

BLUE MOUNTAINS CITY COUNCIL

Minutes of the Ordinary Meeting of the Council of the City of Blue Mountains held in the Council Chamber, Administrative Headquarters, Civic Place, Katoomba on Tuesday, 25 January 2005, commencing at 7:32 pm.

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There were present:

The Mayor (Councillor Jim Angel) in the Chair, and Councillors Frappell, Henson, McInnes, McLaren, Myles and Van der Kley.

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In attendance:

General Manager, Group Manager BM City Services, Group Manager City Solutions, Group Manager City Sustainability, Group Manager Corporate Policy, Acting Group Manager Environmental and Customer Services, Executive Officer, Manager - Property, Acting Manager – Building and Construction, Development Engineer, Acting Administration Officer and Acting Business Paper & Administration Officer.

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Prayer / Reflection:

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

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MINUTE NO. 1

**C00679. Apologies and Leave of Absence**

**RESOLVED UNANIMOUSLY on the MOTION of Councillors Van der Kley and McInnes that the apology tendered on behalf of Councillors Brown, Creed, Hamilton, O’Grady and Searle for their non-attendance at the meeting be accepted and leave of absence granted.**

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MINUTE NO. 2

**C00336. Confirmation of Minutes - Ordinary Meeting, 14/12/04**

RESOLVED UNANIMOUSLY on the MOTION of Councillors McInnes and Van der Kley **that the Minutes of the Ordinary Meeting of 14 December 2004 be confirmed.**

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DISCLOSURES OF INTERESTS, 25/1/05

MINUTE NO. 3

**C00336. Procedural - Disclosures of Interests, 25/1/05**

Councillor Van der Kley made the following declaration with regard to Item 7 – Plastic Bags in the Blue Mountains:

“I have a pecuniary interest in Item 7 as I have an interest in a supermarket which may be affected by the issue.”

Councillor Myles made the following declaration with regard to Item 8 – Development Application No. O/2523/2004 for the Re-Zoning of Lot 1 DP 842612, No. 219 Great Western Highway, Warrimoo:

“I may have a possible pecuniary interest in this matter because the land at No. 219 is owned by a friend. However, I don’t consider that it will cause a conflict and will be staying in the Council Chamber for consideration of the matter.”

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MINUTES BY MAYOR

MINUTE NO. 4

**1. H00600. Blue Mountains Music Week Proposal**

RESOLVED UNANIMOUSLY on the MOTION of Councillors Angel and Henson **that Blue Mountains City Council proclaim the week of 21-26 November, 2005 as Blue Mountains Music Week.**

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MINUTE NO. 5

**2. Council's Response to Tsunami Disaster**

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

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 NO. 6

**3. C06050. Establishment of Friendship Relationship with Timor-Leste**

RESOLVED UNANIMOUSLY on the MOTION of Councillors Angel and McLaren:

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 NO. 7

**C06050. Establishment of Friendship Relationship with Timor-Leste – Nomination of Councillors to Panel**

RESOLVED UNANIMOUSLY on the MOTION of Councillors Van der Kley and McLaren that Councillors Henson, Frappell, McInnes, McLaren and O'Grady be Council's panel for the selection of, and the number of, community representatives to serve on the Friendship Committee.

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OFFICERS' REPORTS, 25/1/05

MINUTE NO. 8

**4. C00694. Schedules of Invested Monies**

RESOLVED UNANIMOUSLY on the MOTION of Councillors Van der Kley and McInnes that the Schedules of Invested Monies as at 30 November 2004 and 31 December 2004 be received.

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MINUTE NO. 9

**5. C00851. Sale of Land at 31 Parkes Crescent, Faulconbridge**

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

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.

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MINUTE NO. 10

**6. H00003. Katoomba Golf Course Development**

The Meeting was addressed by Ivan Jeray.

A MOTION was moved by Councillors Van der Kley and Frappell:

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.

MINUTE NO. 10 (CONTD.)

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

<b>For</b>		<b>Against</b>	
Councillors	Angel Frappell McLaren Myles Van der Kley	Councillors	Henson McInnes

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MINUTE NO. 11

**7. C00012. Plastic Bags in the Blue Mountains**

RESOLVED UNANIMOUSLY on the MOTION of Councillors McLaren and Myles **that this matter be deferred until the Council Meeting of 15 February 2005.**

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MINUTE NO. 12

**8. Z22/010. Development Application No. O/2523/2004 for the Re-Zoning of Lot 1 DP 842612, No. 219 Great Western Highway, Warrimoo**

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

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.**

MINUTE NO. 12 (CONTD.)

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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MINUTE NO. 13

**9. C00149. Report on Overhead Filler Removal and Fire Hydrant Installations at Various Rural Fire Service Sites**

A MOTIONS was moved by Councillors Van der Kley and Frappell **that Council receives and notes this report.**

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

	<b>For</b>	<b>Against</b>
Councillors	Angel Frappell Henson McInnes Myles Van der Kley	Councillor McLaren

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MINUTE NO. 14

**10. C07362. Cultural Partnerships Program 2005**

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

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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MINUTE NO. 15

**11. C074717. Elsa Dixon Aboriginal Employment Program – Grant Application**

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

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.**

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MINUTE NO. 16

**12. C00944. Community Assistance / Donations - Recommendations by Councillors**

RESOLVED UNANIMOUSLY on the MOTION of Councillors Van der Kley and McInnes that Council approve the following donations from the Councillors' Minor Local Projects Vote:

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

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MINUTE NO. 17

**13. C02283. Proposed Name for a Lookout in Bonnie Doon Reserve, Katoomba, Honouring John Britty North**

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

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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PRECIS OF SELECTED CORRESPONDENCE, 25/1/2005

MINUTE NO. 18

**14. C00680. Precis of Selected Correspondence, 25/1/2005**

RESOLVED UNANIMOUSLY on the MOTION of Councillors Henson and Van der Kley that the **Precis of Selected Correspondence, with the exception of Item 9, be received and appropriate letters forwarded where necessary.**

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MINUTE NO. 19

**C00680. Precis of Selected Correspondence, 25/1/2005 - Item 9**

RESOLVED UNANIMOUSLY on the MOTION of Councillors Henson and Van der Kley that a letter be written to the **Hon Bob Debus thanking him for his efforts to date and requesting his continued efforts in trying to get funding for this worthwhile project.**

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MINUTE NO. 20

**C00336. Procedural – Matter of Urgency**

RESOLVED UNANIMOUSLY on the MOTION of Councillors McLaren and Myles that Council now consider a matter concerning the **Blaxland Waste Management Facility, such matter being ruled by the Mayor to be a matter of great urgency.**

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MINUTE NO. 21

**Matter of Urgency – Blaxland Waste Management Facility**

RESOLVED UNANIMOUSLY on the MOTION of Councillors McLaren and Myles **that the time for public submissions regarding the Blaxland Waste Management Facility be extended until 18 February 2005.**

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MINUTE NO. 22

**C00336. Procedural - Question that Meeting Close**

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

Upon being PUT to the meeting, the QUESTION was AGREED TO UNANIMOUSLY, the time being 8:06 pm on Tuesday, 25 January 2005.

The Ordinary Meeting of the Council then closed until 7:30 pm on Tuesday, 15 February 2005 in the Council Chamber, Council Headquarters, 2 Civic Place, Katoomba.

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