. *fund the increase in audit cost from the merger funding provided by the NSW Government for this purpose; and*
4. *seek a reimbursement of funds from the former Auditor of the former Harden Shire to better reflect the quantum of work undertaken for the 2015/16 financial year.*

*Moved and declared carried by: Administrator W Tuckerman*

## 16/103 – APPLICATION FOR ASSISTANCE UNDER THE HARDEN SHOPFRONT FAÇADE IMPROVEMENT POLICY

*16/147 RESOLVED: That Council;*

1. *approve the application for assistance in the amount of \$1,040.00 in accordance with the Shopfront Façade Improvement Policy of the former Harden Shire Council; and*
2. *notify the applicant of the outcome to the application for assistance.*

*Moved and declared carried by: Administrator W Tuckerman*

## 16/104 – POTENTIAL SALE OF COUNCIL INDUSTRIAL LAND – LONG STREET BOOROWA

*16/148 RESOLVED: That Council;*

1. *proceed with the lodgement of a Development application for a boundary adjustment to Lot 1 DP789857 and Lot 1 DP 221020;*
2. *offer proposed Lot 1 of the subdivision for sale by tender process once the development application has been approved; and*
3. *set a reserve in accordance with the value provided in the report.*

*Moved and declared carried by: Administrator W Tuckerman*

## GENERAL MANAGERS LATE – CLOSED REPORT

### 16/105 – SQUIRES CREDIT SAIL REPORT

*16/149 RESOLVED:*

*That Council remain part of the class action and note the proceedings to date.*

*Moved and declared carried by: Administrator W Tuckerman*

\_\_\_\_\_  
General Manager

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Administrator

# HILLTOPS COUNCIL ORDINARY MEETING MINUTES

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*16/150 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, 26 October 2016, commencing at 5.30pm.

## **TERMINATION**

There being no further business the meeting closed 6.22pm.

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General Manager

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Administrator