

BLUE MOUNTAINS CITY COUNCIL

ORDINARY MEETING

22 AUGUST 2006

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BLUE MOUNTAINS CITY COUNCIL

Minutes of the Ordinary Meeting of the Council of the City of Blue Mountains held in the Council Chamber, Administrative Headquarters, Civic Place, Katoomba on Tuesday, 22 August 2006, commencing at 7:30 pm.

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There were present:

The Mayor (Councillor Jim Angel) in the Chair, and Councillors Creed, Frappell, Hamilton, McInnes, McLaren, Myles, O'Grady, Trindall and Van der Kley.

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In attendance:

General Manager, Group Manager BM City Services, Group Manager Community & Corporate, Group Manager Environmental & Customer Services, Executive Officer, Manager Assets, Manager Corporate Planning, Manager Corporate Finance, Manager Environmental Management, Council Meeting Officer and Assistant Council Meeting Officer.

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Prayer / Reflection:

The Prayer / Reflection was read by the Mayor, as was the acknowledgment of the traditional owners, the Darug and Gundungurra people.

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MINUTE NO. 675

C00679. Apologies and Leave of Absence

RESOLVED UNANIMOUSLY on the MOTION of Councillors O'Grady and McInnes that the apology tendered on behalf of Councillors Brown and Searle for their non attendance at the meeting be accepted and leave of absence granted.

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MINUTE NO. 676

C00336. Confirmation of Minutes - Ordinary Meeting, 1/08/06

RESOLVED UNANIMOUSLY on the MOTION of Councillors Van Der Kley and McInnes that the Minutes of the Ordinary Meeting of 1 August 2006 be confirmed.

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MINUTE NO. 677

1. C06064. Review of the Rural Fires Act

RESOLVED UNANIMOUSLY on the MOTION of Councillors Van der Kley and McLaren:

1. That the Minute by the Mayor be received.
2. That the following motion be put to the Local Government Association Annual Conference (Call for Motions)

“That the Local Government and Shires Association request the Minister for Emergency Services to undertake a full review of the Rural Fires Act 1997, in consultation with Local Government, to match responsibility with accountability.”

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MINUTE NO. 678

S1. C01774. Commemorative Naming of Emergency Services Centre, Katoomba

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and Van der Kley:

1. That Council request the New South Wales Rural Fire Service to seek approval of the Minister for Emergency Services and provide the Ministers consent to the naming of the Centre.
2. That, subject to approval of the Minister for Emergency Services concurring with the proposal, the Council resolve to give public notice to the proposal of naming the Katoomba Emergency Services Centre “The Kevin Grady and Vince Ward Memorial Emergency Services Centre”, in honour of their services to the City of the Blue Mountains.
3. That at the conclusion of the public exhibition period of 28 days, a report be brought to the Council outlining any public submissions in order to make a final determination on the proposed naming of the centre.

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MINUTE NO. 679

S2. C07643. Local Government Association Annual Conference (Call for Motions)

A MOTION was moved by Councillors McInnes and McLaren:

1. That the Minute by the Mayor be received.
2. That the following motions be put to the Local Government Association Annual Conference (Call for Motions)

- a. “That the Federal and State Governments, in the next 5 years, work towards Local Government increasing the percentage of total tax revenue to 2% to support the provision of local infrastructure and services commensurate with the expectations of a first world economy and ensure that every local Council can provide a viable and sustainable future for its’ residents.”

Clr Hamilton

- b. “That Councils who have formed East Timor Friendship Committees in New South Wales encourage the remaining Councils to develop friendship committees with East Timor, in order that partnerships may be formed to:

- i Enable major projects in East Timor to be undertaken;
- ii Provide assistance in the current period of civil unrest; and,
- iii Support the maintenance by Australia of a substantial force of peacekeepers in East Timor within the guidelines set by the UN.”

Clr O’Grady

- c. “That Councils offer their support in the form of providing active membership to the Independent Community Groundwater Reference Group that has been established by Wingecarribee Shire Council”.

Clr McInnes

- d. “That the LGA call on the Federal Govt not to impose a nuclear waste dump on the Northern Territory for the following reasons:

- i The Federal Government’s plan to dump nuclear waste in the Northern Territory is a direct breach of promises made before the 2004 federal election; and
- ii The site requires the transportation of nuclear waste through numerous local government areas without due regard for health and safety concerns

The “Commonwealth Radioactive Waste Management Bill” was passed through the Federal Parliament in 2005 to by-pass normal decision making processes in relation to the proposed nuclear waste dump. This legislation undermines numerous environmental, public safety and Aboriginal heritage protections.”

Clr McInnes

Upon being PUT to the Meeting, the MOTION was CARRIED, the voting being:

For		Against	
Councillors	Angel Creed Frappell Hamilton McInnes McLaren Myles O'Grady Trindall	Councillors	Van der Kley

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MINUTE NO. 680

2. C06814. 2006 Local Government Association Conference - Nomination of Delegates

RESOLVED UNANIMOUSLY on the MOTION of Councillors Myles and Creed:

- 1. That the Council representatives attend the 2006 Local Government Association Conference to be held in the Blue Mountains 28 October – 1 November 2006 .**
- 2. That the Council nominate the four voting delegates for the 2006 Local Government Association Conference.**
- 3. That the Council nominate any other observers to the 2006 Local Government Association Conference.**

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MINUTE NO. 681

2. C06814. 2006 Local Government Association Conference - Nomination of Delegates

RESOLVED UNANIMOUSLY on the MOTION of Councillors Myles and Creed **that Councillors Angel, Creed, Hamilton and Van der Kley attend the 2006 Local Government Association Conference to be held in the Blue Mountains from 28 October – 1 November 2006, as the Council representatives, and be the Council voting delegates. All other Councillors are to attend the 2006 Local Government Association Conference as Observers, except for Councillor Myles, who will attend in his role of LGA Executive member.**

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MINUTE NO. 682

3. C01900. June Quarter 2005-2006 End of Year Report - Management Plan (Including Capital Works Program) and Operating Budget

RESOLVED UNANIMOUSLY on the MOTION of Councillors Van der Kley and Hamilton:

1. That the General Manager's report together with the accompanying documents titled "Quarterly Review Management Plan including Capital Works June 2006 - 2005/2006" and "Quarterly Review Budget June 2006 - 2005/2006" (both separately enclosed) be noted and endorsed.
2. That the variations of income and expenditure as identified in the accompanying documents be noted.
3. That the recommended carry-forward budgets, be approved and voted.

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MINUTE NO. 683

4. C07759. Minor Changes to 2006-2007 Fees and Charges

RESOLVED UNANIMOUSLY on the MOTION of Councillors Van der Kley and McLaren:

1. That the Council note the change to the fee for Section 603 certificates.
2. That the Council adopt the change to the delivery fee for outgoing materials from the Council's Resource Conservation Centre as provided in the table "Amended Fee".
3. That the relevant documents be amended to reflect the fee changes.

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MINUTE NO. 684

5. C07715. Proposed Lease to Telstra for Telecommunications Facility - Great Western Highway, Valley Heights

The Meeting was addressed by Spencer Lee and Doug Knowles.

A MOTION was moved by Councillors Trindall and McLaren that the Council refuse to lease land – the portion of road reserve at Valley Heights to Telstra Corporation.

An AMENDMENT was moved by Councillors Van der Kley and Creed **that this matter be deferred to a Working Party.**

Upon being PUT to the Meeting, the AMENDMENT was AGREED TO with the casting vote of the Mayor and BECAME the MOTION, the voting being:

For		Against	
Councillors	Angel Creed Frappell O'Grady Van der Kley	Councillors	Hamilton McInnes McLaren Myles Trindall

Upon being PUT to the Meeting, the MOTION was CARRIED, the voting being:

For		Against	
Councillors	Angel Creed Frappell McInnes O'Grady Van der Kley	Councillors	Hamilton McLaren Myles Trindall

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MINUTE NO. 685

6. A48537. C02864. Sale of the Council Land Redfern and Walker Streets, Wentworth Falls

RESOLVED UNANIMOUSLY on the MOTION of Councillors Van der Kley and McLaren:

1. That further to a report to the Council dated 20 June 2006 in which the Council resolved as follows:
 - "1. That the Council sell to the owner of Lots 88 in Deposited Plan 31895 Redfern Street, Wentworth Falls Lots 86, 87 and 97 in Deposited Plan 31895 and that these four lots be consolidated as one single lot.
2. That a Section 88B covenant to be applied to all consolidated lots and this covenant includes, but is not limited to:
 - a) Provision to ensure one dwelling only and no potential for future subdivision.
 - b) The location and extent of one building envelope be identified (determined following further detailed assessment by the Council).
 - c) Protection of all identified sensitive land, vegetation and other environmental features, including the watercourse and its riparian zone, located outside of the building envelope.
 - d) That no environmental weeds are to be planted or maintained.

- e) **Vegetation management be undertaken in strict accordance with a Vegetation Management Plan to be prepared by a suitably qualified person, in consultation with, and with the approval of, the Council. The Plan should cover native vegetation retention, development and maintenance of a bushfire Asset Protection Zone, protection of riparian vegetation and weed management.**

- 3. **That it be noted the Council may require, as part of any development application, a supplementary Vegetation Management Plan for P.acerosa. This is to be established at the time of lodging a Development Application. A similar condition has been previously applied to a recent development application for Redfern Street and the outcome of this Plan will influence whether a further Plan is required."**

(Minute No. 612, 20/6/06)

The following resolutions be added.

- 4. **That the Lots 86, 87 & 97 in Deposited Plan 31895 be sold for \$120,000.**

- 5. **That the Common Seal of Council be attached to the necessary documents.**

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MINUTE NO. 686

7. H01013. Proposed Naming of the Denis Kevans Reserve

RESOLVED UNANIMOUSLY on the MOTION of Councillors Van der Kley and McLaren:

- 1. **That the Council receive the report and note the summary of public submissions.**

- 2. **That the Council resolve that the nomination of the commemorative naming of the parcels of Community Land (lots 1-5/1/759075) as "Denis Kevans Reserve" be forwarded to the Geographical Names Board of NSW for formal listing.**

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MINUTE NO. 687

8. H01269. Sports Council Update of Activities & Achievements

RESOLVED UNANIMOUSLY on the MOTION of Councillors Van der Kley and McLaren:

- 1. **That following the 28 August Sports Council Annual General Meeting a report be submitted to the Council advising of the new Sports Council membership.**

- 2. **That the Council acknowledge the efforts of the Sports Council during its second term of operation.**

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MINUTE NO. 688

9. C00944. Community Assistance / Donations - Recommendations by Councillors

RESOLVED UNANIMOUSLY on the MOTION of Councillors Van der Kley and McLaren:

1. That the Council approve the following donations from the Councillors' Minor Local Projects Vote:

<u>Organisation</u>	<u>Amount</u>
Veera Parakramabahu Foundation Inc.	\$200
Special Olympics Blue Mountains Region	\$200
Euroka Children's Centre Inc.	\$200
Springwood High School P&C	\$120
Blue Mountains X	\$100
Katoomba Public School P&C	\$100

2. That the Council approve the following donation from the Mayoral Contingency Fund:

<u>Organisation</u>	<u>Amount</u>
Mountains Outreach Community Service Inc.	\$500

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MINUTE NO. 689

10. C00291. NSW Local Government Aboriginal Network

RESOLVED UNANIMOUSLY on the MOTION of Councillors Van der Kley and McLaren that the Council becomes a member of the NSW Local Government Aboriginal Network at a cost of \$132 (plus GST) per year.

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MINUTE NO. 690

11. C00680. Precis of Selected Correspondence, 22/8/2006

RESOLVED UNANIMOUSLY on the MOTION of Councillors Van der Kley and McLaren that the Precis of Selected Correspondence be received and appropriate letters forwarded where necessary.

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MINUTE NO. 691

C00336. Procedural – Matter of Urgency

A MOTION was moved by Councillors Hamilton and O’Grady **that a Matter of Urgency be heard.**

Upon being PUT to the Meeting, the MOTION was CARRIED, the voting being:

For **Against**

Councillors	Angel Creed Frappell Hamilton McLaren Myles O’Grady Trindall Van der Kley	Councillors	McInnes
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MINUTE NO. 692

Electricity Mains within Sublime Point Road, Leura

A MOTION was moved by Councillors Hamilton and O’Grady **that the Council writes to Patricia Woodbury, General Manager, and Mark Bean, Environmental Specialist, Asset Management Services, Integral Energy, 51 Huntingwood Drive, Huntingwood, 2148, inviting them to attend a Council Environmental and Planning Working Party meeting, preferably during a weekend, with residents to discuss the details of its’ letter to these residents, dated 26 July 2006, regarding electricity mains within Sublime Point Road, Leura, and the Hon. Bob Debus, Member for the Blue Mountains, also be invited to attend this meeting.**

Upon being PUT to the Meeting, the MOTION was CARRIED, the voting being:

For **Against**

Councillors	Angel Creed Frappell Hamilton McLaren Myles O’Grady Trindall Van der Kley	Councillors	McInnes
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MINUTE NO. 693

C00336. Procedural - Question that Meeting Close

As there was no further business before the meeting, the Mayor then PUT the QUESTION **“that the Council Meeting now close”**.

Upon being PUT to the meeting, the QUESTION was AGREED TO UNANIMOUSLY, the time being 8:28 pm on Tuesday, 22 August 2006.

The Ordinary Meeting of the Council then closed until 7:30 pm on Tuesday, 5 September 2006 in the Council Chamber, Council Headquarters, 2 Civic Place, Katoomba.

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