

**MINUTE BY MAYOR**

Ordinary Meeting, 25/1/05

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**ITEM NO: 1**

**SUBJECT: BLUE MOUNTAINS MUSIC WEEK PROPOSAL**

**FILE NO: H00600**

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**Recommendation:**

*That Blue Mountains City Council proclaim the week of 21-26 November, 2005 as Blue Mountains Music Week.*

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**Minute by Mayor:**

A proposal has been received from Mr. Ken Quinnell, President, Blue Mountains Public Broadcasting Society (BLU FM 89.1) asking if Council could proclaim the week of 21-26 November, 2005 as Blue Mountains Music Week.

The proposal is outlined as follows:

“The proclamation of an Annual Blue Mountains Music Week will increase the profile of music of all kinds in the Blue Mountains.

The Blue Mountains is one of the most musically rich and prolific areas of Australia and Blue Mountains Music Week will help support and expand the local music scene.

Live music makes a significant contribution to the cultural and economic life and well-being of our community and plays an important role in bringing people together.

Music Week will highlight our existing and up-and-coming musical talent and bring together musicians, music devotees, local music industry professionals and the media in a pivotal City-wide celebration.

Music venues that support local music will be invited to participate in Music Week which is proposed for 21-26 November, 2005.

BLU FM is planning for the week to culminate with the Inaugural Blue Mountains Music Awards, a red-carpet gala night of nights with special guests. The awards will salute the culture, community and on-going success of local music.”

According to Mr. Quinnell, Blue Mountains Music Week will provide an opportunity for all of us to join together to advance the cause of local music and promote the joys and pleasures to be gained from making music.

I ask that this proposal be considered by Council and would recommend that the week of 21-26 November, 2005 be proclaimed as Blue Mountains Music Week.

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Ordinary Meeting, 25/1/05

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**ITEM NO: 2**

**SUBJECT: COUNCIL'S RESPONSE TO TSUNAMI DISASTER**

**FILE NO:**

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**Recommendations:**

1. *That Council work in conjunction with other WSROC Councils and the LGSA to co-ordinate a response to victims of the Tsunami Disaster.*
  2. *That Council support community fund raising activities where possible.*
  3. *That Council match all money raised by staff for disaster relief.*
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**Minute by Mayor:**

Since the Tsunami Disaster hit in Asia Blue Mountains Council has supported fundraising and relief activities undertaken in the Blue Mountains.

On Saturday 8 January a concert was held at the Civic Centre in Katoomba. The Concert was organised by the 'Movement for Change' and 'Blue Mountains Women's Action Group' and supported by Council and raised over \$5,000 on the night.

Council is supporting another fundraising concert by Lions Clubs at Springwood Civic Centre on 29 January.

As well Council has worked with Rotary to facilitate the collection of money at the key tourist destinations of Echo Point and Scenic World in Katoomba and in Leura Mall. Rotary collected over \$12,000 in one weekend.

A number of Council staff have registered to volunteer overseas and Council will be supporting them.

Blue Mountains Council has agreed to participate in WSROC's coordination of cash donations from member Councils and to participate longer-term response which will focus on the provision of ongoing assistance by WSROC Councils as part of the rebuilding process to a specific region in the affected area

Staff at Council are holding a fundraising cricket match at lunchtime on Friday 28 January and Council will match, dollar for dollar, any money raised by staff.

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**ITEM NO: 3**

**SUBJECT: ESTABLISHMENT OF FRIENDSHIP RELATIONSHIP WITH TIMOR-LESTE**

**FILE NO: C06050**

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**Recommendations:**

1. *That Council endorse the establishment of a Friendship Relationship with the district of Timor-Leste.*
  2. *That expressions of interest be called for community representatives on a Friendship Committee.*
  3. *That interested Councillors be invited to nominate and act as a panel for the selection of, and the number of, community representatives.*
  4. *That a terms of reference be developed by the Friendship Committee in consultation with the Consul-General, Mr. Abel Guterres.*
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**Minute by Mayor:**

On the evening of Thursday, 1 December, 2004, I, along with several Councillors, attended an Information Session on the Establishment of Friendship Relationships.

The Guest Speaker was Abel Guterres, Consul-General, Democratic Republic of Timor-Leste. He spoke about the long-standing bonds between the people of Australia and his country and the need for friendship relationships between Local Governments in New South Wales and districts in the new republic.

The Democratic Republic of Timor-Leste is the youngest nation in the world. Democracy and Local Government have been introduced only recently and the country is eager for assistance from its neighbours in developing capacity.

Australians have had strong feelings of regard for the nation since World War II and many people are showing their willingness to support Timor-Leste by offers of help.

The process to start the establishment of a Friendship Relationship with a district in Timor-Leste as recommended by Mr. Guterres is the establishment of a committee comprising Council and community representatives.

This Committee would meet and establish a terms of reference and consult with Mr. Guterres for guidance and his suggestion for a Sub-District in Timor-Leste for a Friendship Relationship.

**Community to Community:**

**Friendship Relationships between Councils and Communities in Australia and Local Communities in Timor-Leste**

**Background**

The concept of linking local communities in Australia and local communities in Timor-Leste took its first steps in the 1999 popular consultation referendum supervised by the United Nations.

**President's endorsement**

The concept of developing Friendship Relationships came into fruition early in 2000. President of Timor-Leste, H. E. Kay Rala Xanana Gusmao signed, on behalf of Timor Leste, a Community-to-Community relationship with Leichhardt Council in New South Wales and a Memorandum of Understanding with the Victorian Local Governance Association, the Municipal Association of Victoria and the Minister for Local Government in Victoria.

Since then several communities, with the support of their Councils, have signed Friendship Relationships with communities in Timor-Leste including:

- SSROC
- Bega Valley Shire Council
- Leeton Shire Council

**Objective**

The programme aims to develop friendship, support and cross-cultural understanding at a grassroots level between the people of Timor-Leste and the people of Australia and New Zealand through local councils.

Mr. Abel Guterres, the Consul-General for Timor-Leste in Australia guides the programme on behalf of the Government of Timor Leste.

**United Nations Popular Consultation Referendum**

Post the 1999 Popular Consultation and the 2002 Independence of Timor-Leste, a more formal Friendship Cities Programme was established to re-ignite the friendship between Australians and East Timorese. It is now flourishing, as communities make arrangements to support and interact with each other.

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**Aid, Solidarity and Support**

Timor-Leste is receiving support from the Australian Federal Government in Canberra, through AusAid programmes, from the states, especially New South Wales and Victoria and from the Local Government through the Friendship Relationships Programme and numerous non-government organizations, such as Australian Volunteers International, Oxfam Community Aid Abroad, Australian Peoples Humanitarian International Development Aid, churches, community groups and Service Clubs such as Rotary International, Lions International and Kiwanis International. The New Zealand Government, communities and non-government organizations, such as VSA, Oxfam New Zealand and CORSO, have all provided assistance.

**Experience and Expertise:**

**Why is Local Government sought after for the Friendship Programme?**

Local Government is small and has special expertise and knowledge about local issues, local governance, democratic processes, town planning and management, responsibility, accountability and all the facets of effective Local Government.

**How does this relate to Timor-Leste's needs and aspirations?**

Being local and small government, it is appropriate for Timor-Leste's Local Governments to learn from the experience and expertise of Local Government in Australian and New Zealand.

**Friendship Schools**

Within each Local Government area there are schools, churches and community groups and service clubs that can also make a friendship link with the respective Districts and Sub-Districts in Timor-Leste. The ALOLA Foundation run by Timor-Leste's First Lady, Mrs. Kirsty Sword Gusmao, is co-ordinating the Friendship Schools Programme with the Ministries of Education, State Administration and Foreign Affairs.

**Good neighbourhood, peaceful co-existence and economic interaction**

At a broader level, these friendships and interactions will result in good neighbourhood peaceful co-existence, future economic and business trade between Timor-Leste and its two neighbours.

**Current Friendship Relationships**

**Australian Local Governments Timor-Leste Sub-Districts**

1. City of Ballarat, Vic Ainaro
2. City of Brisbane, QLD Oecussi
3. City of Boroondara, Vic. Same
4. City of Canberra, ACT Dili
5. City of Darwin, NT Dili
6. City of Greater Geelong, Vic Viqueque
7. Shire of Caloola Gympie QLD Laga

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8. +9.Cities of Yarra and Darebin, Vic Baucau
10. City of Kingston, Vic Manatuto
11. Whitehorse Friends of Oecussi Vic Oecussi
13. City of Leichhardt, NSW Malina
14. City of Mooney Valley, Vic Liquica
15. + 16. Cities of Moreland and Hume, Vic Aileu
17. City of Port Phillip, Vic Suai
18. City of Casey, Vic. Ermera
19. –30 SSROC – 11 Cities of Southern Sydney Uatocarbau and Lliomar  
Regional Organisation of Councils NSW
31. Maryborough Friend of East Timor Village of Loihuno/Ossu

**New Zealand**

Possibilities for New Zealand Local Governments to join the Friendship Programme for Covalima Sub-Districts including Lolotoe in Bobonaro District.

**Suggestions for practical support projects**

Skill development training for Local Government personnel and others

- District Administrator
- Sub-District Administrator
- District Development Officer
- Sub-District Community Development Officer
- Community Leaders – Women and Youth Organisations
- Teachers
- Nurses
- Librarians
- Trade skills (Electricians, Plumbers, Builders and Motor Mechanics, etc.)

It is therefore **recommended** that Council establish a Friendship Relationship with a district of Timor-Leste and that a committee of Councillors and members of the community develop a terms of reference.

**QUALITY LOCAL GOVERNMENT**

Ordinary Meeting, 25/1/05

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**ITEM NO: 4**

**SUBJECT: SCHEDULES OF INVESTED MONIES**

**FILE NO: C00694**

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**Recommendation:**

*That the Schedules of Invested Monies as at 30 November 2004 and 31 December 2004 be received.*

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**Report by Group Manager, Corporate Policy:**

This report is submitted for the purposes of financial accountability and in satisfaction of the Financial Regulations under the Local Government Act, 1993. The Schedules of Council's Invested Monies as at 30 November 2004 and 31 December 2004 are attached for information.

Interest returns on Council's investments are slightly above budget due to the better than anticipated cash position for this part of the financial year.

## QUALITY LOCAL GOVERNMENT

Item 4 - Ordinary Meeting, 25/1/05

Attachment

## BLUE MOUNTAINS CITY COUNCIL

## SCHEDULE OF INVESTED MONIES

*Report prepared to 30 November 2004*

<i>Institution and Fund</i>	<i>Return for Month</i>	<i>Return Year to Date</i>	<i>Current Fixed Rate</i>	<i>Investment Value</i>
Commonwealth Bank of Australia *	5.50%		5.50%	\$2,235,818
National Australia Bank – Offset *	5.48%		5.48%	\$2,674,672
National Australia Bank – Call a/c	N/a	N/a	Variable	2,000,000
Macquarie Bank – Diversified Treasury	6.17%	6.08%		\$171,119
Deutsche Bank – Cash Plus Fund	6.51%	6.38%		\$91,603
UBS Cash-Plus	6.38%	6.18%		\$1,936,236
CBA Series 12 **	6.4783%			\$500,000
CBA Series 18**	6.44%			\$500,000
Grange Securities **	5.585%			\$503,050
Grange Securities **	6.74%		Variable	\$500,750
Grange Securities **	6.8933%		Variable	\$1,000,000
Grange Securities **	6.45%		Variable	500,000
			<b>Total</b>	<b>12,613,249</b>
<b>UBSWA Bank Bill Index</b>	<b>5.56%</b>	<b>5.56%</b>		

\* These investments are in a loan offset facility with a 0.15% p.a. differential. This equates to a net debt service cost of \$1,500 per \$1 million placed in this facility, or a total of \$13,500 p.a. based on the current level of funds invested.

\*\* Interest paid quarterly

*Interest Income to date - Budget vs Actual*

	<b>Financial Year to Date</b>
Budgeted Return	<b>\$310,260</b>
Council's Actual Return	<b>\$313,694</b>

I certify and report that the Schedule of Invested Monies listed above describes all Council's funds invested by virtue of Section 625 of the Local Government Act, 1993. The monies referred to in this Schedule are invested in accordance with the Act, Regulation 19(3) to the Act and Council Policy.



Wayne Rogers  
Responsible Accounting Officer

## QUALITY LOCAL GOVERNMENT

Item 4 - Ordinary Meeting, 25/1/05

Attachment

## BLUE MOUNTAINS CITY COUNCIL

## SCHEDULE OF INVESTED MONIES

*Report prepared to 31 December 2004*

<i>Institution and Fund</i>	<i>Return for Month</i>	<i>Return Year to Date</i>	<i>Current Fixed Rate</i>	<i>Investment Value</i>
Commonwealth Bank of Australia *	5.46%		5.46%	2,235,818
National Australia Bank – Offset *	5.48%		5.48%	2,508,450
National Australia Bank – Call a/c	N/a	N/a	Variable	900,000
Macquarie Bank – Diversified Treasury	6.43%	6.14%		171,992
Deutsche Bank – Cash Plus Fund	6.8%	6.45%		92,072
UBS Cash-Plus	6.42%	6.22%		1,946,142
Macquarie Financial Services	7.4%			500,000
CBA Series 12 **	6.4783%			500,000
CBA Series 18**	6.39%			500,000
Grange Securities **	6.74%			503,050
Grange Securities **	6.69%		Variable	500,750
Grange Securities **	6.91%		Variable	1,000,000
Grange Securities **	6.42%		Variable	500,000
			<b>Total</b>	<b><u>11,858,274</u></b>
<b>UBSWA Bank Bill Index</b>	<b>5.51%</b>	<b>5.55%</b>		

\* These investments are in a loan offset facility with a 0.15% p.a. differential. This equates to a net debt service cost of \$1,500 per \$1 million placed in this facility, or a total of \$13,500 p.a. based on the current level of funds invested.

\*\* Interest paid quarterly

*Interest Income to date - Budget vs Actual*

	<b>Financial Year to Date</b>
Budgeted Return	<b>\$372,312</b>
Council's Actual Return	<b>\$380,266</b>

I certify and report that the Schedule of Invested Monies listed above describes all Council's funds invested by virtue of Section 625 of the Local Government Act, 1993. The monies referred to in this Schedule are invested in accordance with the Act, Regulation 19(3) to the Act and Council Policy.



Wayne Rogers  
Responsible Accounting Officer

**QUALITY LOCAL GOVERNMENT**

Ordinary Meeting, 25/1/05

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**ITEM NO: 5**

**SUBJECT: SALE OF LAND AT 31 PARKES CRESCENT, FAULCONBRIDGE**

**FILE NO: C00851**

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**Recommendations:**

1. *That the information contained in this report be received and noted.*
  2. *That Council grant an option to purchase Lot 27 DP 8210 being 31 Parkes Crescent, Faulconbridge for a non-refundable fee of \$5,000 for a six-month period at the sale price of \$100,000.*
  3. *That Council's Common Seal be affixed to the necessary documents relating to this matter.*
- 

**Report by Group Manager, Corporate Policy:**

This report informs Council of the results of selling the properties at 26 Railway Avenue and 31 Parkes Crescent, Faulconbridge at public auction. The report advises Council of the successful negotiations with highest bidders for the sale of 26 Railway Parade, Faulconbridge for \$200,000. The report also seeks Council's approval to grant an option to purchase the land at 31 Parkes Crescent, Faulconbridge for a non-refundable fee of \$5,000 for a six-month period at the sale price of \$100,000.

**Background**

Council at its meeting of 8 June 2004 considered a report on the sale of land in Warrimoo and Faulconbridge to fund purchase of land for South Warrimoo Park and resolved (Minute 249) inter alia:

3. *That the necessary arrangements be made for sale by public auction of 26 Railway Avenue, Faulconbridge, being Lot 72 in DP 8210, and 31 Parkes Crescent, Faulconbridge, being Lot 27 in DP 8210.*
4. *That the General Manager or his nominee be delegated authority to set the reserve prices for the land sales in resolutions 2 and 3, after taking advice from Council's Registered Valuer.*
5. *That Council's Common Seal be affixed to the necessary documents relating to this matter."*

Under Local Environmental Plan No.4 (LEP4), both properties at 26 Railway Avenue and 31 Parkes Crescent, Faulconbridge are zoned "Local Road Proposed". However, under the Draft LEP 2002 both properties are proposed to be zoned as "Living Bushland Conservation" which would allow a residential dwelling on each site.

**QUALITY LOCAL GOVERNMENT**

**Item 5 - Ordinary Meeting, 25/1/05**

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The public auction took place on 12 September 2004. The licensed Auctioneer conducted the auction and there were approximately 15 people in attendance. Five parties registered to bid. Both properties were passed in at the public auction as they did not reach the reserve prices.

**Negotiations**

Negotiations took place with the highest bidders after the auction and resulted in a sale price of \$200,000 on the property at 26 Railway Avenue, Faulconbridge. This sale has not as yet exchanged contract, as the proposed purchaser would like to include a condition enabling settlement of the purchase after gazettal of the Draft LEP 2002.

Negotiations with the highest bidders on 31 Parkes Crescent, Faulconbridge were not successful. The land has a total area of approximately 594 m<sup>2</sup>, faces south and has a huge rock face across the front of the site. While there is some problem with the position of the sewer which should be able to be overcome at a cost, the site will pose some restrictions for construction of a dwelling. Opinion is that the land will not accommodate a project home, requiring a specific design instead.

Following the unsuccessful negotiations with the highest bidder at the auction, advertisements were placed in the local paper and with all of the lower mountains real estate agents. This resulted in mediocre interest but no offers for the land.

Finally an offer was received to purchase the property for \$100,000 conditional upon development consent. Such a condition would potentially place Council (as the consent authority) in undesirable situation as Council could be seen as having a conflict of interest while dealing with the assessment of the development application and at the same time enforcing the terms and conditions of the contract for the sale of land. A counter offer was made that subject to Council's concurrence a "Put and Call Option" for a non-refundable fee of \$5,000 be granted to the proposed purchaser for a period of six months. This would allow the proposed purchaser time to apply for development approval and to make final decision on whether or not to proceed with the purchase of the land.

**Conclusion**

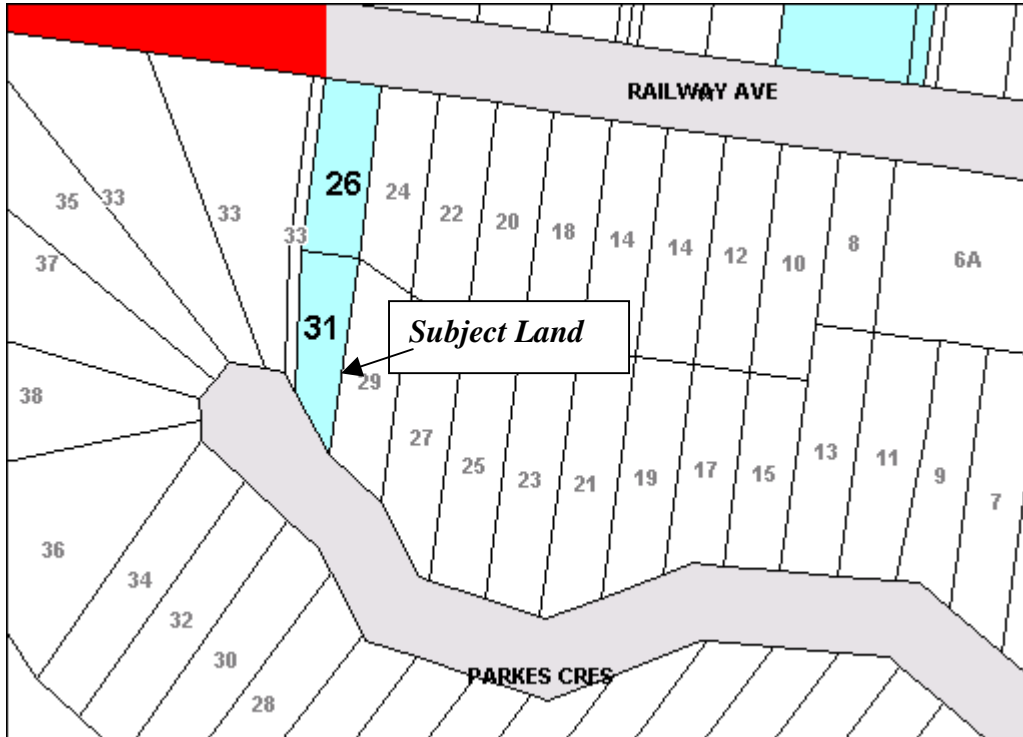
Subject to gazettal of the Draft LEP 2002, it is expected that the property at 26 Railway Avenue, Faulconbridge will be sold to the highest bidder at the public auction on 12 September 2004 for \$200,000.

Having regard to features and difficulties associated with the property at 31 Parkes Crescent, Faulconbridge, it is considered that the offer of \$100,000 for the land is reasonable and acceptable. It is also considered reasonable for prospective purchasers to seek an option to buy the property after knowing whether a residential dwelling is permissible and able to be built upon the land.

In view of the above, it is recommended that Council grant an option to purchase 31 Parkes Crescent, Faulconbridge for a non-refundable fee of \$5,000 for a six-month period at the sale price of \$100,000.

Attachment

SITE PLAN



**QUALITY LOCAL GOVERNMENT**

Ordinary Meeting, 25/1/05

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**ITEM NO: 6**

**SUBJECT: KATOOMBA GOLF COURSE DEVELOPMENT**

**FILE NO: H00003**

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**Recommendations:**

1. *That the information contained in this report be received and noted.*
  2. *That the General Manager or his nominee be authorized to deal with and make determination on any further requests for extension of time relating to the Golf Course upgrade works due to bad and/or wet weather in accordance with the provisions of the Development Agreement.*
- 

**Report by Group Manager, Corporate Policy:**

After the close of the business paper for the last Council meeting in December 2004, Council received a letter from Numarra Pty Limited, on behalf of the Katoomba Escarpments Estate Pty Ltd (KEE), requesting an extension of time for the practical completion of the Katoomba Golf Course upgrade works due to wet weather. As Council was legally obliged to determine the matter within 30 days, it was necessary that the Mayor and General Manager deal with the request under delegated authority. This report advises that consent was given under delegated authority to the extension of time requested, sets out reasons for support of the request and makes a recommendation to deal with any further extension of time if necessary due to weather conditions.

**Background**

Council at its meeting of 18 May 2004 considered a report outlining Council's legal rights, obligations and strategies regarding Noroton Holdings Pty Limited's requests for:

- Council's consent to the proposed assignment of the Lots 1 and 2 Option from Noroton Holdings Pty Limited (Noroton) to a new joint venture company to be established by Noroton and Reed Constructions Australia Pty Limited (RCA), which new company will have as its sole purpose the carrying out of the Katoomba Golf Course Development to completion;
- That all documents necessary to give effect to the proposed assignment of the Lots 1 and 2 Option be executed after the Council is satisfied that the new joint venture company has been incorporated and that its constitution and structure reflects the matters outlined in this report;
- An extension of time to obtain the Construction Certificate for Stage 2 by 31 October 2004;
- An extension of time for completion of the golf course upgrade works by 31 December 2004; and
- Extensions of time regarding Stage 2 for the balance of the residential dwellings and Stage 3 for the construction of the hotel/serviced apartment complex.

**QUALITY LOCAL GOVERNMENT****Item 6 - Ordinary Meeting, 25/1/05**

Consequently, Council resolved (Minute 239) to consent to the proposed assignment of the Lots 1 and 2 purchase Option and grant Noroton Holdings Pty Limited and /or the new joint venture company, being known as KEE, as applicable:

- a) an extension of time for obtaining the Construction Certificate for Stage 2 from 31 July 2004 to 31 October 2004.
- b) an extension of time for completion of the golf course upgrade works from 31 July 2004 to 31 December 2004 .
- c) an extension of time for obtaining the Construction Certificate for Stage 3 from 31 July 2004 to 31 December 2005.”

The assignment of the right to purchase Lots 1 and 2 Option to KEE was completed and the land (Lots 1 and 2) was sold to KEE in June 2004. KEE obtained the Construction Certificate for Stage 2 by 31 October 2004 and was to complete the golf course upgrade works by 31 December 2004. However, Numarra Pty Limited in its facsimile of 13 December 2004 on behalf of KEE requested an extension of 29 days for the practical completion of the golf course upgrade works under clauses 8.8.3, 8.9 and 11.5 of the Development Agreement due to wet weather and wet affected days as detailed in the table below:

<b>Date</b>	<b>Wet Day</b>	<b>Wet Affected Day (Site too wet to work)</b>
8 September 2004	Y	
9 September 2004	Y	
20 September 2004	Y	
1 October 2004	Y	
2 October 2004	Y	
4 October 2004		Y
18 October 2004	Y	
19 October 2004	Y	
20 October 2004	Y	
21 October 2004	Y	
22 October 2004	Y	
23 October 2004	Y	
25 October 2004		Y
26 October 2004		Y
27 October 2004		Y
28 October 2004		Y
5 November 2004	Y	
6 November 2004	Y	
8 November 2004	Y	
9 November 2004	Y	
10 November 2004		Y
12 November 2004		Y
20 November 2004	Y	
22 November 2004		Y

**QUALITY LOCAL GOVERNMENT****Item 6 - Ordinary Meeting, 25/1/05**

<b>Date</b>	<b>Wet Day</b>	<b>Wet Affected Day (Site too wet to work)</b>
3 December 2004		√
4 December 2004	√	
6 December 2004	√	
7 December 2004		√
8 December 2004		√

In addition to the weather related delays, KEE has claimed that the scope of works has also been expanded in recent weeks to incorporate additional improvements to the golf course as agreed with the Katoomba Golf Club. The upgrade works now include the construction of a further four tees and extensive top-dressing and returfing of sections of fairway. This would involve approximately 10 days of work beyond the originally envisaged timeframe.

Taking into account the Christmas and New Year break, weekends and the Australia Day public holiday, KEE requests an extension of time for the practical completion of the golf course upgrade works to 18 February 2005. Council in accordance with Clause 8.9 of the Development Agreement was required to respond within 30 days, i.e. by 11 January 2005.

**Conclusion**

The developer has a contractual right to seek extensions of time in accordance with Clauses 8.8.3, 8.9, 8.11 and 10.8 of the Development Agreement, whereby delays outside the control of the developer have occurred and the date for practical completion of the golf course upgrade works may be extended by the aggregate time of all delays.

The Katoomba Golf Club supports KEE's request for an extension of time for completion of the golf course upgrade works, from 31 December 2004 to 18 February 2005. At a practical level, Council has been seeking to ensure that work on the golf course upgrade proceeds to completion in a satisfactory manner within an acceptable timeframe. The requested extension of time for the golf course upgrade has minimal bearing on Council's rights and community interest in the matter.

As Council was in recess during the period between 15 December 2004 and 24 January 2005, the matter was referred to the committee comprising the Mayor and the General Manager for determination under authority delegated by Council on 14 December 2004. The committee on behalf of Council accepted KEE's request for an extension of time for practical completion of the golf course upgrade works from 31 December 2004 to 18 February 2005.

For practical reasons, it is recommended that the General Manager or his nominee be authorized to deal with and make determination on any further requests for extension of time relating to the golf course upgrade works on the basis of weather in accordance with the provisions of the Development Agreement.

**PROTECTION OF THE NATURAL ENVIRONMENT**

Ordinary Meeting, 25/1/05

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**ITEM NO:** 7

**SUBJECT:** PLASTIC BAGS IN THE BLUE MOUNTAINS

**FILE NO:** C00012

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**Recommendations:**

1. *That Council note and receive the report.*
  2. *That Council support voluntary bans on the use of plastic shopping bags in the Blue Mountains.*
  3. *That Council continue to actively encourage the local community and retail sector to reduce their reliance on plastic bags in the Blue Mountains via national, state and local initiatives.*
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**Report by Group Manager, City Solutions:**

**Introduction**

At the Council Meeting of 27 April 2004, Council resolved as follows:

*“That in recognition of the World Heritage status of the Blue Mountains National Park, Blue Mountains City Council acts to protect our local environment by:*

- a) taking all available steps to encourage local businesses to reduce and, over a two-year period, eliminate the use of plastic bags for shopping purposes, with a report to come back to Council regarding the available and appropriate actions available to Council;*
- b) indicating its intention to, within two years, ban the use of any plastic shopping bags within the Blue Mountains LGA, and a report should come back to Council on the legalities and practicalities of introducing such a ban;*
- c) developing a public awareness campaign to support the policy of ending the use of plastic shopping bags in the Blue Mountains LGA over the next two years; and*
- d) reporting back to Council on the financial impact of Council, retailers and the community of introducing a ban on the use of plastic shopping bags.”*

**Background**

There are many initiatives underway Australia-wide to curb the use of lightweight, single-use plastic shopping bags at a national, state and local level by both government and non-government organisations.

## PROTECTION OF THE NATURAL ENVIRONMENT

### Item 7 - Ordinary Meeting, 25/1/05

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#### **Local: Blue Mountains City Council**

Council has been involved in a number of local initiatives to date in support of the need to reduce plastic bag use by consumers and retailers. A summary of these initiatives is provided below:

- April 2003, Council signed up as an ambassador to the Clean Up Australia *Bag Yourself a Better Environment* national month of action campaign.
- May 2003, Council participated in the first Clean Up Australia plastic bag litter audit.
- June 2003, Council gave away 2,000 reusable bags at the World Environment Day Festival.
- Clean Up Australia day promotion 2003 & 2004 in the Blue Mountains Gazette has included publicity on the plastic bag campaign as well as suggesting practical alternatives.
- May 2004, offered support and advice to Glenbrook Chamber of Commerce regarding their interest in becoming a plastic bag free township.
- July 2004, plastic bag exchange held via the libraries and Springwood and Katoomba B&ICs. 40 000 plastic bags were swapped for 2,000 reusable bags.
- September 2004, Council participated in the second Clean Up Australia plastic bag litter audit, Glenbrook Park and oval.
- October 2004 Council renewed its registration as an ambassador of the Clean up Australia *Say NO to Plastic Bags* campaign.
- Ongoing reference to the reduction of plastic bag use and practical alternatives in Council's Earthworks courses.

#### **State: NSW Government**

The NSW Department of Environment and Conservation (DEC) has listed plastic bags as a waste to receive priority focus in its "Extended Producer Responsibility Priority Statement 2004". Factors such as their volume, the environmental impact and the degree of community concern have lead to its inclusion on the priority list. The DEC will monitor the implementation of the actions in the Code of Practice during 2004. NSW Premier Bob Carr announced during March 2004, that if retailers cannot show they have made significant progress, the NSW Government would work on its own regulation for banning plastic bags.

#### **National**

##### **i) Environment Protection and Heritage Council**

The Environment Protection and Heritage Council (EPHC), of which the NSW Government Environment Minister is a member, has agreed to the phase out of all plastic bags within five years.

In response to a report by the Plastic Bag Working Group of the National Packaging Covenant Council (the Covenant is the leading instrument for managing packaging waste in Australia), the EPHC agreed to ask industry and the community to cut plastic bag litter by 75% by the end of 2004.

## PROTECTION OF THE NATURAL ENVIRONMENT

### **Item 7 - Ordinary Meeting, 25/1/05**

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In addition, the following actions were also agreed: government to develop legislative options, including a possible plastic bag levy and ban on plastic bags; and retailers to develop and implement a strong national Code of Practice for the Management of Plastic Retail Carry Bags by April 2003, which includes targets for recycling and reductions in bag use.

#### **ii) Code of Practice for the Management of Plastic Bags**

In October 2003 the Environment Protection and Heritage Council (EPHC) approved the Australian Retailers' Association (ARA) Code of Practice for the Management of Plastic Bags. This is a voluntary Code, which commits retailers to a number of actions:

- Reduce the number of lightweight plastic bags used by 25% by the end of 2004;
- Increase the recycling of plastic bags;
- Introduce recycled content plastic bags;
- Reducing by 50% the number of lightweight bags used by the end of 2005; and
- Undertake a range of education initiatives.

The interim progress report to the EPHC states that 90% of supermarket retailers in Australia are now signatories to the Code. These signatories include, Coles, Franklins, Woolworths and IGA. The supermarkets are on track to reach the reduction targets of plastic bag use (25% reduction by the end of 2004).

#### **iii) Clean Up Australia**

Clean Up Australia developed the *Bag Yourself a Better Environment* campaign in 2003, a national month of action to promote the reduction of plastic bag use and to assist retailers to achieve the challenges issued by the EPHC. The campaign has continued as a year-round campaign, *Say NO to Plastic Bags*, which includes national, press, radio and TV advertising; supporting publicity; a drive to increase retailer participation; a retailer's kit to support retailers in reducing plastic bag use; and the support of local council campaigns. One of its main aims is to increase participation by non-supermarket and smaller retailers.

Blue Mountains City Council has been an ambassador of both the *Bag Yourself a Better Environment* campaign and currently, the *Say NO to Plastic Bags* campaign and has recently received an Ambassador Kit, which includes publicity material, fact sheets, schools material and appropriate campaign branding for use by Council. It is intended that this material will be used on all related Council initiatives in the future.

#### **iv) Planet Ark**

Planet Ark is a national, not-for-profit organisation (based in the Blue Mountains) focused on environmental issues. It is currently running the *Plastic Bags – Just say No!* campaign. This campaign provides support to Councils and retailers to reduce plastic bag use and also whole towns that choose to go 'plastic bag free' (for example Huskisson, Kangaroo Valley, Coles Bay). Planet Ark is also a partner in the *Plastic Bag Famine*, which was conducted during National Science Week in August 2004 and was very successful.

## PROTECTION OF THE NATURAL ENVIRONMENT

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#### **Introducing a ban on Plastic Shopping Bags in the Blue Mountains**

The Department of Local Government has stated that there is currently no provision in the Local Government Act for Council to regulate the use of plastic bags in the Blue Mountains local government area.

Therefore, Council has no jurisdiction to control the use or otherwise of plastic bags by the retail sector, particularly the franchised supermarkets, or by consumers. As such, Council is better placed to take the lead from the Federal and NSW Governments in terms of policy initiatives, legislation and developments relating to the Code of Practice, which has achieved significant results to date.

However, Council can support proposals by the community to introduce a voluntary ban of plastic bags in particular localities. Council can also engage the business community, particularly the retail sector, and the general community in other activities that aim to reduce the reliance on plastic bags, such as:

- Participation in plastic-bag free initiatives eg, voluntary bans; Plastic Bag Famine;
- Community events relating to plastic bag reduction;
- Promotion of the Australian Code of Practice
- Advice relating to the supply of alternative shopping bags;

#### **Public Awareness Campaign**

Council will continue to actively support the variety of initiatives conducted by non-government organisations, as mentioned earlier in this report, to reduce the reliance on plastic bags by consumers and retailers.

It is in Council's interest to participate in these initiatives as they have a number of advantages, for example:

- Significant community involvement;
- National focus;
- Conducted by high profile, credible non-government environmental organisations; and
- Widespread media exposure and brand recognition.

However, as these initiatives occur in a relatively sporadic way throughout the year, it is difficult to adhere to a specific public awareness strategy and timeframe for this issue. It is preferable that Council continues to be responsive to initiatives relating to plastic bag reduction, whether from government, non-government and community sources. It is suggested that Council's Education for Sustainability Strategy 2004 – 2008 and the Waste Action Plan 2005 (currently being developed) encapsulate the desired objectives of such a public awareness strategy.

In addition to Council's activities to date, detailed above, the Environmental Management Branch intends to undertake the following activities in support of the reduction of plastic bag use in the local government area during the 2004/05 & 2005/06 as follows:

- Develop a register of plastic bag-free businesses in the Blue Mountains LGA -launched on Clean Up Australia Day 2005 (Business Clean Up Day, 1 March 2005);
- Encourage local retailers to officially join the *Say NO to Plastic Bags* program and purchase a Retailers Kit;

## PROTECTION OF THE NATURAL ENVIRONMENT

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- Encourage Coles & K-mart, Katoomba to establish a plastic-bag free check-out lane;
- Investigate the potential involvement of the Sustainable Business project (Blue Mountains Business Advantage program) to link with the plastic bag campaigns;
- Continue to participate in and promote the *Say NO to Plastic Bags* and the *Plastic Bags – Just Say No!* campaigns and the *Plastic bag Famine*;
- Continue the plastic bag exchange where possible;
- Develop a Plastic Bag Fact Sheet as part of a series of Fact Sheet relating to waste issues;
- Utilise existing events and programs to promote the *Say NO to Plastic Bags* and the *Plastic Bags – Just say No!* campaigns;
- Develop a web page with specific information, references and links relating to the plastic bag campaign, including a bag distributor contact list; and
- Respond to future initiatives proposed by the government, non-government and community sectors.

A number of other community education options have been investigated, for example, the free distribution of calico shopping bags (or similar), to all residents in the local government area. However, it is considered that these options are not necessarily effective in facilitating behavioural change.

### **Conclusion**

To date, the Australian institutional response to the issue of reducing the use of plastic bags combined with the wide-range of supporting initiatives, particularly, national retail and community awareness programs outlined in this report, have advanced the cause to reduce the use of plastic shopping bags in Australia significantly in a relatively short timeframe.

There is currently no provision in the Local Government Act for Council to introduce a total ban of plastic shopping bags in the local government area and research suggests that this approach would be seen as excessive and inappropriate. However, Council can play an active role in supporting any proposals for a voluntary ban of plastic bags.

Council can continue to play a critical role in meeting the national objective to reduce the use of plastic bags by engaging the local community in both local and national awareness programs and actions. Local educational initiatives are an important supporting element of other government regulatory mechanisms and voluntary industry programs to reduce plastic bag use.

LAND USE MANAGEMENT

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ITEM NO: 8

SUBJECT: DEVELOPMENT APPLICATION NO. O/2523/2004 FOR THE RE-ZONING OF LOT 1 DP 842612, NO. 219 GREAT WESTERN HIGHWAY, WARRIMOO

FILE NO: Z22/010

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**Recommendations:**

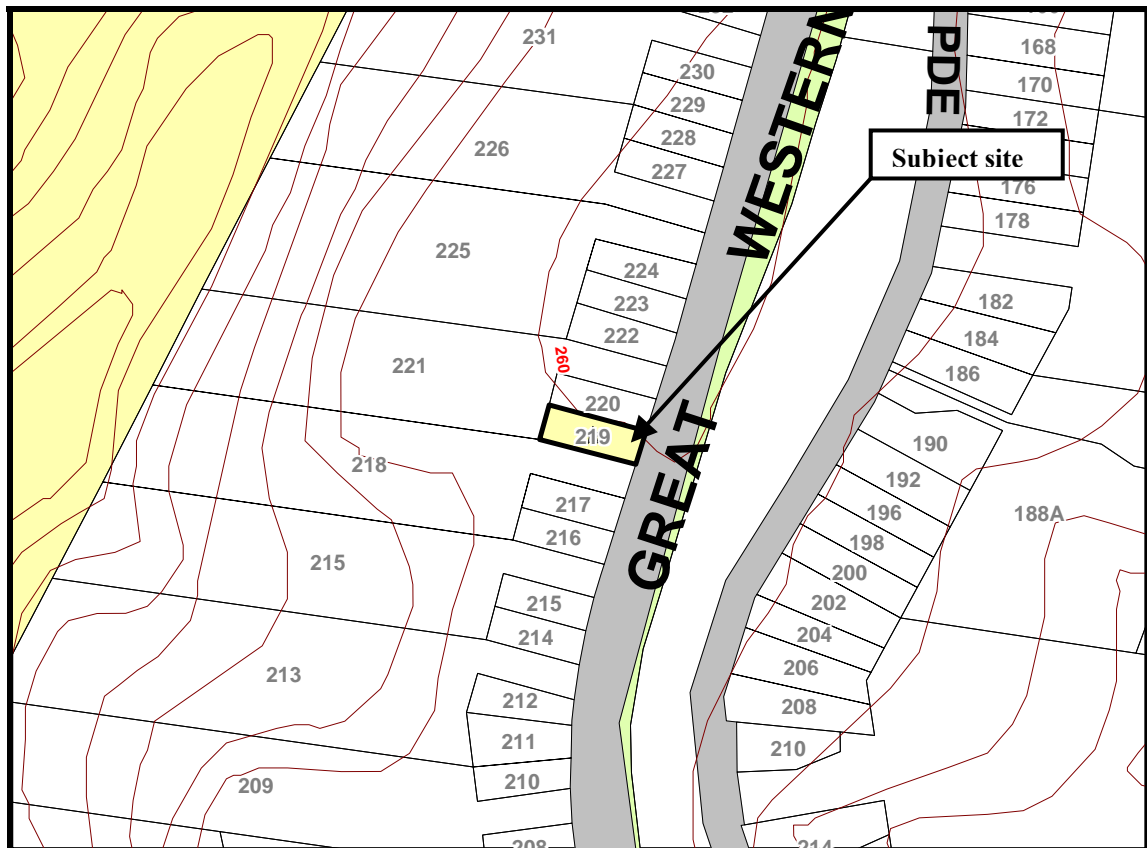
1. *That Council, pursuant to Section 54 of the Environmental Planning and Assessment Act, 1979, prepare a draft Local Environmental Plan which applies to No. 219 Great Western Highway, Warrimoo, Lot 1 in DP 842612, that:*
    - a. *reclassifies the land from Community to Operational Land pursuant to Section 27 of the Local Government Act 1993, with provision made in the draft Local Environmental Plan pursuant to Section 30 of the Local Government Act 1993 to discharge the land of any trusts, estates, interests, dedications, conditions, restrictions and the like that may affect the land; and*
    - b. *rezones the land from Recreational Existing 6(a) under Blue Mountains Local Environmental Plan No. 4 to an appropriate residential zone to permit development for the purpose of a single detached dwelling-house.*
  2. *That the Director General of the Department of Infrastructure, Planning and Natural Resources be informed that:*
    - a. *in Council's opinion, a Local Environmental Study is not required to be carried out in accordance with Section 57 of the Environmental Planning and Assessment Act 1979.*
    - b. *Council intends to exercise its delegations with respect to Section 65 and Section 69 of the Environmental Planning and Assessment Act 1979.*
  3. *That Council publicly exhibit the proposed draft Local Environmental Plan in accordance with the Best Practice Guideline published by the former Department of Urban Affairs and Planning in January 1997 titled 'Local Environmental Plans and Council Land - Guideline for Council using delegated powers to prepare Local Environmental Plans involving land that is or was previously owned or controlled by Council'.*
  4. *That Council notify its intention to hold an independently facilitated public hearing pursuant to Section 29 of the Local Government Act 1993 into the proposed reclassification at the conclusion of the exhibition period.*
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**LAND USE MANAGEMENT**

**Item 8 - Ordinary Meeting, 25/1/05**

**Report by Acting Group Manager, Environmental and Customer Services:**

**Reason for report** Property owned by Council.  
**Applicant/Owner** Blue Mountains City Council  
**Application lodged** 6 October 2004  
**Property address** Lot 1 DP 842612, No. 219 Great Western H' Way, Warrimoo



- Development controls**
- Local Environmental Plan No. 4
    - Recreation Existing 6(a)
  - Draft Local Environmental Plan 1997
    - Recreation
  - Draft Local Environmental Plan 2002
    - Recreation – Open Space

## LAND USE MANAGEMENT

### **Item 8 - Ordinary Meeting, 25/1/05**

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#### **Proposal**

The application proposes to reclassify the site from Community Land to Operational Land and to rezone the site by way of a Draft Local Environmental Plan from its current Recreation Existing 6(a) zoning under Local Environmental Plan No. 4 to a Residential 2(a1) zone and a Living Bushland Conservation zone under Draft Local Environmental Plan 2002. The rezoning is sought as the owners of the land (Blue Mountains City Council) wish to sell the subject site to generate funds for the South Warrimoo Recreation Park.

The use of the land for dwellings and subdivision are presently prohibited land uses/activities under the current zoning of the site.

#### **Background to Application**

Council purchased the subject site in 1975 in connection with its Area Improvement Program for recreational purposes. No further additions or improvements have been made to the site.

Council resolved at its meeting of 3 December 2002 to investigate options for establishing a neighbourhood park in South Warrimoo. The opportunity has arisen to purchase land at No. 14 Arthur Street, Warrimoo from the Anglican Church. The Arthur Street site is Council's preferred option for the development of a new park at Warrimoo.

At its ordinary meeting of the 18 November 2003, Council resolved to pursue the opportunity to develop a park at Arthur Street and further resolved to sell Council land at No. 219 Great Western Highway, Warrimoo in order to fund the project.

#### **Description of site and locality**

The subject site is located on the western side of the Great Western Highway approximately 1,140 metres south of Warrimoo train station. The site is presently vacant. Access is available to the site via a driveway and crossover. The frontage of the site is approximately 15.7 metres and the depth of the allotment is approximately 43 metres and has a total area of 690.4m<sup>2</sup>. The site is relatively flat and falls gently to the rear (west).

The site is adjoined by residential lots to the south and north. The site is adjoined by a large bushland allotment to the west. Further west of the site is Florabella Pass which is zoned Recreation - Environmental Protection.

#### **Public Notification**

The application has not been publicly exhibited, however this would be formally carried out in accordance with the provisions of the Environmental Planning and Assessment Act, 1979, should Council resolve to proceed with the preparation of the draft Plan.

## LAND USE MANAGEMENT

### **Item 8 - Ordinary Meeting, 25/1/05**

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The process for reclassifying Community Land is identical to the rezoning process with the addition of a mandatory public meeting. The former Planning NSW has issued Best Practice Guidelines for this process and these would be followed.

When land owned by the Council is proposed to be rezoned, there is a need to avoid any conflict of interest where Council also acts as a developer. The Best Practice Guideline (January 1997) prepared by the former Department of Urban Affairs and Planning is intended to assist by ensuring that conflicts of interest are disclosed and resolved in an accountable and open manner. For draft Local Environmental Plans the Guideline sets down requirements for exhibition; disclosure of Council's interest in the land; identification of the Plan's purpose; identification of anticipated development and identification of financial implications.

To enable use of the delegations for land in which Council has or has had, an interest, Council must make a resolution to exhibit the proposed draft Local Environmental Plan in accordance with the Best Practice Guideline. The Guideline outlines additional requirements to those specified in the Environmental Planning and Assessment Act for preparing and exhibiting Local Environmental Plans.

The report dated September 2004 prepared by Burrell Threlfo Pagan Pty Ltd, Town Planning Consultants who were engaged to study the site for the Corporate Policy Group will form part of the exhibition material.

#### **Statutory Requirements**

The land is presently zoned Recreation Existing 6(a) under Local Environmental Plan No. 4 wherein the Land Use Table does not permit the development of 'dwelling houses'. The land is proposed to be zoned Recreation – Open Space under the provisions of Draft Local Environmental Plan 2002; this zone has similar objectives and permissibility options as Recreation Existing 6(a) and does not permit dwelling houses. For Council to sell the land and permit the site to be used for residential purposes, it is necessary to amend the provisions of both environmental planning instruments in order to ensure that the rezoning process is effective. This will ensure that both instruments are amended in the event that Draft Local Environmental Plan 2002 is not gazetted in the near future. To this end, the proposal presently before Council seeks to amend Local Environmental Plan No. 4 and Draft Local Environmental Plan 2002 by reclassifying the site to operational and also rezoning the subject land Living Bushland Conservation under the provisions of Draft Local Environmental Plan 2002 and Residential 2(a1) under the provisions of Local Environmental Plan No. 4 through an amendment to the zoning map.

The minor nature of the proposed amendment and the limited impact of the proposed rezoning of the site renders the requirement to prepare a local environmental study superfluous. As such it is recommended that Council advise the Minister that a local environmental study in accordance with Section 57 of the Environmental Planning and Assessment Act 1979 is not required. Consultation with public authorities or bodies in accordance with Section 62 will be limited to the following bodies: Sydney Water, Rural Fire Service, Integral Energy and Telstra.

**LAND USE MANAGEMENT**

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**Assessment of Proposal**

The application seeks to amend Council's planning instruments to enable Council to consider alternative uses on the site in the future. The application does not seek Development Consent for any of the alternative land uses at this time. By zoning the site Residential 2(a1) and/or Living Bushland Conservation, the site will be able to be developed for residential purposes. The subsequent use of the site in the future for the purpose of a dwelling house will require lodgement and consideration of a separate Development Application.

The site is located within a residential area; adjoining allotments have been developed for residential purposes. The proposed zoning for the site will match the surrounding residential zoning and character of the area.

The subject site is not considered appropriate for recreational purposes for the following reasons:

- its location at the extremity of Warrimoo village making it relatively inaccessible; and
- the size of the allotment being relatively small;

The rezoning of the site will not result in a reduction in public land as the funds from the sale will contribute towards the purchase of a private parcel of land for a new public park on Arthur Street.

**Conclusion**

Given the above points and considering that the land is adjoining residential development it is recommended that the draft plan be adopted for public exhibition in accordance with the former Department of Urban Affairs and Planning's Best Practice Guideline (January 1997).

**EMERGENCY MANAGEMENT**

Ordinary Meeting, 25/1/05

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**ITEM NO: 9**

**SUBJECT: REPORT ON OVERHEAD FILLER REMOVAL AND FIRE HYDRANT INSTALLATIONS AT VARIOUS RURAL FIRE SERVICE SITES**

**FILE NO: C00149**

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**Recommendation:**

*That Council receives and notes this report.*

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**Report by Group Manager, City Solutions:**

**Introduction**

This report provides background and updated information on the installation of fire hydrants at various RFS Stations throughout the mountains, following removal of overhead fillers.

Council resolved at its meeting of 21 September 2004, (Minute No. 412 ):

- “1. *That a report come back to Council about the removal of the overhead fillers at Warrimoo Rural Fire Service.*
2. *That the report detail all actions leading up to the removal of the overhead fillers including discussions and correspondence between Council, Sydney Water and Rural Fire Service.*
3. *That the report come to the next Council Meeting.”*

**Background**

Early in 2004, council was advised by Sydney Water that all overhead tanker fillers within the Blue Mountains area were potentially compromising the integrity of the reticulated water supply in the communities being served by them. Compliance with the requirements of Australian Standard 3500 – National Plumbing and Drainage Code was required at all Council owned facilities. It is understood the Rural Fire Service were aware of Sydney Water’s concerns prior to Council being notified.

Instructions from Sydney Water have primarily been verbal, citing compliance with the above noted Code, and Sydney Water Policy documents related to backflow prevention.

## EMERGENCY MANAGEMENT

### Item 9 - Ordinary Meeting, 25/1/05

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Risks identified included:

- Unauthorised use of the fillers by water carters, filling their tankers and subsequently selling the water to clients not connected to the reticulated water supplies.
- Associated risk of contamination of the reticulated water supply caused by backflow from the water carters
- Risk of contamination of the reticulated water supply caused by backflow from the fire tankers and other equipment.

Additionally, at a meeting between council officers and the Rural Fire Service on 26 May 2003, council was advised that the overhead fillers should be removed as they posed an OH&S risk to staff and volunteers, as climbing onto tankers during operations without appropriate restraints, was a potential fall risk.

Blue Mountains City Council was advised by Sydney Water that it was one of only a handful of council areas in the state that still had overhead fillers installed. The RFS District Office was consulted over the matter on several occasions, and significant email correspondence is on file. With the timeframe stipulated by Sydney Water for compliance, council did not directly liaise with individual RFS Stations, appropriately relying on this being done by RFS District Office.

As far as we are aware, Warrimoo RFS was the only brigade to raise concerns, regarding the overhead filler removal. This was done via email to the RFS District Office in mid-April. The email detailed the brigades concerns over removal of the filler, but more importantly the lack of an adequate alternative water supply on the northern side of the highway, to serve the RFS building and the Warrimoo Citizens Hall. Enquiries revealed that these two buildings were served by a single water main branch, from the main on the northern side of the railway line, and initial plans to provide an upgraded supply proved not to be viable. Installation of the in-ground hydrant at Warrimoo RFS was completed late in July prior to the commencement of the current fire season.

Blackheath RFS later requested the installation of a new hydrant closer to the station than that which existed in the adjacent roadway, on the grounds that use of the existing hydrant placed RFS personnel at risk from passing traffic on the narrow roadway, or required closure of the road. This installation was completed promptly.

If the overhead fillers were to be retained they would have to have been modified to be served from the site's metered water supply (many of which would be required to be up-sized), and would also need to have backflow prevention devices installed so that they could be used by all fire tankers. As the owner of the site, Council would be exposed to any possible litigation that would arise from the reticulated water supply being contaminated through the inappropriate use of the fillers.

The whole installation would need to be secured to avert the 'theft' of water, by the water carters, thereby adding further complication to their use in emergency situations. Locks placed on facilities are regularly damaged, or simply cut off, and require replacement.

## EMERGENCY MANAGEMENT

### **Item 9 - Ordinary Meeting, 25/1/05**

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Finally if the overhead fillers were retained, they would require the construction of working platforms to make operation of the fillers safe under the requirements of the OH&S Act, as it could not be assumed that all tankers making use of the fillers would have adequate restraint systems installed. As the Council is the owner of the site, under the Act, it is regarded as the 'Controller of the Site'. As such if adequate working platforms and safety rails were not installed, Council would be exposed to prosecution for not providing a safe workplace, should someone be injured by falling from a tanker. Council has little control over the work practices, of RFS staff and volunteers.

Council officers resolved that these measures were cost prohibitive both from an initial capital investment point of view and would create an ongoing liability for annual maintenance of the backflow prevention devices and working platforms.

In excess of 40 overhead fillers were involved in the program. 14 of these were located at Rural Fire Service sites, which were not secured.

After consultation with the RFS District Office during January 2004, Council proceeded with a program of removing all overhead fillers in the Blue Mountains area. Some sites were completed by Council's City Services, some by contractors engaged by Council, and others by Sydney Water.

On 19 October 2004 at a meeting between the District Manager/Fire Control Officer of the RFS, and Council's Building Operations and Facilities Administrator, it was agreed that Council would investigate and arrange for the installation of additional in-ground hydrants at or adjacent to stations connected to the reticulated water supply, where it was regarded as improving the access to water for tankers. This improvement was proposed irrespective of any previous overhead filler installation.

An audit of all RFS stations was subsequently carried out and a prioritised schedule of nine stations was drawn up. Six of the stations previously had overhead fillers and nearby hydrants, the remaining three stations relied on hydrants in the adjacent street. Investigation as to available water supply mains, interference from other services in the streets, and potential backflow prevention installations, was carried out toward seeking quotations for the installations.

A meeting held at Warrimoo RFS on 15 November 2004 to discuss particularly the Warrimoo Brigade's concerns with the overhead filler removal and hydrant installation at the Warrimoo RFS Station, and more generally the same items at other RFS locations. The meeting was attended by Councillors Myles and Henson, Council Officers, RFS Group Officers, Warrimoo Brigade Members and District Office Senior staff. The meeting was chaired by the Warrimoo Brigade Captain.

A brief report outlining the current issues, advantages and disadvantages of the in-ground hydrants v/s overhead fillers, and advice on equipment reported missing from Blaxland and Warrimoo Stations, was tabled by the RFS Deputy Fire Control Officer. The RFS District Manager advised of work that has been undertaken over the previous three months jointly by the District RFS Office, and Council's Building Operations and Facilities Section toward resolve of the issue, including the development of the in-ground hydrant installation program.

## **EMERGENCY MANAGEMENT**

### **Item 9 - Ordinary Meeting, 25/1/05**

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Further he advised that the Walker Report of 1995 supported the removal of overhead fillers, and that the District Office, albeit reluctantly, concurred with Council regarding the removal of the same.

General discussion progressed around various issues ranging from availability of water in fire situations, convenience of fillers, safety issues and responsibility for safe work practices and safe working environments. Most of the discussion centred around backflow prevention, and the possibility of contamination of the reticulated water supply.

Although there was a view held by some brigade members, that the overhead fillers were preferred to hydrants for filling tankers, the position of the RFS District Office, was that the agreement with council that hydrants be installed in all stations on reticulated water supply, regardless of whether they had fillers or not, would overall provide a substantially higher level of water availability than had previously existed, and was the preferred position.

In dealing with the potential for backflow a number of options were adopted by the meeting, to be investigated by RFS District Officers and the Building Operations and Facilities Administrator. These are outlined on the attached RFS File Note, in order of preference.

Subsequent advice received from Sydney Water, has led to the most appropriate action being the installation of an in-ground hydrant immediately adjacent to the front boundary and driveway of each of the subject stations. This hydrant is accessed by way of a standpipe in the same manner as connection is made to any other hydrant available to emergency services. The District Manager and Deputy Fire Control Officer have agreed to this course of action, and have been asked to convey the plan to individual brigades, ensuring that the appropriate training for the use of standpipes and connection to hydrants, is included in all their training programs.

As a result of the above advice received, the specification for the hydrant installations was amended and quotations sort, based on the same. These quotations were received immediately prior to the Christmas holiday period.

#### **Current Situation – Hydrants**

A meeting has been sort with RFS District Officers to ensure the exact locations of the installations meet the needs of the RFS. Unfortunately RFS Officers have not been available to meet with Council staff to the date of this report. A meeting has been scheduled for Tuesday 18 January to finalise locations of hydrants.

Instructions have been issued to City Services (for conveying to the contractors) to proceed with the hydrant installations at Blaxland, Winmalee, Woodford and Mt Riverview. These are expected to be completed late January/early February at a cost of \$19,300. Installations at Glenbrook/Lapstone and Faulconbridge will be progressed following confirmation of under-road boring costs, and installations at Valley Heights, Lawson, and Bullaburra have been delayed pending advice on the future of these stations, and discussions with RFS on 18 January.

**EMERGENCY MANAGEMENT**

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**Current Situation – Devices at Warrimoo and Blaxland**

The hose washing facility previously thought to be missing from the Blaxland RFS site, has been stored by the Brigade Captain and only requires to be re-installed. It was disconnected when the overhead filler was removed, as it was installed on the upstand pipe of the filler. Council has undertaken to correctly install the hose washing facility to the requirements of the Brigade and in accordance with the relevant Plumbing Codes.

The mill cock that was removed from the filler standpipe at the Warrimoo RFS site is missing. Council has undertaken to provide a new mill cock installation at the site to the requirements of the Brigade and in accordance with the relevant Plumbing Codes.

The RFS District Office has been asked to arrange an on-site meeting with the Brigade Captains at both the Blaxland and Warrimoo RFS Stations so that the detail of the device installations can be resolved. Again it is unfortunate that RFS Officers have not been available to meet with Council staff to the date of this report. It is hoped some advice may be provided by the RFS at the meeting scheduled for 18 January.

**Conclusion**

While it is accepted that some individual brigade members and volunteers would prefer to have overhead head fillers rather than hydrants, the installations completed and underway are endorsed by the Rural Fire Service of NSW, are compliant with the National Plumbing and Drainage Code, and the requirements of Sydney Water. They are part of the reticulated water supply system as distinct from being an installation at a council facility, and are therefore reliant on safe and appropriate work practices by the Rural Fire Service just like any other water source, and not council facilities.

**FACILITATING COMMUNITY DEVELOPMENT**

Ordinary Meeting, 25/1/05

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**ITEM NO:** 10

**SUBJECT:** CULTURAL PARTNERSHIPS PROGRAM 2005

**FILE NO:** C07362

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**Recommendations:**

1. *That Council receives and notes this report.*
  2. *That Council endorse the funding recommendations of the Cultural Partnerships Assessment Committee as outlined in this report.*
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**Report by Group Manager, City Solutions**

**Introduction**

The Cultural Partnerships Program was established under Council's Cultural Strategy 1999-2003 with the funding support of the NSW Ministry for the Arts. It is a strategic program seeking to develop and maintain a range of collaborative partnership activities with arts and cultural organisations in the Blue Mountains

The Cultural Partnerships Program relates to Council's Map for Action 2000-2025 as follows:

Key Direction 5.1.2 *The Blue Mountains is a centre of culture and creativity*

Priority Action Area over 5-10 years *Promote existing and support new creative and cultural initiatives and industries*

The program is supported through a partnership with the NSW Ministry for the Arts - Western Sydney Local Government Arts Incentive Program. \$100,000 is available for allocation under the program, comprising \$50,000 grant from the Ministry for the Arts and \$50,000 in Council matched funds. The Ministry has stated that it considers the Cultural Partnerships Program to be a model for consideration by other local governments in Western Sydney towards supporting arts infrastructure development.

This report presents the recommendations of the Cultural Partnerships Assessment Committee for funding of thirteen proposals for partnership projects to be implemented between January and December 2005.

**Cultural Partnerships Assessment 2005**

In accordance with Council's adopted Cultural Partnerships Program Guidelines (Attachment 1), the outcomes and broad assessment criteria are:

## FACILITATING COMMUNITY DEVELOPMENT

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#### Outcomes

- Increasing the quality of life and vibrancy of the City
- The Blue Mountains as the Inaugural City of the Arts is promoted as a cultural destination

#### Criteria

- quality
- innovation
- organisational capacity
- degree of contribution to the development of a sustainable arts infrastructure in the Blue Mountains.
- community benefit
- potential for audience development
- contribution to the promotion of the Blue Mountains as a cultural destination

Proposals are assessed on merit. The degree of self-help and initiative shown by applicants is taken into account, together with the extent of likely community support. As per the guidelines, preference is given to organisations/groups that have formed a partnership or are in the process of forming a partnership with the community, educational or business sector and that are intending to engage professional artists or arts-workers with demonstrated skill and expertise.

Twenty-one (21) organisations submitted proposals totalling \$220,102 for the 2005 program (\$100,000 available funds).

Ten existing partners requested continued support. Continuation of existing partnerships is in accordance with the intention of the program to develop longer-term partnerships. Eleven new partnership proposals were received.

The program was advertised extensively from 30 August 2004 to 15 October 2004 on Council's Internet site and in the Blue Mountains Gazette on 1, 8 and 15 September 2004. An information session was also advertised and conducted with interested applicants on Wednesday 29 September 2004 at Blue Mountains City Council. Applications closed on Friday 15 October 2004.

#### Cultural Partnerships Assessment Process

Council in its original submission to the Ministry, nominated the City of the Arts Trust Advisory Committee as its specialist assessment body for this program. This Committee was formed through a public expression of interest process and appointed by the Council on the basis of their cultural expertise and experience (*Council Meeting 10 April 2001, minute number 155*).

The Assessment Committee comprises the Community Representatives from the Advisory Committee. They are experienced assessors with art form and cultural expertise. Rigorous conflict of interest and confidentiality protocols are applied throughout the assessment process.

**FACILITATING COMMUNITY DEVELOPMENT****Item 10 - Ordinary Meeting, 25/1/05**

The Assessment Committee comprised:

- Ms Gay Hendriksen
- Mr. Alfred Blakers
- Ms Yvonne Hellmers
- Ms Judy Pinn
- Professor Barrie Reynolds
- Ms Carolynne Skinner

The Committee was chaired by Program Leader, Community Development and resourced by Council's Cultural Development Co-ordinator and the City Solutions Group Project Support Officer. Ms Jenny Bisset, Programme Manager Western Sydney Local Government Arts Incentive Programme - NSW Ministry for the Arts attended as Funding Partner observer.

The Committee convened on 10 November 2004 and reviewed each proposal consistent with Council's adopted assessment guidelines. It reconvened on 25 November 2004 to finalise the process.

**Recommendations**

The Committee recommends the following thirteen proposals for Partnership in 2005 with funding allocations totalling \$100,000, ranging from \$2,500 to \$14,500 to the following organisations:

<b>Partner</b>	<b>Administering Organisation or Auspice</b>	<b>Description</b>	<b>New or Continuing Partnership</b>	<b>Amount</b>
1 Varuna – The Writers' House	Eleanor Dark Foundation	<u>Varuna Community Program 2005</u> A range of community programmes & significant partnerships including Sydney Writers Festival at the Carrington	Continuing	\$14,500
2 Blackheath One Van International Festival of Puppetry	Blackheath Area Neighbourhood Centre	<u>Blackheath One Van International Festival of Puppetry</u> A unique Festival aimed at promoting puppetry as an artform and providing opportunities for emerging artists in partnership with Sydney Puppet Theatre & BANC. Major Puppet theatres from around Australia & International	Continuing	\$5,000

## FACILITATING COMMUNITY DEVELOPMENT

## Item 10 - Ordinary Meeting, 25/1/05

Partner	Administering Organisation or Auspice	Description	New or Continuing Partnership	Amount
3 Blue Mountains Music Festival	Blue Mountains Music Festival Inc	<u>Mentor Programme</u> Mentor programme component of Blue Mountains Music Festival designed to resource local songwriters and performers with international professional skills.	Continuing	\$10,000
4 Songlines Festival	Songlines Festival Inc	<u>Festival development for 2006</u> Festival will blend art, culture and the environment to “celebrate our outstanding natural and cultural environments” partnerships include Sydney Water, Integral Energy, Schools, NPWS	Continuing	\$2,500
5 Blue Mountains Artist Network	Blue Mountains Artist Network Inc	<u>The Blue Mountains Arts &amp; Info Trail</u> Developing an electronic arts trail from lower and upper mountains in partnership with Blue Mountains arts organisations and artists.	Continuing	\$12,500
6 ArtStreet	Winter Magic Festival Inc	<u>ArtStreet 2005 ‘Two Towns One Exhibition’</u> Develop Katoomba ARTStreet as a visual arts programme & link with Leura	Continuing	\$10,000
7 Weatherboard Theatre Company	Eleanor Dark Foundation	<u>Reading and Writing</u> Script development and public play readings by professional actors in partnership with “The Green Room” Varuna, BM Artists Network , 2 Blu & Carrington.	Continuing	\$11,500

## FACILITATING COMMUNITY DEVELOPMENT

## Item 10 - Ordinary Meeting, 25/1/05

Partner	Administering Organisation or Auspice	Description	New or Continuing Partnership	Amount
8 Blue Mountains Aboriginal Cultural and Resource Centre	Blue Mountains Aboriginal Cultural and Resource Centre	<u>Mob in the Mist</u> Aboriginal art exhibition curatorial & skills development with a long term goal of forming an artists co-operative	New	\$6,000
9 Blue Mountains Chamber Concerts	Blue Mountains Chamber Concerts Inc	<u>Blackheath House Concerts 2005</u> Chamber music concert development in innovative locations	New	\$10,000
10 Talking Country	Blackheath Area Neighbourhood Centre	<u>The Songlines Conversations</u> A series of entertaining, challenging and informative "conversations" about 'people, place and country' in partnership with the ABC' and Carrington.	New	\$5,000
11 Upper Blue Mountains Circus Arts Projects	Upper Mountains Youth services Inc	<u>Ring Leaders</u> Circus Arts development & performances for the Blue Mountains community in partnership with Circus WOW	Continuing	\$6,500
12 City of Artists – The Blue Mountains	Blue Mountains Artists Network	<u>Photographic Exhibition &amp; Website</u> development promoting Blue Mountains artists profiles across artforms in partnership with Stop Laughing this is Serious Gallery Blackheath	New	\$3,500

## FACILITATING COMMUNITY DEVELOPMENT

**Item 10 - Ordinary Meeting, 25/1/05**

<b>Partner</b>	<b>Administering Organisation or Auspice</b>	<b>Description</b>	<b>New or Continuing Partnership</b>	<b>Amount</b>
13 Blue Mountains Multicultural Residents Association	Mountains Community Resource Network	<u>Nature Through Fresh Eyes</u> Visual arts project involving residents from diverse cultures in relation to nature	New	\$3,000
<b>Total</b>				\$100,000

**Conclusion**

The program will allow the continuation of much needed support for the arts sector to develop sustainable arts practice, to provide benefits to the communities of the Blue Mountains and to assist in developing the Blue Mountains as a cultural destination. This report recommends that Council endorse the funding recommendations of the Cultural Partnerships Assessment Committee.

**FACILITATING COMMUNITY DEVELOPMENT**

**Item 10 - Ordinary Meeting, 25/1/05**

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Attachment 1

**C U L T U R A L P A R T N E R S H I P S P R O G R A M**

**G U I D E L I N E S**

The Cultural Partnerships Program is an innovatory scheme providing both direct funding support and endorsement to strengthen and develop the cultural infrastructure of the Blue Mountains. It is a pilot program, which seeks to encourage innovation, partnership and collaboration in arts development in the city and to develop regional links with other cultural providers.

The Program has \$100,000 for allocation in 2005 to foster partnerships and is jointly funded by the Blue Mountains City Council and the NSW Ministry for the Arts through the Western Sydney Local Government Arts Incentive program.

Fifty percent of the overall funding allocation will be allocated to artist/artworker fees. Funding will generally be in the range of \$5,000-\$15,000.

The program is **not** intended to duplicate State and Commonwealth arts funding programs but to create and strengthen partnerships with artists, the community, the business & corporate sector and Council. This program represents a very small amount of cultural funding available to communities from the range of arts/cultural funding authorities.

**What does the Cultural Partnerships program wish to achieve?**

The Cultural Partnerships program is a strategic program. It is intended to support artists and arts / cultural organisations in developing sustainable arts practice and to provide benefits to the communities of the Blue Mountains through partnership with Council and other agencies.

The Program will provide funds to seed & develop projects and to endorse projects, which have a capacity for long-term benefits. Applicants may apply under two categories:

**1. Direct funding**

This funding will support groups of artists or arts/cultural organisations to implement a strategic project. If the project is successful, the intention is to continue the partnership through either funding or other support, subject to available resources. Successful applicants will enter into an agreement for an initial 12 month period.

**2. Endorsement**

The Cultural Partnership Program also seeks to support the arts and cultural infrastructure by providing endorsement of proposals for further development and future applications and to assist applicants in seeking funding or corporate sector support.

**Assessment Guidelines**

Partnership Grants will be limited to activities that are consistent with the Council's outcome of:

- Increasing the quality of life and vibrancy of the City

**FACILITATING COMMUNITY DEVELOPMENT**

**Item 10 - Ordinary Meeting, 25/1/05**

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**Attachment 1**

- The Blue Mountains as the Inaugural City of the Arts is promoted as a cultural destination

Preference will be given to organisations/groups who have:

- a record of achievement in arts/cultural production
- a record of achievement in professionally managing arts projects
- formed a partnership or are in the process of forming a partnership with another agency.
- secured a sponsorship commitment or wish to develop a partnership with the community, educational or business sector to develop and promote the arts

and who are intending to engage professional artists or artworkers with demonstrated skill and expertise in the project outlined. The partnership project will need to be able to be completed within the 2005 calendar year.

The program is not intended to provide resources for pre-existing activities, such as workshops or for one-off activities which are not part of a broader strategic goal.

**The Goals for building collaboration**

- The Council wishes to develop and maintain a range of collaborative activities with arts and cultural organisations in the Blue Mountains
- Cultural partnership projects should take into account the needs and interests of local communities
- Cultural partnership projects should foster the development of professional skills in local arts and cultural organisations.
- Cultural partnership projects should add to the development of collaborative networks across the Blue Mountains and/or regionally

**Eligibility**

Applications will be accepted from non-profit organisations or companies incorporated on a non-profit basis located in the Blue Mountains LGA. Preference will generally be given to arts/cultural organisations that are legally incorporated, such as an association, company limited by guarantee, or a non-profit sharing cooperative. Council will also consider applications from the private sector whose primary business is the arts, consistent with Council's cultural objectives.

Applicants unable to meet these requirements, or in the process of being incorporated, should seek advice from the Council. Unincorporated groups will need to arrange to have any funding administered on their behalf by an incorporated organisation.

## **FACILITATING COMMUNITY DEVELOPMENT**

### **Item 10 - Ordinary Meeting, 25/1/05**

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#### **Attachment 1**

In this program, Council prefers to direct its assistance to professional arts and cultural groups and arts organisations comprising professional artists (see below for definitions of "Professional"). In general, amateur groups may apply for assistance towards the fees of professionals who would directly contribute to the development of the group's skills and the improvement of performance and production standards.

#### **Projects which are not eligible for funding**

Generally funds will not be allocated to:

- solely the administrative or office costs of organisations or the purchase of equipment. However funding (50% overall) will be allocated to costs such as additional administration costs associated with the project, promotion & marketing, venue hire, equipment hire, freight and materials.
- activities which are part of the usual program of an organisation, or which, in the Assessment Committee's opinion, are beyond the applicant's capability.

#### **How do we apply for partnership funding or endorsement?**

- Contact Council on **4780 5788** for an application form to be sent to you.
- Request an electronic copy of the application form by e-mailing Rebecca Rafter on: [rrafter@bmcc.nsw.gov.au](mailto:rrafter@bmcc.nsw.gov.au)
- Read the application form carefully and answer all questions as fully and accurately as possible
- Discuss your partnership proposal with the Program Officer on 4780 5544 by 8 October 2004
- Forward the original and a copy of the signed application by the closing date. The application form cannot be submitted electronically.
- Retain a copy for your own records.

Applicant organisations seeking funding for the employment or contracting of artists/arts professionals should demonstrate that they will be using appropriate written contracts with the artists/professionals detailing the mutual expectations, rights and responsibilities of the parties. Council reserves the right to be included on recruitment panels.

Completed application forms and any requested support material should be returned to the Council, marked:

**Cultural Partnerships Program  
Locked Bag 5  
Katoomba NSW 2780**

by the program closing date: **Friday, 15 October 2004**

#### **How are applications for partnership assessed?**

After an eligibility assessment by the program officer, applications are then considered by a cultural advisory committee. Proposals will be assessed in late November. The recommendations of this committee then go to an internal assessment committee, which makes recommendations to the Council.

## FACILITATING COMMUNITY DEVELOPMENT

### Item 10 - Ordinary Meeting, 25/1/05

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#### Attachment 1

##### What are the Assessment Criteria?

The broad assessment criteria taken into account are:

- quality and innovation
- organisational capacity
- degree of contribution to the development of a sustainable arts infrastructure in the Blue Mountains.
- community benefit
- potential for audience development
- contribution to the promotion of the Blue Mountains as a cultural destination

Applications will be assessed on merit. The degree of self-help and initiative shown by applicants will be taken into account, together with the extent of likely community support. The Council will look specifically for evidence of support from other partners.

##### General Conditions for Applicants

The following general conditions apply to all applications. Some projects may have additional special conditions. Successful applicants for funding will be required to sign a formal acceptance of their grant conditions.

All applicants are **required** to furnish a copy of their constitution or certificate of incorporation, and their most recent annual report. Other documents may also be requested by the Council, in particular, **resumes** of proposed artists or artworkers.

Grants may be used only for the purposes approved by the Council. In exceptional circumstances, applicants may apply to the Council for a variation of their grant conditions.

No applicant can be guaranteed funding nor can any applicant be guaranteed funding to the full amount requested.

Rejection of an application does not necessarily mean that the project or activity is not worthy of support. The intention of the program is to support a few projects well for longer term benefit rather than dispersing funds across a range of projects with less strategic result. Approval of a grant does not commit the Council to any future funding.

##### How are the funds acquitted?

At the end of the period for which a grant is made, the partnership will be assessed and the recipient is required to submit a report outlining how the grant has been spent and giving an account of the artistic benefits or initiatives made possible by the grant.

The artistic report should give details of the activities funded under the program, with particular mention of the artistic achievements and benefits resulting from the grant.

The financial report will need to be audited and certified by a public accountant, or a statement of income and expenditure certified by the Chairperson or the Treasurer.

The type of financial report required will depend on the organisation's structure. The Cultural Partnership grant should be clearly identified as a separate item of income and expenditure.

## **FACILITATING COMMUNITY DEVELOPMENT**

### **Item 10 - Ordinary Meeting, 25/1/05**

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#### **Attachment 1**

A statistical report will be required providing information as requested by the Council, including employment and audience numbers.

#### **Definition of 'Professional'**

The definition of 'professional artist' is deliberately broad, to take into account factors such as:

- artists from diverse cultural backgrounds whose artistic or cultural knowledge has been developed through oral traditions
- professional artists who are self-taught
- artists of professional caliber who have to work outside the arts to generate income.
- artists who have overseas qualifications

A professional artist:

- identifies her/himself as such, on the basis of qualifications, skill and experience;
- is accepted by peers or the arts industry as a professional;
- has invested substantial time in the cultivation of their art form/craft
- may or may not earn income from artwork.
- considers their art to be their core business

#### **Cultural diversity**

Organisations are encouraged to present works created and devised by artists from diverse cultural backgrounds, to facilitate the development of works or projects which reflect the diverse cultural identities within Blue Mountains society, to support the development of new work based on cross-cultural interaction, and to interpret and present traditional cultural works in an innovative context.

#### **Access and Equity**

The Council is committed to a policy of access and equity in the arts, as in all other fields. Applicants are expected to ensure their programs and activities give appropriate recognition to this principle.

#### **Freedom of Information Act**

The provisions of the Freedom of Information Act 1989 apply to documents in the possession of the Council. Under some circumstances a copy of the application form and other material supplied by the applicant may be released, subject to the deletion of exempt material, in response to a request made in accordance with the Act.

**FACILITATING COMMUNITY DEVELOPMENT**

Ordinary Meeting, 25/1/05

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**ITEM NO: 11**

**SUBJECT: ELSA DIXON ABORIGINAL EMPLOYMENT PROGRAM – GRANT APPLICATION**

**FILE NO: C074717**

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**Recommendations:**

1. *That Council receive and note this report.*
  2. *That Council endorse and affix the seal to the application to the Elsa Dixon Foundation for part funding of the Aboriginal Community Development Officer position.*
- 

**Report by Group Manager, City Solutions:**

**Introduction**

The Elsa Dixon Employment Program is an initiative of the NSW Government to encourage job opportunities and career advancement for Aboriginal and Torres Strait Islander people. The Program is administered by the NSW Department of Employment Education and Training.

The Permanent Employment Element of the Program aims to facilitate opportunities for Aboriginal people to establish permanent careers in the public services and local government. It does this by offering a one year 65% salary subsidy for every Aboriginal person employed under the Program. Extra funds are available to encourage the employment of Aboriginal people with disabilities.

**Background**

At the Ordinary Meeting of 21 October 2003, Council resolved inter alia:

*“...3. That, subject to the adoption of the above employment structure and position description, an appropriate amount be committed to annual budgets on an ongoing basis, starting in the 2005/06 financial year. This process will include an identification of the trade-offs necessary to achieve the establishment of an Aboriginal Development Worker.”*

(Minute No. 522, 21/10/03)

Following on from the above resolution, at the ordinary meeting of 23 November 2004, Council resolved inter alia:

*“... 2. That Council endorse the position description, employment structure and selection process for an Aboriginal Community Development Officer”.*

(Minute No. 498, 23/11/04)

**FACILITATING COMMUNITY DEVELOPMENT****Item 11 - Ordinary Meeting, 25/1/05**

Council's employment of Aboriginal Community Development Officer will proceed according to the timetable below:

<b>Date</b>	<b>Outcome</b>
7 March 2005	Selection panel formed
31 March	Position advertised
13 May	Applications close
30 May – 3 June	Interviews
4 July	Position begins

The position is banded and graded at Band 3, Level 3, Grade 1, which is consistent with other Community Development positions within Council and with other similar positions across the state.

Should Council be successful in applying for funding through the Elsa Dixon Program, employment costs for the new officer will be subsidised for the first year of the position only. At the completion of 2005/06 financial year, Council will be responsible for the ongoing employment costs for the position.

Employment costs to Council and potential subsidies are as follows:

<b>ITEM</b>	<b>GRANT FUNDS (65%)</b>	<b>COUNCIL CONTRIBUTION (35%)</b>	<b>TOTAL</b>
WAGES/SALARY	<b>\$37 555</b>	<b>\$20 223</b>	<b>\$57 778</b>
ON-COSTS	<b>\$9 389</b>	<b>\$5 055</b>	<b>\$14 444</b>
<b>TOTAL</b>	<b>\$46 944</b>	<b>\$25 277</b>	<b>\$72 222</b>

As previously reported, due to the timing of the funding announcements and to ensure the timeframes are met for the employment of this position, Council has listed the total employment costs in the draft 2005/06 budget.

Applications for the Elsa Dixon Employment Program close on 11 March 2005. It is recommended that Council affix the seal and submit an application for 2005/06 funding.

## FACILITATING COMMUNITY DEVELOPMENT

Ordinary Meeting, 25/1/05

**ITEM NO:** 12

**SUBJECT:** COMMUNITY ASSISTANCE / DONATIONS -  
RECOMMENDATIONS BY COUNCILLORS

**FILE NO:** C00944

### Recommendation:

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

<u>Organisation</u>	<u>Amount</u>
<i>Kinship at Christmas Foundation</i>	<i>\$100</i>
<i>Lower Blue Mountains Concert Band Inc</i>	<i>\$100</i>
<i>Glenbrook District Guides</i>	<i>\$100</i>
<i>Blue Mountains Community Interagency</i>	<i>\$200</i>

### Report by General Manager:

On 11 July 2000 Council adopted a revised Policy for Councillors' Minor Local Projects allocations for the provision of community assistance/donations. The following recommendations for donation, which appear to fall within the ambit of the Policy, have been received and are submitted for approval.

#### Minor Local Projects

<u>Recommending Councillor</u>	<u>Organisation</u>	<u>Purpose</u>	<u>Amount</u>
Cr A Brown	Kinship at Christmas Foundation	Christmas lunch for community	\$100
Cr A Brown	Lower Blue Mountains Concert Band Inc	Purchase of musical instrument	\$100
Cr A Brown	Glenbrook District Guides	Refurbishment of Guide Hall	\$100
Cr A Brown	Blue Mountains Community Interagency	Administration expenses	\$200

**PROVISION OF RECREATIONAL & COMMUNITY SERVICES/FACILITIES**

Ordinary Meeting, 25/1/05

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**ITEM NO: 13**

**SUBJECT: PROPOSED NAME FOR A LOOKOUT IN BONNIE DOON RESERVE, KATOOMBA, HONOURING JOHN BRITTY NORTH**

**FILE NO: C02283**

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**Recommendations:**

1. *That Council receive and note this report.*
  2. *That Council endorse the proposed name "Norths Lookout" for submission to the Geographical Names Board for exhibition for community comment.*
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**Report by Group Manager, City Solutions:**

**Background**

At the Council meeting of 31 August 2004, Council resolved:

1. *That Council endorse the proposed names for public exhibition in accord with Council's asset naming process.*
2. *That a report come back to Council following public exhibition, prior to Council reporting the results of the public exhibition to the Geographical Names Board for statutory exhibition."*

(Minute No. 373, 31/08/04)

In July 2004 Council received a request for comment from the Geographical Names Board on the proposed place name "Norths Lookout". The lookout is on Council Community Land in Bonnie Doon Reserve (reserve number 2-008), Katoomba, which was formerly part of John Britty North's land given to the community as a reserve. It is located on the eastern side of a rocky spur above Nellies Glen. The lookout is at the end of a short track off the cliff-top walking track from the western end of Stuarts Road to the Six Foot Track and is about 700 metres south of the Explorers Tree, Katoomba.

Mr Brian Fox, author of "The Upper Blue Mountains Geographical Encyclopaedia" and "The Origin of Leura", put forward the proposal in response to a proposition by Keith Painter in "More Katoomba Walks", published in March 2004, to name this lookout after John Britty North. During Mr Fox's extensive research on Blue Mountains place names, no previous names have been found for the lookout or its location, and currently there is no geographical feature in the City of Blue Mountains named in honour of John Britty North.

**PROVISION OF RECREATIONAL & COMMUNITY SERVICES/FACILITIES**  
**Item 13 - Ordinary Meeting, 25/1/05**

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The lookout is on land formerly owned by JB North, and is directly above Nellies Glen. Ellen Mary (Nellie) North (1862-1936) was one of John and Clarissa North's daughters. Bonnie Doon Falls can also be heard from this lookout. The lower waterfall, and largest of this series of falls, is called Ethel Waterfall. Ethel Susie North (1872-1947) was another daughter of John and Clarissa North.

In 1878, John Britty North registered the Katoomba Coal Mine and constructed a rail system to extract shale oil from the Jamison Valley. Part of the track is now the famous Scenic Railway. He helped lay the foundations for the development of Katoomba, including being one of the main instigators of a public school and organising the first church service. North actively promoted the growth of Katoomba, particularly its development as a tourist resort and was Chairman of the Progress Committee, and was an Alderman for Katoomba Municipal Council from 1890 to February 1893.

John Britty North was one of the driving forces that persuaded the Minister of Lands to proclaim the area around Katoomba Falls a Public Recreation Reserve in 1888, and was a Trustee of a number of parks within Katoomba. North developed the walking tracks in Bonnie Doon Reserve, where the lookout is located.

### Results of Public Exhibition

Public exhibition was initiated by an advertisement in the *Blue Mountains Gazette* on Wednesday 15 September 2004. Two further advertisements appeared on 22 September and 6 October 2004. Public exhibition closed on Friday 15 October 2004. Submissions were received until 22 October 2004.

Ten submissions were received by close of business on Friday 15 October, six were received on the following Monday, giving a total of sixteen submissions.

Table 1: Summary of results of public exhibition

Submissions (in sequence)	Address	Response	Preference
Scenic World	Katoomba	Support	JB North Lookout
1 resident	Katoomba	Objection	Aboriginal name
1 resident	Yowie Enterprises	Support	Honour JB North
Local Studies Librarian	Springwood	Support	Norths Lookout
1 member North family	Orange	Support	Honour JB North
3 members North family	Orange	Support	Honour JB North
1 member North family	Orange	Support	Honour JB North
1 resident	Leura	Support	Honour JB North
1 resident	Katoomba	Support	JB North Lookout
1 resident	Katoomba	Support	Norths Lookout
Rotary Club of Katoomba	Katoomba	Support	Honour JB North
1 resident	Blackheath	Support	JB North Lookout
1 resident	Katoomba	Objection	Ben Esgate
1 resident	Wentworth Falls	Objection	Aboriginal name
1 resident	Glenbrook	Objection	Billy Lynch
1 member North family	Warrawee	Support	JB North Lookout

## **PROVISION OF RECREATIONAL & COMMUNITY SERVICES/FACILITIES**

### **Item 13 - Ordinary Meeting, 25/1/05**

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Twelve submissions, 75% of the total, supported naming the lookout in honour of John Britty North. Four submissions, 25% of the total, objected to the proposal. Of the twelve submissions favouring honouring JB North, four expressed a preference for “JB North Lookout” and two preferred “Norths Lookout”. Thus there is not a significant preference for either of the two advertised options. As there was not a clear preference, a process of email consultation was conducted to try to establish preferences and the reasons for choices.

A letter was also sent to all those who had made a submission, advising of the results of public exhibition and inviting further comment, by Friday 31 December 2004. Those who supported “JB North Lookout” were either happy with or did not object to Council supporting the proposed name “Norths Lookout”. Only one of those who opposed either of the advertised options replied, reiterating support for an alternative Aboriginal place name. No further submissions from the Aboriginal community were received.

#### **Alternative Proposals**

Four submissions suggested an alternative name. One proposed a name honouring Ben Esgate. There is another lookout in the vicinity named “Esgates Lookout”, although like many place names this name is yet to be officially adopted.

Three submissions suggested an Aboriginal name however, only one of these submissions suggested a specific name as an alternative name commemorating Billy Lynch. There is already a headland on Narrow Neck plateau named after Billy Lynch.

A late submission suggested “Kooranbarook Lookout” because Billy Lynch referred to the area as Kooranbarook. A book by Jim Barrett, *Coxs River*, records the name Kooranbarook as the Aboriginal name for Nellies Glen, used up to the 1900s. Pulpit Hill Creek was formerly named Kurranburrock Creek. There is a small Crown Reserve (7 hectares) in Megalong Valley named Kurranburrock Reserve.

#### **Summary**

Apostrophes are not used in geographical names, so those familiar with geographical names should understand the name means North’s Lookout.

“JB North Lookout” avoids confusion with the compass point. Even though compass points are not used in geographical names, this may not be understood by the average person. This name also specifically honours John Britty North and may be more likely to prompt interest in the Katoomba pioneer and benefactor.

**PROVISION OF RECREATIONAL & COMMUNITY SERVICES/FACILITIES**  
**Item 13 - Ordinary Meeting, 25/1/05**

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Table 2: Summary of reasons for choices

<b>Norths Lookout</b>		<b>JB North Lookout</b>	
<b>For</b>	<b>Against</b>	<b>For</b>	<b>Against</b>
More generic – honours North family in general	Not specific enough	More specific – directly honours JB North	Too specific
Fits better as a geographical name	Could cause confusion with the compass point	Avoids any confusion with the compass point	There are no registered lookout names with initials
May work better in a natural setting	May be less likely to prompt any interest in JB North	Is more likely to prompt interest in JB North	May seem out of place in a natural setting

**Conclusion**

The subject lookout is currently unnamed and there are no known records of any previous name being used for this location. There are currently no geographical names in the City of Blue Mountains recognising John Britty North. Support for an alternative Aboriginal name was limited to three submissions.

Consultation subsequent to public exhibition again indicated a slight preference for the name “JB North Lookout” because it specifically honours John Britty North. However it is not a strong preference and there are no other lookout names that use initials in this way. Therefore it is recommended that Council endorse the original proposal of “Norths Lookout” for submission to the Geographical Names Board.

The Geographical Names Board will advertise the name “Norths Lookout” in accord with the statutory process for adopting place names.

**PRECIS OF SELECTED CORRESPONDENCE**

Ordinary Meeting, 25/1/05

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**ITEM NO: 14**

**SUBJECT: PRECIS OF SELECTED CORRESPONDENCE, 25/1/2005**

**FILE NO: C00680**

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**Recommendation:**

*That the Precis of Selected Correspondence be received and appropriate letters forwarded where necessary.*

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**1. 8/12/2004 – Resident of Springwood**

Complimenting Council, and the contractor who recently carried out the kerbside chipping service in the Springwood area, for the quality of the work, and in particular the size of the chips.

**2. 8/12/2004 – 24 Petitioners from the Falconbridge Area**

Requesting the provision of landscaping to Railway Park and the embankment adjacent to Sir Henrys Parade, Falconbridge.

**3. 9/12/2004 – The Co-ordinator, Blue Mountains Aboriginal Culture and Resource Centre**

Expressing appreciation for a Council staff member who has been involved in addressing their recent concerns.

**4. 14/12/2004 – Resident of Springwood**

Thanking Council for the provision of the kerbside chipping service, and in addition noting the efficiency of the contractors who performed the most recent mulching in the area.

**5. 14/12/2004 – Resident of Hazelbrook**

Thanking Council staff for the maintenance work carried out to local parks, particularly Kingsford Smith and the park located in the vicinity of the Three Sisters.

**6. 15/12/2004 & 21/12/2004 – 97 Petitioners from Mount Victoria**

Requesting that no further development, in particular a car wash, be permitted to the Caltex/Star Mart All-Night Café at Mount Victoria.

**PRECIS OF SELECTED CORRESPONDENCE**

**Item 14 - Ordinary Meeting, 25/1/05**

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**7. 16/12/2004 – 87 Petitioners**

Requesting that Council perform urgent upgrades to the short section of footpath between 21 and 27 Armstrong Street, Wentworth Falls, as the section is a slippery, uneven dirt surface full of rocks and tree roots.

**8. 17/12/2004 – State Librarian & Chief Executive, State Library of New South Wales**

Congratulating Blue Mountains City Library for being one of 14 New South Wales libraries to host the Nestle Write Around Australia creative writing program in 2004, and expressing appreciation for the efforts of the Zone Co-ordinators.

**9. 20/12/2004 – The Hon Bob Debus MP, Member for Blue Mountains**

Referring to Council's correspondence concerning capital assistance to upgrade the driveway to Springwood & District Boys & Girls Club Inc and the Valley Heights Locomotive Heritage Museum. Advising that he has contacted the Hon Sandra Nori MP, Minister for Sport & Recreation, and the Hon Michael Costa MLC, Minister for Transport Services, seeking their advice regarding appropriate funding sources.

**10. 12/1/2005 - 60 Petitioners**

Enclosing a petition that has been sent to the Hon Bob Debus MP, Member for Blue Mountains, requesting his action and support in establishing an appropriate channel with local government whereby a new retirement village can be established in the area of the Lawson Golf Course, for the benefit of our ageing population.