

**PROVIDE GOOD GOVERNMENT**

Ordinary Meeting, 19/4/05

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**ITEM NO: 1**

**SUBJECT: SPECIAL VARIATION TO GENERAL INCOME**

**FILE NO: C00145**

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**Recommendations:**

1. *That Council note and receive the report on community consultation and community response relating to the proposed Environmental Levy.*
  2. *That Council proceed with an application to the Minister for Local Government for a Special Variation to General Permissible Income in 2005/2006 of 7.3%, comprising 3.5% permissible general variation under the rate pegging legislation and 3.8% for the Environment Levy to fund the works outlined in this report.*
  3. *That the application to the Minister be on the basis of the Special Variation of 3.8% for the Environment Levy be on-going and applied on top of any future permissible increase to General Income as prescribed by rate pegging legislation.*
  4. *That Council place on public exhibition with the Draft Management Plan the proposed Rates and Charges on the basis of:*
    - a. *what they would be if the Special Variation were not approved (i.e. only incorporating the 3.5% general variation),*
    - b. *what they would be if the Special Variation were approved and the Minister also amended the Local Government (Rates & Charges) Regulations to permit the Environmental Levy component to be levied as a flat charge on all assessments, and*
    - c. *what they would be if the Special Variation were approved and the Environmental Levy component were applied on a pro rata basis to all ad valorem and minimum rates across all rating categories and sub-categories (i.e. if the Minister did not amend the regulations to permit a flat charge).*
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**Report by Acting Group Manager, City Solutions:**

**Introduction: Why is there a need for an Environment Levy?**

Council has been investigating the possible introduction of an Environment Levy prior to a formal application to the Department of Local Government for a Special Variation to General Income in 2005/06 to allow this additional levy to be introduced.

The need for an Environment Levy has been identified from a number of priority objectives of Council relating to the protection of the natural environment and related infrastructure in the City, and the current constraints to meeting these objectives:

## PROVIDE GOOD GOVERNMENT

### **Item 1 - Ordinary Meeting, 19/4/05**

---

#### *Protection of the natural environment*

- The Blue Mountains is currently experiencing serious environmental problems, especially weed invasion; poor water quality; localised flooding; stormwater runoff into bushland; degraded and unsafe walking tracks, worsening degraded lands (including significant erosion); failing on-site sewerage systems and an increasing number of threatened species.
- Protection of the natural environment is consistent with Council's policy direction and community priority of achieving a more sustainable future for the Blue Mountains.

#### *Asset management*

- There is an urgent requirement to upgrade and maintain Urban Runoff Control Program outcomes and environmental infrastructure to achieve sustainable environmental standards and to prevent further deterioration to a point where the infrastructure is not functioning and to meet today's community expectations.
- Address the issues arising from the unique development of the City; the legacy of past development and inadequate infrastructure.

#### *Limited state and federal government funding*

- The environment levy presents an opportunity for increased grant funding, particularly \$ for \$ from state and federal governments including the Hawkesbury-Nepean Catchment Management Authority.

#### *Increasing costs*

- Continuing rise in the cost of operations above allowable increases to General Income.
- within 10 to 20 years, the scale of environmental degradation and the corresponding works required to address this will be significantly greater than present circumstances. The general maintenance of natural assets and infrastructure will become unsustainable without significant capital injection.
- The levy represents a significant cost saving to Council over the long term. A decision to defer the proposed works will result in substantially higher cost to council and the community to fix these problems in the future.

#### *Greater Blue Mountains World Heritage Area*

Council now has, indirectly, an increased environmental responsibility and accountability relating to environmental protection. World Heritage status has resulted in a greater community value being placed on the Blue Mountains, which in turn, has influenced community expectation of Council in terms of how it responds to this internationally significant environmental asset.

#### *Hawkesbury- Nepean Catchment Management Authority Blue Prints*

Additional revenue is required to assist Council in meeting the Blueprint targets, particularly, within the stipulated timeframes.

This proposal has been supported by the NSW State Government Urban Runoff Control Program, which has provided funding for Council to investigate the instigation of an Environmental Levy.

## **PROVIDE GOOD GOVERNMENT**

### **Item 1 - Ordinary Meeting, 19/4/05**

---

Approximately \$1.2million per year would be raised by an Environment Levy, for the duration of the Special Variation approved by the Minister for Local Government. The proposed variation would represent an increase of 3.8% to General Permissible Income (Rates and Annual Charge except for Domestic waste) above the 3.5% permissible increase relating to rate pegging. Therefore, the total increase for 2005/2006 would be 7.3%.

The actual impact of this total rate increase on individual ratepayers will of course vary based on land values and whether it is possible for Council to apply the levy as a flat rate.

The proposed rate variation of 3.8% for the Blue Mountains is comparatively lower than 6 of the 8 Councils in Hawkesbury-Nepean Local Government Advisory Group that have an environment levy. For example, Hawkesbury City Council have had an environmental levy of \$850,000 a year since 2002 and Penrith also have had an environmental levy since 2002 valued at \$1.7 Million a year.

#### **Proposed Environment Levy program of works**

The intention of the Environment Levy would be to extend the scope of URCP works and services; support the on-going maintenance and asset management of Council infrastructure and to fund environmental protection works. The types of works that would be undertaken through the funding raised by a levy include:

- Stormwater management and stormwater asset maintenance;
- Expansion of Council's walking track restoration project;
- Rehabilitation of former Lawson and Blackheath waste disposal depots;
- Catchment assessment and water quality improvement;
- Bushland & Reserve management including restoration of degraded land;
- Noxious and Environmental Weed control; and
- Restoration of endangered ecological communities;

These works are consistent with the priorities identified by the community and adopted by Council in the 25 year Strategy – Towards a more Sustainable Blue Mountains and the accompanying 'Map for Action'.

The proposed Environment Levy program of works is provided in more detail in Attachment 1. Whilst it is Council's intention to apply for an on-going Special Variation, that is, not based on a fixed number of years, the levy-funded projects are costed over a ten-year period to give an indication of current priorities.

The projects outlined are considered to be essential to address the more serious environmental threats presently facing the Blue Mountains and to avoid the likely scenario of a substantially higher cost to council and the community to fix these problems in the future. In 2015, a new 10-year program of works will be prepared with the same objective and made available to Council and the community.

**PROVIDE GOOD GOVERNMENT**

**Item 1 - Ordinary Meeting, 19/4/05**

---

**Environment Levy as a flat charge**

In the Council report of 17<sup>th</sup> November 2004, Councillors were made aware that, at present, the Regulations for the *Local Government Act* only allow special variations (subject to Ministerial approval) to rates for environmental purposes to be charged on an ad valorem basis. Ad valorem is based on the value of the property in question.

Given the wide fluctuations in land values across the Blue Mountains, and the premise that levy-related works and services will equally benefit the whole community, the preferred option for Council is to levy a flat charge.

The option of introducing the levy as a flat charge, similar to the Emergency Services Levy, would require changes to Section 8 of the Local Government Act (Rates and Charges) Regulation 1999. Council requested in November 2004, that the Minister for Local Government allow the option of levying a flat charge to assist with Councils decision of whether to proceed with a Levy. Council is currently awaiting a Ministerial determination relating to this request.

Despite Council's view that a flat charge would be the most equitable form of levy, a number of residents who completed the survey at the public meetings were opposed to the levy being a flat charge (refer to Attachment 3).

However, the discussion at the public meetings suggests that there is some misunderstanding of the ad valorem option. Those opposing a flat charge, were advocating that (a) the levy be proportional to ratepayer's income, to reflect one's capacity to pay and (b) the levy be proportional to the impact on the environment, which reflects a user-pays approach.

Council clearly does not have any capacity to implement a levy based on personal income and has a limited capacity to effect a user-pays approach to environmental issues and is making some progress in the areas it can affect, for example, commercial nature-based recreation.

In summary, the options available if Council wishes to proceed with the Environment Levy are:

- 1) Apply to the Minister for an on-going Special Variation in General Permissible Income (Rates and Annual Charges except for Domestic Waste) of 7.3%, comprising 3.5% maximum allowable Rate Pegging Limit and 3.8% to raise an additional \$1.2 Million, being the Environmental Levy.
- 2) If the Minister approves the Special Variation, incorporate the Environmental Levy into the Rates and Annual Charges structure on the basis of either:
  - a) If the Minister **agrees** to amend the Regulation as requested in November 2004 to allow the application of the Environmental Levy as a "flat charge", then levy an Annual Charge of \$34.40 per rateable assessment, OR

**PROVIDE GOOD GOVERNMENT**

**Item 1 - Ordinary Meeting, 19/4/05**

---

- b) If the Minister **does not agree** to amend the Regulation as requested to allow the application of the Environmental Levy as a ‘flat charge’, either
- i) Levy as a Special Rate across the whole city, which while it would be able to be shown separately on the Rates Notice is **not recommended** as the amount payable would vary widely because of the very wide variation in valuations throughout the city (the same unacceptable position as when the Emergency Services Levy was first introduced as a Special Rate would result), or
  - ii) Increase all ad valorem rates in categories/sub-categories on a proportionate basis – individual valuations would still determine the amount paid but there would be a much lesser variation in impact than if levied as a Special Rate although would not be able to be shown separately on the Rate Notice (a separate insert could show how much of the ad valorem for each category/sub-category is applicable to the Environmental Levy). This is **recommended** option in these circumstances if the Council still wishes to proceed.
- 3) If the Minister does not approve the Special Variation, Council will need to determine whether to adjust the Draft Budget to incorporate some of the new works that were to be funded from the proposed levy at the expense of some existing works and services, which would need to be identified. In this instance, Council must consider the remediation works required at the former Lawson waste disposal depot as an urgent priority.

**Community Consultation**

Council has undertaken community consultation as suggested in the Council report of 17 November 2004. The community has been notified of the proposal by way of advertisements in the local press (Blue Mountains Gazette) and an information brochure was sent to all residents in the LGA.

The community has been invited to comment on the proposal to introduce an Environment Levy by way of written letter; email; phone contact with staff; and attendance at one of three public meetings held in March 2005.

The public meetings were conducted in Katoomba, Springwood and Lawson on the 16<sup>th</sup>, 17<sup>th</sup> and 19<sup>th</sup> March 2005, respectively. Council engaged a professional facilitator, Dr Gary Werskey of Educational Partnerships, to conduct the meetings. The presence of the facilitator ensured an orderly forum resulting in a more constructive discussion with attendees.

There was a strong consensus from the community consultation that the Blue Mountains is facing serious environmental threats and that more needs to be done to address these threats. However, there was no consensus that the additional funds required should be raised through a levy.

**PROVIDE GOOD GOVERNMENT****Item 1 - Ordinary Meeting, 19/4/05**

A summary of the community opinion relating the proposal to introduce an Environment Levy, as received by 25<sup>th</sup> March 2005, is as follows:

<b>Form of community feedback</b>	<b>No. in support of proposal</b>	<b>No. of objections to proposal</b>	<b>No. of undecided / neutral</b>	<b>Total</b>
Email	46	31	1	78
Written letter	5	23	2	30
Telephone	2	12	1	15
Public meeting	11	28	8	47
<b>TOTAL</b>	<b>64</b>	<b>94</b>	<b>12</b>	<b>170</b>

These results suggest that, of the total number of respondents:

- 38% support the proposed environment levy;
- 55% are opposed to the proposed environment levy; and
- 7% are undecided in their opinion.

Councillors should refer to Attachments 2 and 3 for a more detailed summary of community feedback received by phone, letter and email and the consultant's report, 'BMCC Public Meetings on the proposed Environment Levy.' Community feedback continues to be received by letter and email and will be considered accordingly.

If Council chooses to proceed with the Environment Levy, further community consultation will occur as part of the Draft Management Plan process. The Draft Management Plan, including the proposed rates and charges structure for 2005/06, will be on exhibition during April and May 2005 for public comment. Submissions received in response to the Draft Management Plan relating to the proposed Environment Levy, will be collated and a summary of the level of support will be forwarded to DLG as appropriate.

### **Community Response**

Council should note that some of those supporting the levy proposal, do so with the following qualifications, that Council:

- Guarantee to allocate the levy to the agreed program of works only and that the increased income is not incorporated into Council's general revenue;
- Itemise the levy amount on the rates notice and in relevant financial reports;
- Maintain the current/core budget for environmental management (suitably indexed for inflation);
- Ensure levy works are evaluated with measurable outcomes/results;
- Inform the community of Levy projects and detail how the money is spent;
- Develop the program of works in consultation with the community; and
- Undertake to better manage development control in the LGA to prevent, where possible, environmental damage in the future.

The budget details relating to Council's expenditure on Environmental Management for the past 3 years is now available to the public and is on Council's website (refer to Attachment 4).

## **PROVIDE GOOD GOVERNMENT**

### **Item 1 - Ordinary Meeting, 19/4/05**

---

It is intended that Council develop a comprehensive communications strategy for the Environment Levy, detailing the most effective ways to provide information to the community on the progress of levy-funded projects and the status of levy expenditure. This approach will provide a guarantee that all the money raised through the proposed levy is spent on specific works and projects outlined in the application to the Minister for Local Government.

The most common reasons given by those opposed to the Environment Levy relate to ratepayers' inability to afford the levy, especially in light of the recent increase in land valuations, and the strong belief that revenue should be available from Council's existing budget or rather, sourced from State and Federal governments. There appeared to be a mistaken belief held by the community that the increase in land valuations would result in an increase in rates equivalent to the increase in land valuations. This is incorrect as the total Council rates income is capped at 3.5%.

It should be noted that an overwhelming majority of attendees at the Springwood and Lawson public meetings agreed that the Environment Levy projects suggested by Council would indeed address the environmental problems facing the Blue Mountains.

### **Conclusion**

The impetus for Council to consider an Environment Levy comes from the strategic policy direction set by the community in the 25-year Vision and the Map for Action, which is strongly focussed on achieving a more sustainable future for the Blue Mountains, and Council's priority of asset management.

In summary, the community clearly recognise the major environmental risks the Blue Mountains is facing and there is strong support for the environmental objectives of the proposed Environment Levy.

The community consultation reveals that the community is divided on the merits of the levy proposal. There is neither strong support for, nor overwhelming opposition to, a levy. Supporters of the levy are anxious that funds so raised, supplement rather than substitute, Council's current environmental management budget. Many of those who oppose the levy are concerned that rates are about to increase in line with recent property valuations.

With resources extremely limited, it is considered that raising additional funds through a levy is the only way for Council to implement the projects that are required to mitigate the environmental risks. Indeed a delay in addressing many issues will only exacerbate the cost to future generations.

If Council decides to proceed, an initial application for an on-going Special Variation will be submitted for the Minister's approval at the end of April 2005. This application will be for Council to increase its' total permissible income by 7.3%. If Council does not get approval to levy a flat charge, it is recommended that an application be made for the Special Variation to be an Increase to General Income, with the increase being levied on an ad valorem basis proportional to Ordinary rates.

**PROVIDE GOOD GOVERNMENT**

**Item 1 - Ordinary Meeting, 19/4/05**

---

As previously mentioned, the proposed Special Variation will be exhibited as part of the Draft Management Plan Exhibition in April/May 2005. Council will need to consider any further submissions on the matter with a final decision to introduce an Environment Levy in June 2005.

Should Council decide not to proceed with the Environment Levy, or in the event that the Special Variation is not approved by the Minister for Local Government, the proposed works will either not be able to be done; be completed at the expense of some existing works and services, which would need to be identified; or deferred until a later date at a much greater cost to Council and the community. Council will need to seriously consider making existing funds available to undertake the urgent remediation works required at the former Lawson waste disposal depot.

Whilst increasing rates at any time is challenging, the community, through the 25-year Visioning and the Community Surveys, have placed the protection of the environment as one of their highest priorities.

Attachment 1

**PROVIDE GOOD GOVERNMENT**

**Item 1 - Ordinary Meeting, 19/4/05**

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Attachment 1

**PROVIDE GOOD GOVERNMENT**

**Item 1 - Ordinary Meeting, 19/4/05**

---

Attachment 1

**PROVIDE GOOD GOVERNMENT**

**Item 1 - Ordinary Meeting, 19/4/05**

---

Attachment 1

**PROVIDE GOOD GOVERNMENT**

**Item 1 - Ordinary Meeting, 19/4/05**

---

Attachment 1

**PROVIDE GOOD GOVERNMENT**

**Item 1 - Ordinary Meeting, 19/4/05**

---

Attachment 1

**PROVIDE GOOD GOVERNMENT**

**Item 1 - Ordinary Meeting, 19/4/05**

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Attachment 1

**PROVIDE GOOD GOVERNMENT****Item 1 - Ordinary Meeting, 19/4/05**

## Attachment 2

**Summary Of Community Comment - Environment Levy**

A summary of key issues and comments presented by local residents in response to the proposed Environment Levy, received by email, telephone, written letter and personal attendance at the public meetings held in March 2005.

<b>COMMUNITY SUPPORT</b>	<b>COMMUNITY OBJECTION</b>
<ul style="list-style-type: none"> <li>• Happy to pay the levy</li> <li>• Environmental degradation needs to be addressed urgently</li> <li>• Council and ratepayers should be responsible</li> <li>• Greater value needs to be placed on a sustainable environment</li> <li>• Alarmed at amount of environmental work Council could do if they had the money</li> <li>• Levy is a positive and practical way for ratepayers to contribute to local environment</li> <li>• Increase community education in conjunction with levy to reduce future impacts</li> <li>• Levy should be itemised in financial reports / rates notice</li> <li>• Levy should not incorporated in general revenue</li> <li>• Proper administration of the levy is paramount</li> <li>• Council must maintain current/core budget for environmental management</li> <li>• Council's core budget should not be replaced by the levy</li> <li>• Development control should be improved to prevent ongoing environmental damage</li> <li>• Levy projects should be evaluated, with measurable outcomes/results</li> <li>• Community needs to be informed of levy projects</li> <li>• Community input to levy expenditure; levy projects</li> </ul>	<ul style="list-style-type: none"> <li>• Cannot afford levy – council rates already high; land valuations; interest rate rise.</li> <li>• Concern for Council management of levy money</li> <li>• Environmental works should come from Council's core budget</li> <li>• Concern for levy money to increase expenditure on other projects eg. Blackheath pool</li> <li>• Environmental damage caused by inappropriate development or lack of development monitoring</li> <li>• Council don't do anything in my street/area</li> <li>• Council subject to cost shifting from NSW Govt hence higher costs for new responsibilities</li> <li>• Funding should be sought from</li> <li>• State &amp; federal government</li> <li>• Ratepayers should not pay for tourism and world heritage related expenses</li> <li>• Levy is not equitable - all residents / tourists should pay, not just rate-payers responsibility</li> <li>• Resources should be spent on development control &amp; development monitoring to offset environmental damage</li> <li>• Another tax</li> <li>• Still paying Springwood Town Square levy</li> </ul>

Attachment 3

# Educational Partnerships

Report on BMCC'S  
Public Consultation Meetings  
on Proposed Environment Levy

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March 2005

Attachment 3

Executive Summary

**Background**

The Council organised and publicised three public meetings on the proposed Environment Levy. These were held in Katoomba, Springwood, and Lawson on March 16, 17, and 19, respectively.

A total of 67 residents attended the three meetings. Apart from the relatively low attendance, the only generalization that could safely be made about attendees is that they were skewed toward older Mountains residents.

A team of four Council officers -- led by Frank Garafalow (Manager, Environmental Management Branch) – outlined Council's proposals, answered residents' questions, and recorded their comments and actions during the meetings.

Dr. Gary Werskey of Educational Partnerships facilitated these sessions and prepared this report.

Cr. Pippa McInnes attended both the Springwood and Lawson meetings.

Residents' written comments were also collected in surveys distributed at the meeting.

**Findings**

A clear majority of those attending were agreed about the following issues.

- The Blue Mountains is facing serious environmental problems that Council and the community must respond to now, in order to avoid more damage and higher costs in the future.
- The environmental projects for which Council is seeking an Environment Levy could help to solve these problems.
- However, an Environment Levy was not seen as an acceptable way to fund these projects.
- The most frequently given reasons for opposing a Levy were both financial – the overall tax burden was already felt to be too high (especially for retirees) – and 'political' – there was little confidence that Council would use the extra funds wisely, efficiently, or transparently.
- Frequently mentioned alternative sources of funding were: the reallocation of Council resources to the environment, more efficient use of these resources, greater contributions from both State and Federal governments, and levies on tourists and the tourism industry.
- If an Environment Levy were passed, the funds raised should be used to supplement – not substitute for – Council's current spending on the environment. This should be confirmed both by the release of figures on current spending and by an annual audit and report on the spending and projects separately funded by the Environment Levy.

Opinion was much more evenly divided at the meetings about whether the Levy should be administered on a flat rate or ad valorem basis.

Attachment 3

**1. Background**

As part of its public consultation process over the proposed Environment Levy, the Council organised and publicised three public meetings on this subject. The meetings were flagged in a brochure sent to all ratepayers, advertised over three weeks in the Gazette, and promoted on the BMCC website.

The meetings were held in Katoomba, Springwood, and Lawson on March 16, 17, and 19, respectively.

A total of 67 residents attended the three meetings: 27 in Katoomba; 31 in Springwood; and only 9 in Lawson (on a Saturday morning).

Apart from the relatively low attendance, only two generalizations could safely be made about the attendees. They were sufficiently motivated about the environment, the levy, and/or the Council to turn up. Older Mountains residents, especially retirees, were more strongly represented than other groups.

The tone of the three meetings varied considerably. At Katoomba there was quite a lot of hostility expressed about Council from the outset, led by a few particularly outspoken individuals. The meeting at Springwood was also quite lively, but considerably more civil and constructive in tone. Lawson was, by contrast, quite low key, given the small number of residents present.

A team of four Council officers -- led by Frank Garafalow (Manager, Environmental Management Branch) – outlined Council's proposals, answered residents' questions, and recorded their comments and actions during the meetings.

Dr. Gary Werskey of Educational Partnerships facilitated these sessions and prepared this report.

Cr. Pippa McInnes attended both the Springwood and Lawson meetings. The absence of Councillors was both noted and condemned at all three meetings.

Residents' written comments were also collected in surveys distributed at the meeting.

The numbers of surveys collected were: Katoomba (20); Springwood (22); and Lawson (6). One reason for the discrepancy between surveys and attendees is that couples sometimes put in a joint survey, but with only one name attached.

This report consolidates and summarises both the verbal and written feedback from these meetings.

Other public comment on the Environment Levy received directly by Council via email, telephone, and posted submissions will be summarised elsewhere.

**PROVIDE GOOD GOVERNMENT****Item 1 - Ordinary Meeting, 19/4/05**

## Attachment 3

**2. Findings**

The meetings and survey were organised around a series of questions focussing initially on environmental issues and then moving on to the levy and funding more generally.

Based on the experience of the Katoomba meeting, the presentations and survey were slightly amended, to ensure that attendees were more clearly informed about the environmental issues and projects underpinning the levy proposal.

Nevertheless, on the crucial questions of whether there were significant environmental problems that justified greater spending on the environment – and the form it might take – attendees at all three meetings were presented with the same agenda.

**1. Do you understand and accept that the Blue Mountains is facing serious environmental problems that Council and the community must respond to now, in order to avoid more damage and higher costs in the future?**

The survey response to this question was as follows:

Table 1: Environmental Problems (*n* = 46)

Meeting	yes	no	???
Katoomba	13	4	3
Springwood	16	1	3
Lawson	6	0	0
<b>TOTAL</b>	<b>35</b>	<b>5</b>	<b>6</b>

The overwhelming majority at all three meetings concurred with this statement. Reasons commonly given were that the failure to deal with these problems would result in serious downstream consequences for both the National Park and Sydney's water supply. The longer it took to get on top of these issues on the plateau, the more serious and costly these issues would become.

Opinion was more divided about who was responsible for creating (and fixing) these problems. Some acknowledged that it was a joint responsibility of Council and the community. Others were adamant that Council was mainly to blame for most local environmental degradation – particularly in its failure to control weeds on its own land. Almost as many felt that residents needed to become far better educated about their own impacts on the bush.

Looking further afield, other participants felt that both State and Federal governments and agencies bore some responsibility for the state of the local environment. The RTA was singled out for its negative impacts, while the Federal government's nomination of the Blue Mountains as a World Heritage area meant that it needed to support the increased environmental burden it had placed on the local community.

**PROVIDE GOOD GOVERNMENT****Item 1 - Ordinary Meeting, 19/4/05**

## Attachment 3

**2. Do you understand and accept that the environmental projects for which Council is seeking an Environment Levy could help to solve these problems?**

The survey response to this question was as follows:

Table 2: Environmental Projects (n = 22)

<u>Meeting</u>	<u>yes</u>	<u>no</u>	<u>???</u>
Katoomba	N/A	N/A	N/A
Springwood	14	1	1
Lawson	5	1	0
<b>TOTAL</b>	<b>19</b>	<b>2</b>	<b>1</b>

Given how the agenda and survey were structured for the Katoomba meeting, it was not possible to put this question to attendees on the night. Most of the time was devoted to a discussion of the levy, in isolation from a consideration of the projects it was intended to support.

The overwhelming majority at the Springwood and Lawson meetings agreed that the projects outlined by Council officers would help to deal with these problems.

However, this support was cautiously given. Some felt that, though worthy, the projects would not resolve any of these long-standing environmental issues. Others labelled the initiatives as merely 'band-aid' solutions to past mistakes and lamented the lack of more exciting, forward-looking measures. One attendee was hopeful that most effort would be devoted to areas in greatest risk.

There was also considerable scepticism expressed about Council's ability both to allocate resources transparently and to implement and execute the projects efficiently. Many of the more environmentally-minded residents were particularly keen to identify how much Council was currently spending on the environment – and that this effort would continue to be funded out of the rates, rather than the Environment Levy. Frank Garafalow gave an undertaking that these figures would be available to all residents by mid-April at the latest.

This lack of confidence in the Council's capability, transparency, and accountability was one of the strongest themes to emerge from these meetings; leading to repeated calls for independent scrutiny and accounting of any special projects that might get up under the Environment Levy.

**PROVIDE GOOD GOVERNMENT****Item 1 - Ordinary Meeting, 19/4/05**

## Attachment 3

**3. Are there other environmental priorities Council should be considering?**

The survey response to this question was as follows:

**Table 3: Other Environmental Priorities (n = 21)**

<u>Meeting</u>	<u>yes</u>	<u>no</u>	<u>???</u>
Katoomba	N/A	N/A	N/A
Springwood	9	2	4
Lawson	4	1	1
<b>TOTAL</b>	<b>13</b>	<b>3</b>	<b>5</b>

Given how the agenda and survey were structured for the Katoomba meeting, it was not possible to put this question to attendees on the night.

The following priorities were identified at the Springwood and Lawson meetings as worthy of greater effort on the part of Council, the community, and other agencies

- Seek more ideas from the community
- Educate community more about environment
- Stop more/inappropriate development
- Better sewerage, water run-off, water ways
- Best practice recycling
- Close all landfills in the Blue Mountains – and transfer waste to more efficient tips
- Better/maintained local roads, especially in older areas
- Make businesses comply with EPA/Council regulations
- Better Council planning and budgeting for ongoing maintenance
- Increase outdoor staff
- Broaden environmental priorities to include energy and water conservation
- Just do the job properly!

**PROVIDE GOOD GOVERNMENT****Item 1 - Ordinary Meeting, 19/4/05**

## Attachment 3

**4. Do you understand and accept that an Environmental Levy is necessary to fund these projects?**

The survey response to this question was as follows:

**Table 4: Environmental Levy (n = 47)**

<u>Meeting</u>	<u>yes</u>	<u>no</u>	<u>???</u>
Katoomba	5	9	5
Springwood	4	16	2
Lawson	2	3	1
<b>TOTAL</b>	<b>11</b>	<b>28</b>	<b>8</b>

Fairly strong majorities at the Katoomba and especially the Springwood meetings did not accept that an Environment Levy was necessary to fund the projects outlined by Council. Opinion was more evenly divided at the Lawson meeting. In the Lawson and Katoomba meetings the combined number of 'Yes's' and undecideds equalled the 'No's'.

A motion opposing the Levy was publicly supported even more strongly at the Katoomba meeting (17 in favour, 3 opposed, with 7 abstentions). A show of hands at Springwood returned a similar verdict (21 opposed the levy, four supported, and 1 abstained).

The difference in the survey responses and votes/shows of hands may perhaps be due to a natural reluctance on the part of some to come out publicly against the majority on an issue where feelings are running high.

Those who supported the Levy were often those particularly committed to the environment. They were therefore clearly concerned that any money raised by the Levy would be used to supplement rather than substitute for Council's current environmental programs. Assuming the right level of transparency and accountability, they were reasonably sanguine about paying an extra \$34.40 – "it's only a case of beer" -- on their annual rates.

However, the majority of those present were not happy at the thought of contributing more than they are already paying to the Council. Retirees, particularly those on fixed incomes, were especially adamant that they simply could not afford any new taxes. Most participants reluctantly accepted that, if rates were increased annually by at least 2-3%, then Council would have to find the funds it needed for the environment out of that increase.

The overwhelming sentiment of these meetings was that Council would now have to rethink its priorities and projects comprehensively. Some felt that Councillors, too, needed to take a reality check, following a number of recent approvals of substantial and unfunded capital projects. A more detailed list of suggestions for funding alternatives to the Levy is presented below.

Some attendees were adamant that any suggested future increases in taxation, like the Levy, should be the subject of a local referendum. Cr. McInnes also questioned whether enough time had been allocated to this consultation process.

**PROVIDE GOOD GOVERNMENT****Item 1 - Ordinary Meeting, 19/4/05**

## Attachment 3

**5. If an Environmental Levy were to be introduced, do you think a flat rate of \$34.40 would be the best and fairest way of collecting it?**

The survey response to this question was as follows:

Table 5: Flat Rate? (n = 35)

<u>Meeting</u>	<u>yes</u>	<u>no</u>	<u>???</u>
Katoomba	4	11	2
Springwood	5	7	1
Lawson	2	3	0
<b>TOTAL</b>	<b>11</b>	<b>21</b>	<b>3</b>

A clear majority of residents who completed the survey at the Katoomba meeting were against a flat rate approach to the Levy. However, when a motion was put to the meeting in favour of a graduated over a flat rate levy, the motion was lost (For, 10; Against, 15; Abstain, 2).

Opinion on this subject was fairly evenly divided at the Springwood and Lawson meetings.

Those opposing a flat rate felt that those who can afford to pay more – or are abusers or beneficiaries of the environment (like tourism operators) – should do so.

**6. If there is no Environmental Levy, then how should Council fund needed environmental projects?**

Whether for or against the Levy, residents had many suggestions about how Council might generate more funds for environmental projects.

– **Council reforms**

- Educate Councillors on where/how to spend
- Better use existing resources
- Rethink priorities and projects – reallocate capital works spending
- Avoid non-core activities (Sister Cities, neighbourhood centres, the arts, etc.)
- Reduce indoor staff/managers -- increase outdoor staff
- Better budgeting
- Stop wasting funds on consultants, court cases, dodgy builders, etc.

– **Community**

- Educate residents on environment – and provide incentives to us for improving our properties
- Give ratepayers the option to ‘round up’ their rates for the environment
- Crack down on environmental vandals – like the nursery industry selling ‘weeds’

**PROVIDE GOOD GOVERNMENT**

**Item 1 - Ordinary Meeting, 19/4/05**

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Attachment 3

- **Other funding sources**
  - Hit the tourists/users of national parks/tourism operators/developers
  - Tap more funds from State/NPWS and Federal Government (World Heritage)
  - Develop more environmental sponsorships/partnerships with private sector

**3. Additional motions from the Katoomba meeting**

In addition to the motion opposing the introduction of an Environment Levy put forward at Katoomba (see above), the following motions were also put forward and passed by a majority of residents.

- **Absence of Councillors**

A motion was moved and seconded that the meeting condemns the absence of Councillors at this meeting.

Upon being put to the meeting the motion was carried (For, 22; Against, 2; Abstain, 3).

- **Confirmation of current environmental spending**

A motion was moved and seconded that Council publishes the accounts / budgets for all environmental works it has carried out over the last three years; giving detailed information as to what activities each budget item covers, including differentiation between on-site and management costs, and whether previous sources of funding have been grants.

Upon being put to the meeting the motion was carried (For, 24; with no other counts being taken).

## PROVIDE GOOD GOVERNMENT

## Item 1 - Ordinary Meeting, 19/4/05

## Attachment 4

**Blue Mountains City Council**  
**Environmental Management Budgets for 02/03, 03/04, and 04/05**

	2002/2003 June YTD Budgets	2003/2004 June YTD Budgets	2004/2005 June YTD Budgets
Bushland Management	\$163,331	\$138,111	\$167,754
Creeks & Catchments	\$50,049	\$47,856	\$55,777
Flora & Fauna	\$69,891	\$89,617	\$75,402
Environmental GIS	\$77,465	\$73,729	\$126,321
Natural Systems	\$94,448	\$105,945	\$94,843
Stormwater	\$69,193	\$137,512	\$131,238
Environmental Education	\$108,839	\$111,081	\$105,411
Bush Regeneration	\$153,342	\$217,203	\$247,203
Bushcare	\$166,531	\$186,024	\$190,000
Urban Weeds	\$207,955	\$205,370	\$212,706
Walking Tracks/Lookouts/Natural Areas	\$50,000	\$90,000	\$190,000
On-site Sewerage Management	\$27,415	\$57,766	\$61,464
Drainage Maintenance	\$765,000	\$765,000	\$773,000
Drainage Capital	\$33,908	\$0	\$51,911
<b>Total</b>	<b>\$2,037,367</b>	<b>\$2,225,214</b>	<b>\$2,483,030</b>

These budget figures do not include budgets associated with:

- \* Development Assessment and monitoring
- \* Environmental Planning
- \* LEP/DCP Preparation
- \* Environmental Rangers
- \* Environmental Health
- \* Sustainability Activities
- \* Tree Preservation
- \* Waste and Resources
- \* Fire Mitigation
- \* Council Overheads

**Additional External Grants and Contributions**

	2002/2003 June YTD Budgets	2003/2004 June YTD Budgets	2004/2005 June YTD Budgets
Bushland Management	\$234,684	\$210,449	\$154,412
Creeks & Catchments	\$111,535	\$141,022	\$105,330
Environmental GIS	\$0	\$26,060	\$0
Natural Systems	\$3,640	\$23,640	\$22,755
Stormwater	\$0	\$40,000	\$0
Environmental Education	\$11,000	\$82,162	\$37,838
Bush Regeneration	\$0	\$70,000	\$40,000
Urban Weeds	\$82,381	\$112,340	\$70,000
On-site Sewerage Management	\$44,000	\$27,500	\$27,775
Drainage Maintenance	\$0	\$25,664	\$25,000
Drainage Capital	\$54,389	\$69,963	\$23,099
<b>Total</b>	<b>\$541,629</b>	<b>\$828,800</b>	<b>\$506,209</b>

Attachment 4

## Sample of Environmental Management Activities

### **Bushland Management**

- Respond to community requests relating to bushland
- Apply and administer grants
- Project management of Council and grant funded bush regeneration projects and contracts
- Funding small bush regeneration projects
- Walking tracks and lookouts asset management plan
- Resident Weed Support
- Landcare groups instigation
- Bush Backyards
- North Katoomba Private Land Rehabilitation (includes Mountain Living course + targeted site visits)
- Rural weed strategy

### **Creeks and Catchments**

- Aquatic Monitoring and Action Program (AMAP)
  - a) macroinvertebrate sampling and water quality monitoring
  - b) recreational water quality monitoring (RWAMP)
  - c) community monitoring (Living Streams Streamwatch)
  - d) catchment prioritisation/risk assessment
  - e) site/issue specific monitoring
- Water Week & NSW Water Bug Surveys
- Stream bank and riparian corridor restoration

### **Flora and Fauna**

- Fauna and flora management on Council land and Council managed Crown lands.
- Validation of the Douglas vegetation map
- Vegetation Management Plans
- Reserve Management Plans
- Environmental Assessments for Bushfire Risk Mitigation Program (Hazard Reduction burns and mechanical mitigation)
- Environmental Impact Assessment
- Implementation of Council's responsibilities under the TSC Act Recovery Program and Threatened Species Recovery Plans

### **Environmental GIS**

- Bush Regeneration Mapping and Database
- Catchment Assessment Tool
- Nature-Based Recreational Site Mapping
- Noxious Weed Mapping
- Natural Assets and Vegetation Mapping

### **Natural Systems**

- Coordination of Council's natural systems assets including the preparation of a natural systems asset management plan
- Public Lands rationalisation
- Nature Based recreation
- Catchment Assessment and Prioritisation
- Liaising with CMAs and other state agencies in relation to natural systems in the City

**PROVIDE GOOD GOVERNMENT**

**Item 1 - Ordinary Meeting, 19/4/05**

---

Attachment 4

**Stormwater**

- Blue Mountains Stormwater Management Plan
- Subcatchment Stormwater Management Plans
- Flood Studies
- Floodplain Management Studies
- Floodplain Management Plans
- Assessment, Maintenance and Restructural work of Gross Pollutant Traps (GPTs) in Blue Mountains Catchment Areas
- Design and Construction of GPTs at strategic locations

**Environmental Education**

- Hold environmental related events
- Prepare environment education materials
- Community networking and capacity building
- Issue specific education programs

**Bush Regeneration**

- Target Weeding within bushland areas
- Bush Regeneration on 14 comprehensive sites
- Weed education
- Bushcare site support. (Assistance to Bushcare groups)

**Bushcare**

- Supervision of 45 Bushcare groups
- Supervision of 15 Landcare groups
- Running of promotional/ education events
- 4 issues of the Bushcare Newsletter the Gecko p year

**Urban Weeds**

- Noxious Weeds surveys
- Integrated treatment of specified weeds
- Noxious weed inspections of private land

**Walking tracks/Lookouts/Natural Areas**

- Respond to CSR for track maintenance
- Routine vegetation pruning and drain cleaning
- Minor restoration works of degraded track

**On-site Sewage Management**

- Septic Safe Program
- Inspection of failing systems
- Greywater reuse systems
- Onsite systems impact assessment

**Drainage Maintenance**

- Inspection of drainage pits, GPTs
- Cleaning and maintenance of drainage pits, gabion baskets, silt traps, trash racks etc.
- Repair of damaged drainage infrastructure

**Drainage Capital**

- Construction of new drainage infrastructure

**PROVIDE GOOD GOVERNMENT**

Ordinary Meeting, 19/4/05

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**ITEM NO: 2**

**SUBJECT: PLACEMENT OF THE DRAFT 2005-2006 MANAGEMENT PLAN INCLUDING THE DRAFT REVENUE POLICY ON PUBLIC EXHIBITION**

**FILE NO: CO7486**

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**Recommendation:**

*That subject to any amendments arising from Council's consideration of items at this meeting, Council approves the Draft 2005-2006 Management Plan incorporating the Draft 2005-2006 Revenue Policy for placement on Public Exhibition.*

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

**Introduction**

This report presents the Draft 2005-2006 Management Plan incorporating the Draft Revenue Policy (including the Draft Rating Structure, Fees and Charges, Estimates and Capital Works Program) for endorsement by Council for placement on Public Exhibition.

This Draft Management Plan has been developed as Year 2 of a four year Management Plan (2004-2008) representing Council's formal response within available resources to implementing the community endorsed *25 Year City Vision* and *Map for Action*.

Significantly, the 2005-2006 Management Plan continues Council's focus on the following 2004-2008 priorities:

- Improving the management and condition of built assets for which Council is responsible
- Managing the community's resources in a sustainable, responsible and business like way – including development and implementation of Long Term Financial Strategy and Human Resources Strategy
- Delivering an outstanding level of service to Council's customers through implementing the Customer First project
- Providing civic leadership for a City in a World Heritage National Park through engaging community in tracking progress in achieving City Vision and in implementing sustainable action
- Providing information about Council's policy setting and operations in a transparent manner including continuing implementation of Triple Bottom Line decision making tools and processes
- Providing accessible and fairly distributed services and facilities.

**PROVIDE GOOD GOVERNMENT****Item 2 - Ordinary Meeting, 19/4/05****Development of the Draft 2005-2006 Management Plan**

The structure and content of the Draft 2005-2006 Management Plan has been developed to meet:

- The requirements for the development of Management Plans as set out in the Local Government Act
- Council's resolution to demonstrate its leadership by responding to the City Strategy through the 2004-2008 Management Plan.

A major process of Councillor and staff involvement was undertaken to develop the Draft 2005-2006 Management Plan. **Table 1** below outlines the involvement of Councillors via Working Parties and a Special Briefing.

**Table 1: Councillor Input into 2005-2006 Management Plan Development**

<b>Councillor Working Party Meetings</b>	<b>Action</b>
<b>Finance and Assets Working Party</b> 7 September 2004	Strategies to Increase Revenue Discussed
<b>Finance and Assets Working Party</b> 7 September 2004	Strategies to Increase Revenue Priorities identified  Proposed Environmental Levy Issues considered
<b>Policy Review Working Party</b> <b>5 October 2004</b>	2004-2008 Management Plan Organisational Priorities and Sustainability Objectives considered and endorsed to guide development of 2005-2006 Management Plan  Review and minor amendments made to 2004-2008 Management Plan Objectives for each Principal Activity area
<b>Policy Review Working Party</b> 19 October 2004	Management Plan 4 Year Objectives – amendments from meeting of 5 October circulated and confirmed for inclusion in 2005-2006
<b>Finance and Assets Working Party</b> 26 October 2004	Strategies to Increase Revenue Way forward on priorities determined

**PROVIDE GOOD GOVERNMENT****Item 2 - Ordinary Meeting, 19/4/05**

<b>Councillor Working Party Meetings</b>	<b>Action</b>
<b>Finance and Assets Working Party</b> 9 November 2004	Proposed Environmental Levy More detail provided including communication plan
<b>Policy Review Working Party</b> 16 November 2004	Draft 2005-2006 Management Plan 1 year Milestones considered
<b>Policy Review Working Party</b> 1 February 2005	Draft 2005-2006 Management Plan 1 Year Milestones endorsed  Draft 2005-2006 Management Plan performance measures /targets endorsed
<b>Finance and Assets Working Party</b> 8 February 2005	Strategies to Increase Revenue Decision made to introduce fee recovery for credit card payments in 2005-2006
<b>Finance and Assets Working Party</b> 22 February 2005	Draft Capital Works Program Presentation and discussion on draft program
Special Councillor Briefing 15 March 2005	Draft 2005-2006 Management Plan (including Revenue Policy and Capital Works) was considered with minor amendments to Strategic section being endorsed
<b>Finance and Assets Working Party</b> 5 April 2005	Revaluations and Proposed Rating Structure Briefing paper, presentation and discussion  Fitness & Aquatic Centre Fees and Ratepayer Subsidies 2005-2006 Scenarios presented and discussed
Community services and Facilities Working Party 12 April 2005	Proposed application for a Special Rating Variation to enable the introduction of an Environmental Levy Briefing paper and discussion

**Preparing the Draft 2005-2006 Budget**

A number of significant financial challenges confronted the preparation of the Draft 2005-2006 Budget, the main ones being able to be summarised as - costs (and employment costs) are continuing to rise faster than our income, levels of service are rising and recent and new capital expenditure is increasing these pressures.

## **PROVIDE GOOD GOVERNMENT**

### **Item 2 - Ordinary Meeting, 19/4/05**

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In such a tight financial climate the Executive Management Team took a number of measures to constrain expenditure in preparing the Draft Budget. One of these was setting very tight parameters in relation to budget increases – for example: restricting growth in employment costs to a maximum dollar increase of 2% and no increase in full time equivalent positions, restricting growth in other expenditure combined to 1% unless for asset maintenance when up to 3% was allowed. Where factors made it impossible to achieve these restrictions greater scrutiny was given to ensure higher increases were unavoidable.

The Draft Budget assumes that in 2005-2006 work will continue on developing and implementing a sustainable financial strategy with particular focus being given to both cost reduction, as well as ways of increasing income generation for the City. As part of that focus, management is currently considering a four-pronged approach to reduce cost and increase income for the Council's consideration.

That involves:

- Reducing management and overhead costs by going from a five-group structure to a three-group structure – savings of \$700,000 are factored into the Draft Budget for 2005-2006
- Increasing user charges where costs have risen, but not so as to create barriers to use or entry
- Re-investing the proceeds of land sales into a property investment fund, so that the income earnings from such a fund can provide an income stream to the Council
- Restraining growth in new capital expenditure.

The net Draft Budget result for 2005/2006 is a “balanced budget” after allowing for a provision of \$500,000 to go towards restoring Working Capital to more acceptable levels (having regard to the unsatisfactory projections for the Estimated Working Capital Balance at 30 June 2005 in the December Quarter 2005 Budget Review).

### **Rating Structure**

#### The Current Rating Structure:

The current rating structure includes differential residential and business rates. Minimum rates apply to all ordinary rates with the exception of the ‘Business Statutory’ and ‘Springwood Special’ sub-categories.

The current rating structure was introduced in July 1996. At that time community scrutiny had been placed on the rating structure, including the sub-categorisation of town areas as centres of population.

Since that time, the current rate structure has gained general acceptance within the local community.

**PROVIDE GOOD GOVERNMENT****Item 2 - Ordinary Meeting, 19/4/05**Rate Pegging:

On 23 March 2005 the Minister for Local Government announced that Councils may increase their 'Notional Income' by 3.5%. The Draft Budget has been prepared on the basis of applying the full 3.5% increase, however, applying the rate pegging increase is optional.

To calculate the 'Notional Income' for 2005-2006, the full 3.5% has been applied to all rating categories and to the minimum rate amount.

Land Revaluation:

A General Valuation containing new valuations for all properties was received from the Valuer General in November 2004 applicable for the rating year 2005-2006. The previous General Valuation was in 2001. Under Section 48 Valuation of Land Act a General Valuation of all properties must be conducted at least once every six years.

Total land value within Blue Mountains City Council (BMCC) has increased as per the following table. The average increase in land value across BMCC area is 69%. There are significant variations in the amount of valuation increase within each of the listed groups.

<b>Comparison Of Land Valuations By Township</b>				
<b>Residential &amp; Business</b>				
<b>Township</b>	<b>Old Valuation</b>	<b>New Valuation</b>	<b>Increase \$</b>	<b>Increase %</b>
HAWKESBURY HEIGHTS	25,360,800	60,948,000	35,587,200	140%
WOODFORD	63,550,610	152,456,950	88,906,340	140%
MEDLOW BATH	31,931,340	74,678,470	42,747,130	134%
MOUNT VICTORIA	42,727,120	91,170,590	48,443,470	113%
LAWSON	103,665,700	205,557,026	101,891,326	98%
BLACKHEATH	266,850,320	514,554,660	247,704,340	93%
WARRIMOO	97,644,580	187,796,310	90,151,730	92%
LEURA	311,901,650	593,054,736	281,153,086	90%
HAZELBROOK	179,038,745	339,456,600	160,417,855	90%
WENTWORTH FALLS	346,822,010	637,528,450	290,706,440	84%
KATOOMBA	412,906,188	735,330,672	322,424,484	78%
SUN VALLEY	21,039,900	36,008,800	14,968,900	71%
FAULCONBRIDGE	370,982,570	621,010,100	250,027,530	67%
LINDEN	23,218,050	38,755,600	15,537,550	67%
GLENBROOK	312,652,285	517,744,615	205,092,330	66%
WINMALEE	588,259,970	947,831,486	359,571,516	61%
LAPSTONE	60,741,500	97,527,200	36,785,700	61%
VALLEY HEIGHTS	135,318,580	216,660,280	81,341,700	60%
BLAXLAND	421,450,160	661,070,097	239,619,937	57%
BULLABURRA	55,332,460	86,703,960	31,371,500	57%
YELLOW ROCK	113,823,850	176,683,340	62,859,490	55%
MEGALONG	16,999,400	25,711,400	8,712,000	51%
SPRINGWOOD	918,295,440	1,367,681,096	449,385,656	49%
BELL	2,048,650	2,977,990	929,340	45%
MOUNT RIVERVIEW	177,534,750	255,500,900	77,966,150	44%
BILPIN	74,100	93,700	19,600	26%
BERAMBING	1,855,700	2,344,400	488,700	26%
MOUNT TOMAH	14,187,000	17,631,400	3,444,400	24%
MOUNT IRVINE	9,276,700	11,165,400	1,888,700	20%
MOUNT WILSON	27,089,120	32,391,430	5,302,310	20%
<b>Totals</b>	<b>5,152,579,248</b>	<b>8,708,025,658</b>	<b>3,555,446,410</b>	<b>69%</b>

**PROVIDE GOOD GOVERNMENT**

**Item 2 - Ordinary Meeting, 19/4/05**

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The Impact of the Land Valuation on Rates:

Under rate pegging, Council is permitted to increase the total Rates and Annual Charges revenue (Domestic Waste Annual Charge excluded) by a maximum of 3.5% for 2005-2006 without having to make an application to the Minister for Local Government for a Special Variation. Due to the compulsory introduction of new and considerably higher land values than existed previously, Council therefore has to reduce the ad valorem rates so that its total income from Rates and applicable Annual Charges does not exceed 3.5%.

Under Section 498 of the Local Government Act, Councils are required to apply the same Ad Valorem and Minimum Rate amount to all properties within the same rating sub-category, which in effect is the smallest grouping of properties possible for rating purposes. Different Ad Valorem rates may be applied to different rating categories and or sub categories to allocate the rate responsibility from one category and/or sub-category to another. However, the way sub-category boundaries must be determined is also prescribed by the Act.

However, due to the level of land valuation increase not being uniform within or across rate sub-categories having regard to the current structure, some ratepayers will pay more than the 3.5% increase and some will pay less. This is dependent of whether the new values for their properties have risen greater than or less than the average increase in land values across their sub-category.

Proposed Environmental Levy:

A separate report in this Business Paper titled “Special Variation to General Income” addresses the issues surrounding the recommended introduction in 2005-2006 of what has been termed an “Environmental Levy”. If Council adopts the recommendations of that report, and subject to Ministerial approval, then the total income from Rates and applicable Annual Charges will increase by a further 3.8%, to a total of 7.3%.

The application of the Environmental Levy, if the Minister approves a Special Variation, will depend upon whether the Minister also makes an amendment to the Local Government (Rates and Charges) Regulation to permit it to be levied a flat Annual Charge on all assessments. If the Minister makes the necessary amendment, then all assessments will pay the proposed \$34.40 “Environmental Levy” as an Annual Charge plus there will be an average increase in actual rates of 3.5%.

If the Minister does not make the amendment to the Regulation, then it is proposed that the additional amount to be raised be factored into the existing differential rating structure. If that occurs, then there will be an average increase in actual rates by 7.3%.

In each of the scenarios outlined immediately above it needs to be recognised that due to the level of land valuation increase not being uniform within or across rate sub-categories, some ratepayers will pay more than the “average” increase and some will pay less. This is dependent of whether the new values for their properties have risen greater than or less than the average increase in land values across their sub-category.

**PROVIDE GOOD GOVERNMENT****Item 2 - Ordinary Meeting, 19/4/05**Recommended Rating Structure:

The recommended rating structure, having regard to the three scenarios likely depending upon whether the Minister approves the proposed application for a Special Variation and/or the introduction of a flat charge for the Environmental Levy, are:

- (a) If the Minister does not approve the Special Variation: The current rating structure with ad valorem rates reduced to take account of the new valuations to produce a total increase in income from Rates and applicable Annual Charges of 3.5%.
- (b) If the Minister approves the Special Variation and allows the introduction of the Environmental Levy as a flat Annual Charge: The current rating structure with ad valorem rates reduced to take account of the new valuations to produce a total increase in income from Rates and applicable Annual Charges of 7.3%, with total income from Rates and current applicable Annual Charges increasing by 3.5% plus there being a new Annual Charge of \$34.40 per assessment for the Environmental Levy.
- (c) If the Minister approves the Special Variation and but does not allow the introduction of the Environmental Levy as a flat Annual Charge: The current rating structure with ad valorem rates reduced to take account of the new valuations to produce a total increase in income from Rates and applicable Annual Charges of 7.3%.

The Draft Management Plan to be placed on Public Exhibition will show the proposed ad valorem and Minimum rates on according to each of the above scenarios.

**Draft Fees & Charges**

Following are the proposed Annual Charges for 2005-2006.

Annual Domestic Waste Management Charge:

Under the provisions of the Local Government (1993), a separate charge must be made for Domestic Waste Management Services. The proceeds of the Domestic Waste Management Charge must be expended on the provision of domestic waste management.

Council implemented a two tiered domestic waste management charge in 1997-1998, designed to reflect the levels of cost that are associated with varying degrees of service delivery. This fee structure is considered to be the most effective method of charging for domestic waste management and is designed to fully recover all costs incurred. The actual fees proposed are:

\$ 87.00	per annum, Vacant land with road access
\$182.00	per annum, Occupied Residential (140 L bin)
\$ 217.00	per annum, Occupied Residential (240 L bin)

## PROVIDE GOOD GOVERNMENT

### Item 2 - Ordinary Meeting, 19/4/05

The above fees are charged on the basis of each property serviced multiplied by the number of services provided. It is noted that the proposed occupied residential charge above has increased by \$23 (or 11.9%) on the current year's charge. There were a number of reasons for this increase, the most significant being the increase in recycling contract costs. Council has also introduced a new fee for a 140 litre bin.

#### Non-Domestic Waste Management Charge:

It is proposed that Council levy an annual charge of \$157 for all non-rateable properties. This charge is to be multiplied by the number of services provided to the property per week.

#### Emergency Services and Bushfire Control Levy:

Section 501 of the Local Government Act (1993) and relevant regulations allow Council to make an annual charge for the provision of Emergency Services and Bushfire Control. This is an "applicable" Annual Charge for rate pegging purposes. It is proposed that it increase by 3.5% for 2005-2006 to be \$36.00.

#### Proposed Environmental Levy:

Please refer to the separate report in this Business Paper titled "Special Variation to General Income" and to the information on this proposal provided earlier in this report.

### **Proposed New Fees**

The following new (or reintroduced) services and fees are proposed:

#### E-lodgement - \$20

Council proposes a new service category for electronic lodgement (e-lodgement) of applications and certificates. The fee will provide for an improved and more cost effective means of lodging applications online.

#### Credit card fee - 1%

Based on management of operating expenditure and the ability to offset expenditure by appropriate income matching, the application of a credit card transaction fee of 1% is proposed. This fee is to apply on all credit card transactions including rate payments, application lodgement fees, purchases and other services. This includes payments made at Council's offices, through Australia Post Billpay - internet and telephone, when systems are available. In that respect, to date Australia Post does not currently provide this transaction fee recovery. However, Australia Post has informed that an option is being developed for their clients to provide a transaction fee charge via their Post 'Billpay' Internet and phone based options only.

The annual costs (2004 calendar year) for credit card merchant fees for Council were approx \$113,000 (which includes Katoomba & Springwood Front Counters, Katoomba back office remittance processing, other Council areas (pools, tips etc) and Australia Post - phone, internet, counter). This includes for all credit card transactions, not just for rates.

**PROVIDE GOOD GOVERNMENT**

**Item 2 - Ordinary Meeting, 19/4/05**

At this stage an estimate of recovery is anticipated at approx \$60,000, however, until the transaction fee is applied, the final income return cannot be determined accurately due to the nature of choice customers will have regarding credit card usage or other payment and EFTPOS options.

Sullage Removal Service Charge for Private Residence Only - \$115

Changes to the laws for reusing grey water has caused us to impose a service charge on private pump out properties. The proposed charge is \$115.00 service fee (incl GST) for removal of sullage up to 4,500 litres and an additional \$3.00 per 100 litres over the limit of 4,500 litres.

Application to install a Solid Fuel Heater - \$30

This fee has previously been included as part of the fee for development applications. It is now separated to allow an application under Section 68 of the Local Government Act.

Inspection fee associated with Section 68 Local Government Act approvals - \$110

This fee allows Council to charge for inspections (excluding a site inspection) associated with Section 68 approvals. An example of where this may occur is inspections associated with the installation of an on-site sewerage management system. These inspections can only be carried out by Council.

Bond registration fee - \$20

The fee applies to the registration of bonds. It is consistent with the registration of certificates and ensures appropriate tracking of bond payments.

Road naming (associated with a subdivision) - \$500

This fee recognises the need to re-coup costs associated with naming a road.

Registration of Certificates - \$20

This fee applies to the registration of certificates received for Annual Fire Safety Statements, Cooling Towers, Fuel Heaters and On-site sewerage systems. It is consistent with the registration fee for Construction, Occupation and Subdivision Certificates.

Filming and Film Production - Lodgement Fee - \$60 per request

This fee is proposed for all applications associated with filming and film production. Previously it did not apply to student, educational, tourism and charity groups/organisations.

Rental of Footpaths for Public Dining (Dining and storage) - \$150 per lineal metre

This is not a new fee for 2005-2006 but the fee did attract large a number of representations during the current year. Business operators have the option of utilising council's footpath for an extension of their business operations under Council's Activities on Footpaths policy. Council's policy is similar to that of many other councils which permit these activities. Participation is discretionary so it is therefore considered reasonable that the community could expect a return on the use of the footpath for private gain. Apart from the private benefit, there are also significant fixed costs incurred by Council in regulating the activity.

**PROVIDE GOOD GOVERNMENT**

**Item 2 - Ordinary Meeting, 19/4/05**

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Most of the councils surveyed who allow the use of footpaths for dining and storage levy a fee. The fee usually reflects market rates for the rental of the asset with some consideration for regulatory costs associated with administering the approvals and associated compliance checks.

There are a number of different ways the charge is calculated including:

- a fee based on the number of tables and or chairs
- a square metre area basis
- a per lineal metre of frontage basis
- a flat rental fee.

The fees proposed in the Draft 2005-2006 Management Plan are a reflection of both the market rates for the use of the public asset as well as recovery of the costs associated with regulating the activity. To minimise administrative costs associated with the regulating the activity, it is generally considered easier to levy the fee on a lineal meter basis for the frontage utilised. Calculating it in this way easily translates to an appropriate square meter rate and is easy to check on site for compliance. It also allows some freedom for the business operator to choose the street furniture. A flat rental fee is considered inappropriate as it discriminates between users and unfairly penalises smaller operators with small frontages. Apart from the obvious costs to Council, charging no fee at all diminishes the value of the public asset and the privilege of being able to use the asset for additional commercial floor space.

The same fee structure is being proposed as in 2004-2005 - \$150 per lineal metre of footpath usable.

**Draft Capital Works Program**

The Draft 2005-2006 Capital Works Program has been set in accordance with the sustainability assessment priority setting process. This process ranks each project nomination based on Social, Environmental and Financial sustainability criteria. Nominations for the 2005-2006 program were accepted up to 31 December 2004 and were assessed during February 2005. This was the first year the on-line nomination system was introduced, allowing nominations to be received from the community directly via Council's website. Five community nominations were received along with various internal nominations. Other factors taken into consideration in planning the 2005-2006 Capital Works Program included:

1. Maintenance of existing assets, and approved and affordable levels of service
2. Existing expenditure commitments by way of -
  - a. Contracts entered into
  - b. Funding availability
  - c. Specific, time based Council resolutions
  - d. Legislative requirements
3. Public liability, demonstrable risk management requirements and OH&S requirements
4. Approved Four-Year Capital Works Program

**PROVIDE GOOD GOVERNMENT****Item 2 - Ordinary Meeting, 19/4/05**

5. New works consistent with the City Strategy
6. New works in compliance with general non time-specific Council resolutions
7. Any other new works.

This approach has had the effect of “squeezing out” some worthy projects, but also ensuring that the most important tasks and responsibilities receive the highest priority.

As well as those 2004-2005 projects already approved for carryover into 2005-2006, there are some additional projects that will be carried over, which will be the subject of a separate report. Resource requirements will be investigated to gauge the impact of expected carry-over works on achievement of the 2005-2006 program. Any 2004-2005 works not commenced at 30 June 2005 are a separate matter that will be carefully reviewed on the basis of both priority for funding and capacity to deliver.

The resultant impact is a Draft Capital Works Program of \$12,433,723 million funded by:

	<b><i>\$'000</i></b>
Loans - General	\$3,556
Loans - Repayable from Envir. Levy	\$260
Grants/Contributions	\$2,632
Sect 94	\$255
Pay & Display	\$15
Restricted Assets	\$283
Emergency Services Levy	\$80
Gate Fees	\$60
Asset Sales	\$5,292
	<hr/>
	\$12,433

**Placement on Public Exhibition**

The Draft 2005-2006 Management Plan that is proposed for placement on Public Exhibition, including the complementary volume titled Draft Revenue Policy, is provided separately to Councillors only with this Business Paper. After the Council resolves to place it on Public Exhibition the public will be able to access the documents and make submissions.

The Local Government Act requires that the Draft Management Plan be placed on public exhibition for a period of 28 days and that Council considers any written submission received prior to adopting a Final Plan.

The intended details of the Public Exhibition process are:

- The Public Exhibition of the Draft Management Plan be from Friday 22 April 2005 until Thursday 19 May 2005
- Two public information sessions be held to explain the components of Draft Plan and the submission process

**PROVIDE GOOD GOVERNMENT**

**Item 2 - Ordinary Meeting, 19/4/05**

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- The Public Exhibition period and public information sessions (see below) will be advertised in the BM Gazette on Wednesday 20 April and 27 April 2005
- A Press Release be prepared and issued to local media advising of the public exhibition of the Draft Management Plan, the public information sessions, etc.
- Copies of the Draft Plan will be available to peruse and download on Council's website and at Council's libraries with hard copies available at Council offices in Katoomba and Springwood or on request.

In respect to the two public information sessions, it is planned to hold one session at the Springwood Civic Centre Hall on Wednesday 4 May 2005 at 7.30pm and one in the Council Chambers in Katoomba on Thursday 5 May 2005 at 7.30pm. These will be important sessions for Councillors and Senior Staff to directly address the public on the Draft Management Plan.

**Conclusion**

It is recommended that Council endorses the Draft 2005-2006 Management Plan, including the complementary volume Draft Revenue Policy, for placement on Public Exhibition. This Management Plan has been developed with considerable input from Councillors.

The Plan continues to provide a clear focus and leadership around the challenging work of improving the management and maintenance of the City's built assets within limited resources available and to making the Council a more sustainable organisation - financially, socially and environmentally. In summary the Draft 2005-2006 Management Plan represents a significant contribution to continuing ongoing work to translate the community endorsed City Vision into action on the ground.

In August 2005, Council will begin the process of developing the 2006-2007 Management Plan (*Year 3 of the 2004-2008 Management Plan*). Councillors will then have the opportunity to review progress to date in implementing the four year Management Plan and to provide leadership in confirming priorities and yearly milestones to be achieved in 2006-2007.

**PROVIDE GOOD GOVERNMENT**

Ordinary Meeting, 19/4/05

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**ITEM NO: 3**

**SUBJECT: SUBMISSION OF RETURNS OF INTEREST**

**FILE NO: C02658**

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**Recommendation:**

*That the Register of Returns of Interest under Section 450A of the Local Government Act 1993 be tabled.*

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**Report by General Manager:**

Section 450A of the Local Government Act 1993 requires that Returns of Interest under Section 449 of the Act lodged by recently appointed staff be tabled at the first meeting of Council held after the last day for lodgement of the returns.

The Register of Returns of Interest by recently appointed staff will be tabled at this Council Meeting.

In accordance with Section 450A of the Act the Register will be available for inspection by members of the public during any adjournment of the Meeting or at the close of the Meeting. The Register will also be available for inspection at the Administrative Offices, Katoomba during office hours.

**QUALITY LOCAL GOVERNMENT**

Ordinary Meeting, 19/4/05

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**ITEM NO: 4**

**SUBJECT: COMPULSORY ACQUISITION OF LAND BY RAILCORP – LOT 1  
IN DP 1046118 BEING PART OF GANG GANG STREET,  
KATOOMBA**

**FILE NO: H01183**

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**Recommendations:**

1. *That Council agree to the compulsory acquisition of Lot 1 in DP 1046118 being part of Gang Gang Street at the northern end of Katoomba Street, Katoomba, by RailCorp to accommodate the new passenger lift structure and associated works as part of the Katoomba Railway Station Upgrade Program.*
  2. *That Council accept compensation for the compulsory acquisition as determined by the State Valuation Office or the Valuer General's Office in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.*
  3. *That in addition to the compensation determined by State Valuation Office or the Valuer General's Office, RailCorp pay Council a sum of \$10,000 for reinstatement, repaving and adjustment works for the surrounding levels and the area of Gang Gang Street in the vicinity of the lift entrance.*
  4. *That the Common Seal of Council be affixed to any necessary documents relating to this matter.*
- 

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

This report advises Council of RailCorp's intention to compulsorily acquire part of Gang Gang Street being Council's road, to accommodate the new passenger lift structure, as part of the Katoomba Railway Station Upgrade Program. The proposal is supported as it would unify the ownership of property associated with the Railway Station. The lift provides an improved pedestrian link between the northern and southern sides of the Railway Line, as well as increasing accessibility to the Railway Station complex.

**Background**

Council considered and approved the construction of the passenger lift as part of the Katoomba Station Easy Access and Upgrading Program in 2000 (Development Consent X/554/2000). The State Rail Authority (SRA) then sought to occupy an area of approximately 27 square metres of Gang Street, Katoomba for lift construction purposes in accordance with the provisions of Sections 138 and 139 of the Roads Act, 1993.

**QUALITY LOCAL GOVERNMENT**

**Item 4 - Ordinary Meeting, 19/4/05**

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The SRA (now RailCorp) has retained its occupation over the land during the construction works and commenced action to compulsorily acquire the small area of land involved. Compulsory acquisition would proceed under the Land Acquisition (Just Terms Compensation) Act, 1991 with compensation assessed by the State Valuation Office or Valuer General's Office. The location of the 27 square meter area of land proposed to be acquired is shown on the attached locality plan and is identified as Lot 1 DP 1046118.

It has been necessary to negotiate with RailCorp on the matter of the cost of reinstatement, paving and adjustment works in the vicinity of the lift and on Council footpath outside the area of the lift entrance in Gang Gang Street to ensure safe access to the lift entry area. The cost of these works is \$10,000 and agreement has been reached with RailCorp to have this amount added to the compensation for the acquisition of the Council land involved in constructing the lift.

**Conclusion**

Consolidation of ownership of the lands involved in the operation of significant facilities at Katoomba Station, including the passenger lift, is essential. Construction work on the lift is complete and it is now appropriate for RailCorp to compulsorily acquire the area occupied by the lift under the Land Acquisition (Just Terms Compensation) Act, 1991.

Agreement has been reached with RailCorp to pay the costs of Council's work in adjusting the surrounding levels and repaving the area of Gang Gang Street in the vicinity of the lift entrance. An amount of \$10,000 is to be added to the compensation to be paid by RailCorp, subject to Council agreeing to the proposed compulsory acquisition.

It is therefore recommended that Council agree to the compulsory acquisition of lot 1, DP 1046118, being approximately 27 square meters in area and part of Council owned land at Gang Gang Street, Katoomba, and accept compensation for the acquisition as determined by the State Valuation Office or the Valuer general's Office as appropriate.



**LAND USE MANAGEMENT**

Ordinary Meeting, 19/4/05

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**ITEM NO:** 5

**SUBJECT:** ROAD NAMING - OXLEY WAY AND ALLEN STREET,  
BLAXLAND

**FILE NO:** R03/0176. R03/0177

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**Recommendations:**

1. *That Council receives and notes this report.*
  2. *That Council proceeds with the naming of the roads created by the Subdivision and development of Lot 10 DP 1071630, No. 67 Wilson Way Blaxland, to be known as OXLEY WAY and ALLEN STREET.*
- 

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

**Introduction**

Clause 162 of The Roads Act 1993, states that a roads authority may name all public roads within its area of responsibility. The Act also states that any person may make a written submission in relation to any proposed road name.

In exercising this responsibility, the authority is required to follow the procedures set out in the Roads Act 1993 and the Road (General) Regulations 2000. Council is the road authority for local public roads within the Blue Mountains Local Government Area.

**Subdivision Approval**

Subdivision consent S02/0071 was issued by Council on 14 December 2003, for a 1 into 53 lot residential subdivision at 67 Wilson Way Blaxland. The development includes the extension of an existing road known as Allen Street and the creation of a new cul de sac. This provides access to the eastern portion of subdivision and connects with both the Allen Street extension and Mitchells Pass. A copy of the approved subdivision layout is included as Attachment 1 to this Report.

The applicant has proposed to continue the “Allen Street” name into the extended portion of the road, which is a logical and clear approach. The cul de sac is proposed to be named “Oxley Way” as a reflection of the explorer, John Oxley. Once the Blue Mountains had been crossed in 1813, he was instrumental in exploring the land and rivers west of the Mountains and Bathurst. The name was also selected to complement other roads in the vicinity named after prominent explorers, including Mitchells Pass. This approach is considered to be appropriate and in keeping with the surrounding area. The proposed name is simple, unique and easy to understand.

**LAND USE MANAGEMENT**

**Item 5 - Ordinary Meeting, 19/4/05**

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In accordance with the requirements of the Roads Act and the provisions of Council's adopted procedures, the proposed road names were advertised in the Blue Mountains Gazette for a 30 day period, with comments closing on 16 March 2005.

No submissions were received as a result of this notification process.

**Conclusion**

The proposed road names are considered appropriate in terms of the guidelines set out by the Geographical Names Board of New South Wales. The names appropriately reflect the character of the relevant areas without being commercially based or obviously offensive. They are easy to communicate and spell.

The processes followed and actions undertaken fully comply with the requirements of Council's Road Naming Policy.

It is recommended that Council approves the proposed names and proceeds to advertise its decision by Notice in the Government Gazette and the local newspaper; as well as providing written notification to Australia Post, Land & Property Information NSW; and advise all relevant public utilities, police, emergency services and map providers.

New street signs, built to the relevant standards, shall be provided at the applicant's expense.

Attachment 1 - Approved Subdivision Layout

LAND USE MANAGEMENT

Ordinary Meeting, 19/4/05

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**ITEM NO:** 6

**SUBJECT:** DEVELOPMENT APPLICATION NO. X04/1424 FOR THE CONSTRUCTION OF A TEMPORARY MOTOR REGISTRY BUILDING WITHIN THE COUNCIL DEPOT AT LOT 1 DP 528978 AND LOT 2 DP 540416, NOS. 2–38 SOUTH STREET, KATOOMBA

**FILE NO:** X04/1424

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**Recommendations:**

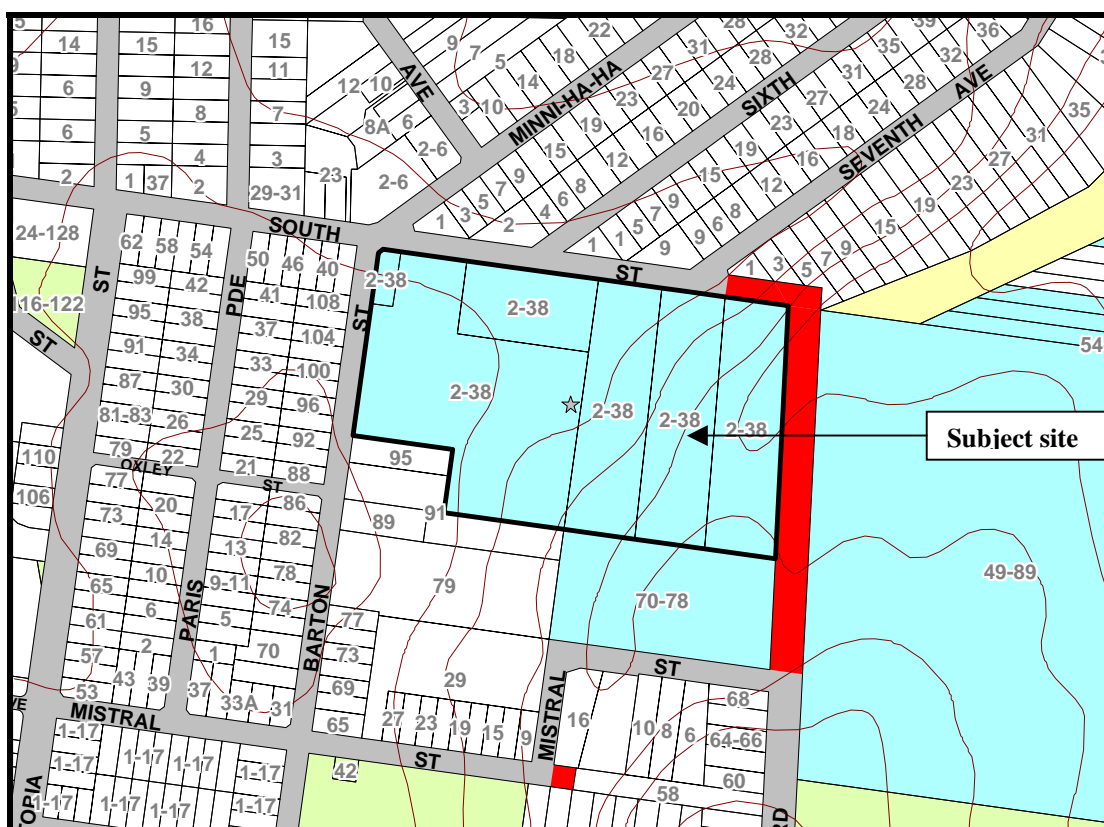
1. *That Council receives and notes this report.*
  2. *That, upon the written approval of the Roads and Traffic Authority, as required under Section 116c of the Environmental Planning and Assessment Act, determination of the application is delegated to the General Manager to grant consent to Development Application No. X04/1424 for the construction of a temporary motor registry building within the Council Depot at Lot 1 DP 528978 and Lot 2 DP 540416, Nos. 2–38 South Street, Katoomba, subject to conditions of consent generally in accordance with those included as Attachment 1 to this Report.*
- 

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

<b>Reason for report</b>	The application is referred to Council for determination as the proposed works will result in a commercial advantage to Council in the form of a temporary lease for use of the site.
<b>Applicant</b>	Havenhand and Mather Architects Pty Ltd on behalf of the Roads and Traffic Authority
<b>Owner</b>	Blue Mountains City Council
<b>Application lodged</b>	13 September 2004
<b>Property address</b>	Lot 1 DP 528978 and Lot 2 DP 540416, Nos. 2–38 South Street, Katoomba

## LAND USE MANAGEMENT

## Item 6 - Ordinary Meeting, 19/4/05

**Site description**

The subject site consists of three (3) separate allotments located at the south eastern corner of the intersection between South and Barton Streets Katoomba. Currently, the Council depot operates from the allotments with staff car parking located in the north western corner of the site. The car park area has been previously levelled and sealed with stormwater draining to South Street.

Existing commercial and industrial uses are located directly to the south of the site, with an additional commercial centre located diagonally across the intersection and to the north west of the site.

Single occupancy residential dwellings are located to the north and west of the site with existing bushland located to its east.

**Proposal**

The proposed development is summarised as follows:

- Erect a portable building to be used as a motor registry.
- The building is intended to be in operation for a defined period of 18 months.
- Use to include general motor registry business and driving tests only.
- Hours of operation to be Monday to Friday 8:30am to 4:00pm, and Saturday 8:30am to 12:00noon.

**LAND USE MANAGEMENT**

**Item 6 - Ordinary Meeting, 19/4/05**

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- Development controls**
- Industrial General under Local Environmental Plan No. 4
  - Proposed 'Employment - General' under Draft Local Environmental Plan 2002
  - Sydney Environmental Planning Policy No. 20 – Hawkesbury Nepean River
  - Car Parking Development Control Plan No. 29

**Notification**

The application was advertised in the Blue Mountains Gazette, as well as written notification sent to ten (10) adjoining and nearby properties. The notification period was for 14 days between 3 November 2004 and 17 November 2004.

One (1) submission was received as a result of the notification process.

- Issues**
- Resident issues:
- Traffic generated would reduce child safety around the existing schools.
  - Traffic generated will result in a decline in public safety.
  - Additional risk caused by lack of footpaths and crossings.

- Assessment issues:**
1. Statutory considerations
  2. Suitability of the site
  3. Resident Issues

**Discussion of Issues**

**1. Statutory Considerations**

The development application has been assessed against the provisions of Section 79C of the Environmental Planning and Assessment Act, 1979.

The Roads and Traffic Authority is a public authority in accordance with the provisions of the Environmental Planning and Assessment Act and as such the application is deemed to be an application by the Crown. Section 116c of the Environmental Planning and Assessment Act provides that Council cannot impose conditions on a Crown consent, except with the written approval of the Minister or the applicant. Whilst the applicant has communicated a general acceptance of the proposed conditions, a written acceptance had still not been received as at the date of this report. Therefore, the report includes a recommendation that, upon concurrence of the Roads and Traffic Authority being received, it is delegated to the General Manager to issue the final conditions of consent.

**Local Environmental Plan No. 4**

The proposed development is defined as a 'public building' under the definitions adopted by Local Environmental Plan No. 4 (LEP4), that is, a building used as offices by the Crown for a public purpose. The proposed use is permissible with the consent of Council.

## LAND USE MANAGEMENT

### **Item 6 - Ordinary Meeting, 19/4/05**

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The proposed building is 12m x 12.4m, to be located to the north western corner of the site and on the existing sealed surface of the staff car park area. Clause 38 of LEP4 requires that the ratio of total floor space of any buildings erected on the site does not exceed 0.5:1. The subject site has a total site area of approximately 4.1ha, and the proposed temporary building has approximately 148m<sup>2</sup> in floor area. The proposed development will increase the existing Floor Space Ratio (existing Council buildings) from 0.061:1 up to 0.066:1, which complies with the provisions of this clause.

The proposed development is single storey in height and complies with the 2 storey maximum height provisions of clause 39 of LEP4.

#### **Draft Local Environmental Plan 2002**

DLEP 2002 proposes to zone the subject site Employment General, with the proposed use defined as a public building, which is permissible with the consent of Council.

The proposed development complies with the provisions of Schedule 2 of Draft Local Environmental Plan 2002 relating to building heights, setbacks, soft pervious landscaping, and maximum floor space ratios.

The DLEP also outlines matters to be assessed in terms of design and operational considerations. The single storey building is similar in scale to a modest residential dwelling and has a built form that complements the surrounding industrial and commercial uses. The set back from the property boundaries and administrative nature of the use will assist in minimising potential impacts. The operating hours are not considered to be excessive given industrial zoning and nature of surrounding area.

Development in the Employment General Zone should incorporate the planting of vegetation and the screening of bulk when viewed from adjoining public places. The proposed building is setback a minimum of 12 metres from both frontages with a grass verge and mound is located along the sites western boundary. The applicant has submitted a landscape plan that improves planting along these grassed verged areas and further reduces the visual appearance of the building.

The proposed building will only be in place for a period of up to 18 months, after which it will be removed and the car park area reinstated. The development is considered to comply with the prescribed development standards as set out in Draft LEP 2002 and result in a development that is appropriate in character and scale compared to the surrounding area.

#### **Sydney Regional Environmental Plan No. 20: Hawkesbury Nepean Catchment**

The subject site is located within the Erskine and Glenbrook Creeks sub-catchment under the provisions of Sydney Regional Environmental Plan No. 20 (SREP 20). In assessing this application, the general and specific planning considerations as set out in Clauses 5 and 6 of SREP 20 have been addressed and the proposal is considered to be consistent with the aims and strategies of this policy. Adequate opportunity exists for stormwater to be detained on site and discharged to Council's stormwater system with minimal impact on the environment or the catchment.

**LAND USE MANAGEMENT**

**Item 6 - Ordinary Meeting, 19/4/05**

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A Soil and Water Management Plan was provided for the site, which indicates the installation of hay bales, silt fences and sedimentation areas. The development is unlikely to result in any adverse water quality impact.

**Car Parking Development Control Plan No. 29**

The Car Parking DCP does not provide specific car parking requirements for the proposed use. However, the applicant has provided details from the Roads and Traffic Authority's existing office at Katoomba. In addition, a traffic count was undertaken of the existing car park area at the depot.

The proposed development will reduce the existing number of on-site car parking spaces from 78 to 65, whilst the traffic count for the existing depot indicated a traffic generation rate of 54 cars. A surplus of eleven (11) spaces results.

The existing RTA office has a peak average of 19.5 visitors per hour with the average turn around time being approximately eight (8) minutes. They also have an average of 2.5 driving tests per day with each test averaging approximately fifty (50) minutes. Additionally, the proposed office will operate with a maximum of five (5) staff members on at any one time. The above scenario results in the need for approximately three (3) car parking spaces for general business, one (1) space for driving tests and five (5) spaces for staff, a total of nine (9) on site car parking spaces.

The above requirements are within the resultant surplus outlined above, however to ensure minimal adverse impact on the surrounding residential area, it will be required as a condition of consent, that kerb and gutter is extended along the full length of the site's frontage to South Street, including footpath access. The car parking capacity is considered sufficient for the car parking requirements associated with the existing depot use and the proposed RTA office use. Existing traffic calming devices in place around significant sites such as schools and recreational areas will regulate traffic movements and preserve the current level of public safety.

South Street and Barton Street are local feeder roads that provide access to the surrounding industrial area and between the residential areas to the north and the Great Western Highway. The proposed development represents a minor increase in the overall traffic generated and is within the capacity of the surrounding road network.

**2. Suitability of the Site**

The site is located in an established general industrial area. The part of the subject site to be used for the temporary RTA building is currently used as a car parking area and is already sealed and has drainage to South Street. There is existing vegetation around the perimeter of the site with ample opportunity to provide additional planting. Generous building set backs can be achieved with the development located diagonally opposite a commercial centre. South Street is a main traffic route into and out of the local area, and accommodates a mixture of land uses ranging from industrial, educational and residential.

The site is in reasonable proximity to the Katoomba commercial centre with good road access, and will only require marginal site disturbance.

**LAND USE MANAGEMENT**

**Item 6 - Ordinary Meeting, 19/4/05**

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The site is considered suitable for the proposed development and is considered to be well suited to the character of the surrounding area.

**3. Resident Issues**

Concern was raised in relation to the traffic generated resulting in a reduction of safety in relation to the existing school. The nearest public school is located approximately 450m to the south of the site with full frontages to Victoria Street, Barton Street, Mistral Street and Verdun Street. The majority of traffic from the proposed development is likely to travel along South Street to Victoria Street with Barton Street acting as a secondary route. The Public School buildings are located to the eastern portion of the school grounds, with primary pick up points being to Mistral, Verdun and Barton Streets. Mistral and Verdun are short residential streets, whilst Barton Street includes a pedestrian crossing in the vicinity of the school's main exit.

It is considered that the primary activity during the end of a school day is focused to the eastern area of the site, where appropriate traffic controlling and pedestrian crossing facilities are provided. Additionally, it is considered that the increase in traffic generated by the proposed development is within the traffic capacity of the subject roads.

Additional concern was raised in relation to safety issues arising from the lack of footpaths and crossings in the area. The surrounding area is provided with footpath access in the vicinity of the site, however none is provided along the frontage of the proposed site. It will be required as a condition of consent that additional footpaths are provided along the South Street frontage of the site.

**Conclusion**

The subject site will require little permanent alteration to allow the proposed development with it being able to be appropriately restored once the use has ceased. The proposed building is similar in character and scale to the surrounding area, with the surrounding road network being able to accommodate additional traffic generated by the development. Existing traffic calming devices in place around significant sites such as schools and recreational areas will regulate traffic movements and keep the level of public safety intact.

The development will result in some additional landscaping being provided along the boundaries of Barton and South Streets, as well as extended road seal, kerb and gutter, and footpaths. The use is considered to be in keeping with that of the surrounding area and the existing commercial nature of the subject site.

## LAND USE MANAGEMENT

**Item 6 - Ordinary Meeting, 19/4/05**

## Attachment 1 - Proposed Condition of Development Consent

- |                                       |   |
|---------------------------------------|---|
| <b>Confirmation of relevant plans</b> | 1. To confirm and clarify the terms of consent, the development shall be carried out in accordance with the plans prepared by Havenhand Mather Architects Planners numbered DA.01A; LA.01 dated 22/11/04 and 21/01/05 respectively and plans prepared by Marline Newcastle Pty Ltd numbered SWM-02; H-01 and dated January 2005 and accompanying supportive documentation, except as otherwise provided or modified by the conditions of this consent.      |
| <b>Period of Development Consent</b>  | 2. Substantial physical commencement of construction is required within 2 years from the date of this consent. Should this not occur, the Consent will lapse and a new Development Application will need to be submitted.   |
| <b>Temporary Use of site</b>          | 3. The use of the site is for a temporary period of no more than 2 years from the date of consent. After use the building shall be dismantled and removed from the site with all altered areas re-established to their pre-development condition. All re-establishment work shall be completed within 2 months of the cessation of use.   |
| <b>Services</b>                       | 4. Arrangements must be made with Integral Energy, Sydney Water and an approved telecommunications service provider for the extension of services to and within the site. Written evidence of such arrangements is to be submitted to Council prior to the commencement of any site works.  |
| <b>Building Code of Australia</b>     | 5. All building work must be carried out in accordance with the provisions of the Building Code of Australia.   |
| <b>Access and mobility statement</b>  | 6. To ensure access is provided for people with a disability, and in accordance with the provisions of the <i>Disability Discrimination Act 1992</i> ; <i>Australian Standard AS1428</i> and Council's <i>Access and Mobility Policy</i> an appropriate ramp shall be provided from the car park level into the building. This ramp shall be located so as to retain the number of approved on-site car parking spaces and to provide safe and easy access. |

LAND USE MANAGEMENT

**Item 6 - Ordinary Meeting, 19/4/05**

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Attachment 1 - Proposed Condition of Development Consent

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**Construction Signage**

7. To ensure that the site is easily identifiable for deliveries and provides information on the person responsible for the site, a sign displaying the following information is to be erected:
- The statement “Unauthorised access to the site is not permitted”.
  - The names of the builder or another person responsible for the site along with an out of hours contact number.
  - Lot or Street number.

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**Site management**

8. To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period:
- a. Site and building works (including the delivery of materials to and from the property) shall be carried out Monday to Friday between 7am-6pm and on Saturdays between 8am-1pm. Alteration to these hours may be possible for safety reasons but only on the approval of Council.
  - b. Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path or easement, natural watercourse, footpath, kerb or road surface and shall have measures in place to prevent the movement of such material off site.
  - c. Building operations such as brickcutting, washing tools, concreting and bricklaying shall be undertaken on the building block. The pollutants from these building operations shall be contained on site.
  - d. Builders waste must not be burnt or buried on site. All waste (including felled trees) must be contained on the site in a manner that ensures it cannot be blown from the site and then removed to a Waste Disposal Depot.

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**Soil erosion**

9. All exposed earthworks and disturbed areas shall have suitable sediment control measures in place prior to the commencement of construction to prevent soil erosion and the transport of sediment off the site during rainfall and runoff. The sediment control measures shall be continually monitored and maintained for the duration of construction and for six months after completion. All disturbed areas shall be revegetated with native vegetation endemic to the area.

## LAND USE MANAGEMENT

**Item 6 - Ordinary Meeting, 19/4/05**

## Attachment 1 - Proposed Condition of Development Consent

- |                               |  |
|-------------------------------|--|
| <b>Plans on site</b>          | 10. A copy of the stamped and approved plans, development consent and the construction certificate are to be on the site at all times during construction.   |
| <b>External lighting</b>      | 11. To protect the amenity of the local area, any external lighting is to be positioned, directed and shielded so that it does not interfere with traffic safety or cause nuisance to adjoining and nearby properties.   |
| <b>Hours of operation</b>     | 12. The hours of operation of the development are limited to;<br>Monday to Friday – 8:30am to 4:00pm<br>Saturday                   8:30am to 12:00 noon  |
| <b>Identification signage</b> | 13. To protect the visual amenity of the neighbourhood and city, identification signage shall be limited to the details included with the application. All other signage shall be subject to Council approval prior to installation.   |
| <b>Council's works</b>        | 14. The following engineering works shall be constructed by the applicant at the applicant's expense: <ul style="list-style-type: none"> <li>a. The driveways and parking areas are to be <b>amended</b> as shown in red on the approved plan.</li> <li>b. All vehicles are required to enter and leave the site in a forward direction.</li> <li>c. The grade of access driveway from the invert of kerb and gutter in South Street, to the road boundary and beyond is to be reduced to prevent scrapping of vehicles.</li> <li>d. All car parking areas and driveways are to conform to Australian Standards 2890.</li> </ul> |

Detailed engineering plans prepared by a qualified person and endorsed by a chartered civil engineer with NPER registration shall be submitted to Council for approval prior to the issue of the Construction Certificate.

Approval of the engineering designs by Council is subject to the payment of the prescribed Engineering Development Fees, the amount of which will be advised at the time of lodgement.

Attachment 1 - Proposed Condition of Development Consent

**Roads and Traffic Authority works**

15. Where the works affect Roads and Traffic Authority controlled roads, the design is to be approved by the Roads and Traffic Authority before submission to Council for approval. Furthermore, the work affecting Roads and Traffic Authority controlled roads is to be supervised by the Roads and Traffic Authority. Before the issue of the Occupation Certificate, the Council and the Roads and Traffic Authority are to certify that all the works under their control have been completed to their satisfaction.

**External Engineering work**

16. The development shall include the construction of a 150 vertical console kerb and gutter and the adjacent sealed shoulder pavement works over the full car park frontage to South Street. The construction is to include any necessary drainage and works to the construction effective.

The kerb and gutter alignment is to match the existing alignment in the street. In this regard, contact is to be made with Council's Development Engineer prior to the commencement of any road works.

For the driveway across the South Street footpath, a new heavy duty concrete layback and apron crossing is to be constructed. This construction is to include any necessary work to make the construction effective including transition of the footpath and internal driveway, the adjustment of public utilities and the regrading of the driveway across the footpath to facilitate quick entry and exit movements, and to prevent scraping.

Concrete path paving 1.2m wide is to be constructed the full frontage of the car park frontage to South Street. The construction is to be extended to the proposed registry building as determined by engineering design. The maximum grade is to be no steeper than 10%.

All disturbed areas are to be topsoiled and turfed. Kikuyu grass is not to be used for this purpose.

## LAND USE MANAGEMENT

**Item 6 - Ordinary Meeting, 19/4/05**

## Attachment 1 - Proposed Condition of Development Consent

**Construction  
Council's roads**

- in** 17. Where works are carried out on Council or public lands (ie. roads, parks etc.) by or on behalf of the applicant, the following conditions shall be satisfied:
- a. Before work commences in Council's roads, plans and specifications prepared by a suitably qualified person and endorsed by a chartered civil engineer with NPER registration are to be submitted to and approved by Council under the Roads Act 1993. Where the works affect Roads and Traffic Authority controlled roads, the plans and specifications are to be approved by the Roads and Traffic Authority before submission to Council for approval. Approval of the engineering designs by Council is subject to the payment of the prescribed Engineering Development Fees at the time of lodgement. All works in Council's road are to be at no cost to Council.
  - b. An on site meeting is to be arranged with Council's Supervising Engineer prior to the commencement of any work in Council's road for the purpose of a pre-construction meeting. Council's inspection fee is to be paid prior to the meeting.
  - c. The person or company carrying out the works will be required to carry public liability insurance to the value of \$10 million. The policy shall indemnify Council from all claims arising from the execution of the works. Proof of the policy is to be provided to Council's Development Engineer at the pre-construction meeting.
  - d. The person or company carrying out the works shall submit to Council reference demonstrating experience in the type of work proposed to be undertaken. The person or company shall obtain approval from Council to carry out the works prior to works commencing.
  - e. The applicant will be required to pay for inspections in accordance with Council's fees and charges. The specific stages of inspection required will be advised at the pre-construction meeting. A minimum of 24 hours notice shall be given to Council when arranging for an inspection. Work is not to proceed further until the works, or activity covered by the inspection has been approved.

Attachment 1 - Proposed Condition of Development Consent

Following the final inspection, any work considered by Council as unsatisfactory shall be rectified to Council's satisfaction at no cost to Council. Council inspection and approval shall be obtained prior to the issue of the Occupation Certificate. The applicant's engineer must certify that the work have been constructed in accordance with the approved plans, specifications and relevant Australian Standards.

- f. Prior to issue of the Construction Certificate, a Traffic Management Plan report prepared by a chartered civil engineer with NPER registration is to be submitted to Council for approval. Where the works affect Roads and Traffic Authority controlled roads, the Traffic Management Plan is to be approved by the Roads and Traffic Authority before submission to Council for approval.

The Traffic Management Plan is to address but not be limited to the following: loss of on street parking, construction vehicle travel routes, safety of the public, materials storage and handing, deliveries and construction traffic and parking.

A minimum of seven (7) days notice shall be given to residents if access by residents will be affected. A copy of the letter to residents and a list of addresses notified shall be submitted to Council for approval.

- g. Safety devices such as signs, barricades, barriers, warning lights, etc. shall be placed where works affect Council and Roads and Traffic Authority roads and shall be in accordance with Australian Standard No. 1742—Manual of Uniform Traffic Control Devices and Roads and Traffic Authority Manual—Traffic Control at Work Sites 1998. Details prepared by a qualified person shall be submitted to Council for its approval with the Traffic Management Plan Report.

The contractor shall submit to Council the names of proposed traffic controllers with a signed declaration that they are appropriately trained in the duties of traffic controllers and Roads and Traffic Authority accredited.

LAND USE MANAGEMENT

**Item 6 - Ordinary Meeting, 19/4/05**

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Attachment 1 - Proposed Condition of Development Consent

- h. The applicant shall indicate the extent of any service adjustments necessary and submit with the design proof of approval by the relevant service authorities. The applicant shall bear all responsibility and costs associated with the proposed relocation of services.
- i. A prominently displayed sign identifying the contractor responsible for the work shall be erected. A contact telephone number should be provided on the sign.

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**Bond**

18. A performance maintenance bond to the value of five (5) percent of the engineering construction or a minimum of \$10,000, whichever is the greater, to guarantee the safety of the public, environmental protection performance and maintenance during construction in Council's road shall be paid to Council.

This bond shall be retained for six (6) months after construction is completed to the satisfaction of Council's Supervising Engineer.

The bond is to be paid prior to the issue of a Construction Certificate.

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**Relocation of services**

19. The applicant at the applicant's expense shall carry out the relocation or alteration of public utilities or any existing services made necessary as a result of this development. Satisfactory arrangements shall be made with the relevant authority concerned and a certificate of clearance shall be obtained from each relevant authority and submitted to the Principal Certifying Authority prior to release of the Construction Certificate.

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**Repair of damage**

20. The applicant shall repair or reconstruct all damages caused by construction activity relating to the development as required by Council's Supervising Engineer prior to release of the Occupation Certificate.

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**Restore disturbed area**

21. All disturbed earthworks and/or batters are to be restored, stabilised, topsoiled and turfed/revegetated to Council's satisfaction prior to release of the Occupation Certificate.

LAND USE MANAGEMENT

**Item 6 - Ordinary Meeting, 19/4/05**

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Attachment 1 - Proposed Condition of Development Consent

**Certification by Council** 22. Prior to the issue of the Occupation Certificate, a certificate shall be obtained from Council to verify that all external works have been completed in accordance with the approved plan and to Council's satisfaction.

**Compliance with standards** 23. All internal and external engineering works required by this development are to be in accordance with Council's Specification for Engineering Work for Subdivisions and Development, Part 1—Design and Part 2—Construction (Development Control Plan No. 31), Australian Rainfall and Runoff 1987 and other relevant Australian Standards. The design and construction is to include any additional works to make the construction effective.

Where the works affect Roads and Traffic Authority controlled roads, the design and construction is to be in accordance with Roads and Traffic Authority requirements.

A qualified civil/structural engineer shall supervise all internal works and prior to issue of the Occupation Certificate, certification shall be obtained from a chartered civil/structural engineer with NPER registration and submitted to the Principal Certifying Authority confirming all works have been constructed in accordance with the approved plans and specifications.

**Supervision of internal engineering works** 24. All internal engineering works shall be supervised by a chartered civil/structural engineer with NPER registration. Certification from the supervising engineer shall be submitted to the Principal Certifying Authority to verify that all works have been constructed in accordance with approved plans prior to the release of the Occupation Certificate.

**Works as executed plans** 25. Prior to the issue of an Occupation Certificate, a Works as Executed Plan of all external engineering works together with an engineer's certification confirming that all works have been constructed in accordance with the approved plans shall be submitted to Council for approval.

Attachment 1 - Proposed Condition of Development Consent

**Sedimentation  
erosion control**

- and** 26. The applicant shall engage a qualified person to prepare a sedimentation and erosion control plan in accordance with the principles outlined in the Managing Urban Stormwater Soils and Construction manual by the Department of housing, dated March 2004.

The applicant shall ensure sedimentation and erosions control measures are installed prior to commencement of construction and that these measures are also maintained at all times during construction in accordance with the plan.

Prior to release of the occupation certificate all disturbed areas are to be stabilised and all redundant sediment and erosion control structures are to be removed.

Attachment 2 - Site Plan and Landscape Plan

**FACILITATING COMMUNITY DEVELOPMENT**

Ordinary Meeting, 19/4/05

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**ITEM NO:** 7

**SUBJECT:** YOUTH COUNCIL CHARTER

**FILE NO:** C05892

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**Recommendation:**

*That Council endorse the changes to Section 3.1.4 of the Youth Council Charter as outlined in this Report.*

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

**Introduction**

The Youth Council meeting 1 March 2005, recommended to change the section of their charter dealing with the period of time they are able to hold office. Currently under Section 3.1.4 “any person appointed to the Youth Council shall hold office for a period of one year.” Further, “any member of the Youth Council may be nominated for a further term of one year through the public nomination process.” Youth Councillors may only remain on the Youth Council for a maximum period of two years.

**Background**

The Youth Council would like to extend the maximum term of office for a number of reasons:

- The two year term is insufficient for the development and implementation of long term strategies and projects;
- The two year term is insufficient for their personal development as Youth Councillors;
- Much of the knowledge and experience gained by Youth Councillors is lost at the beginning of each year when a new Youth Council is selected;
- Unless a large number of Youth Councillors remain on Youth Council, each new Youth Council is relatively inexperienced and spends a large amount of time in establishing ground rules;
- There isn't the scope for experienced Youth Councillors to mentor new Youth Councillors.

The Youth Council is a committee of Council. This requires the Youth Council to be reappointed after Council Elections. The second part of the first recommendation relates to this requirement.

**FACILITATING COMMUNITY DEVELOPMENT**

**Item 7 - Ordinary Meeting, 19/4/05**

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**Recommendations**

The Youth Council recommends to Council that Section 3.1.4 of the Youth Council Charter is amended so that:

- Any person appointed to the Youth Council shall hold office for a period of two years or till the election of Councillors to committees and sub-committees in accordance with the provisions of the Local Government Act, whichever occurs first;
- Any member of the Youth Council may be nominated for further terms until he or she reaches the age of 18 or no longer qualifies through the public nomination process.

These changes will allow the Youth Council to develop longer term goals and projects. They will also enable Youth Councillors to further develop skills and experience and will facilitate the functioning of the Youth Council. The recommended changes to the Youth Council Charter have been endorsed by the Youth Council Advisory Committee.

**FACILITATING COMMUNITY DEVELOPMENT**

Ordinary Meeting, 19/4/05

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**ITEM NO: 8**

**SUBJECT: CAPITAL WORKS BUDGET ADJUSTMENT - PITT PARK FIELD UPGRADE - TIMING OF WORKS**

**FILE NO: H01396**

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**Recommendation:**

*That \$99,432 of the CWP funds from 2004/05 for the Pitt Park field upgrade be carried over to 2005/06 to enable the works to be completed at one time, in spring weather.*

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

**Background**

A field upgrade to Pitt Park is planned to commence in 2004/05 and be completed in 2005/06. The project entails the re-shaping of the field and re-laying of turf. Pitt Park is used primarily for soccer, which is a winter sport.

Capital works funding is allocated to the works over two financial years; \$250,000 in 2004/05 and \$390,000 in the draft Capital Works Program for 2005/06. In providing the funding over two years, the project is required to be partly built in May/June and completed in July/August – a winter construction period.

**Issue**

Undertaking construction over winter is a major inconvenience to the main user group ie. Wentworth Falls Soccer Club.

The cricket users have re-located to the up-graded Peter Carroll field, so no summer users would be displaced by a construction phase starting in August.

If turf is laid in winter it is likely to be die due to cold and exposure. As it is not advised to leave the earthworks uncovered for lengthy periods while waiting for warmer weather, it is preferable to delay the start of the earthworks until August.

The Wentworth Falls Soccer Club has been consulted on this matter. While they expressed concern at additional delays to the project, they agree that laying the grass in the spring months is the appropriate timing for this project.

**FACILITATING COMMUNITY DEVELOPMENT****Item 8 - Ordinary Meeting, 19/4/05****Recommendation**

The recommendation is therefore that \$99,432 of the CWP funds from 2004/05 for the Pitt Park field upgrade be carried over to 2005/06 to delay the start of works until August and enable the works to be completed at one time, in spring weather.

The \$99,432 was calculated as per the table below.

<b>Item</b>	<b>Budget</b>	<b>Outgoing</b>	<b>Balance to carry over</b>
Original budget 2004/05	\$250 000		
Already carried over		\$40 000	
Transferred to St Johns Oval Field Upgrade project (see separate Council report)		\$75 000	
Design, consultancies and project management to date		\$35 568	
<b>Sub-total of outgoings</b>		<b>\$150 568</b>	
<b>Balance to carry over</b>			<b>\$99,432</b>

**FACILITATING COMMUNITY DEVELOPMENT**

Ordinary Meeting, 19/4/05

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**ITEM NO: 9**

**SUBJECT: CAPITAL WORKS BUDGET ADJUSTMENT – PITT PARK FIELD UPGRADE / ST JOHNS (BLAXLAND) OVAL FIELD UPGRADE**

**FILE NO: H01396**

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**Recommendations:**

- 1. That \$75,000 be transferred from the 2004/05 CWP budget for Pitt Park Field Upgrade project to the St Johns Oval Field Upgrade project to allow for completion of St Johns Oval works in 2004/05.*
  - 2. That \$75,000 be transferred from the 2005/06 CWP budget for St Johns Oval Field Upgrade project to the Pitt Park Field Upgrade project to offset the transfer made out of the budget in 2004/05.*
- 

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

**Background**

The field upgrade St Johns (Blaxland) oval is almost complete. The original budget programmed the work in three stages. Stage one (carpark upgrade and play equipment - 2003/04) and stage two (oval upgrade and associated works 2004/05) are complete. The lighting was programmed in stage 3 for next financial year - 2005/06.

**Issue**

Leaving the lighting until the 2005/06 financial year would result in the carpark and the field unlit for the winter soccer season. It would be possible to avoid this, and provide lighting this financial year, if funds were transferred from this year's Pitt Park budget and the \$75,000 allocated for 2005/06 for St Johns Oval be re-allocated to Pitt Park's budget for next year.

A separate Council report is being put to the 19 April Ordinary Meeting requesting that the start of works at Pitt Park be delayed until next financial year. If that recommendation is adopted, use of \$75,000 for the lighting at St Johns Oval will have no impact on the Pitt Park project and will ensure that the St Johns Oval project is completed and safely lit for the winter season.

**Recommendation**

It is recommended that \$75,000 be transferred from this year's Pitt Park project to the St Johns Oval project, and that the 2005/06 CWP budget for Pitt Park Field Upgrade project incorporate the \$75,000 from the St Johns Oval Field Upgrade project originally allocated to 2005/06 (resulting in a total Pitt Park budget of \$395,000 for 2005/06).

**FACILITATING COMMUNITY DEVELOPMENT**

Ordinary Meeting, 19/4/05

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**ITEM NO: 10**

**SUBJECT: REVIEW OF 1999-2003 CULTURAL STRATEGY**

**FILE NO: CO7297**

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**Recommendations:**

1. *That Council note the review of the 1999-2003 Cultural Strategy, the achievements during that period and the recommended focus of the next cultural planning cycle.*
  2. *That a workshop be conducted with Councillors to obtain input on issues to be considered in the preparation of the next Cultural Strategy.*
- 

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

**Introduction**

This report presents the results of a review of the outcomes of the 1999-2003 Cultural Strategy. It also puts forward a recommended focus for the next cultural planning cycle.

The 1999-2003 Cultural Strategy formed the second phase of Council's cultural planning process. It followed Phase 1 that included the development of a *Blue Mountains Cultural Planning Vision* in 1991 (adopted formally in 1997) and development of a Council *Cultural Development Policy* in 1994. A key objective of Phase 1 was to promote the image of the Blue Mountains as a "City of the Arts" locally, nationally and internationally. A major step towards achieving this objective was the designation of the City of Blue Mountains as the inaugural City of the Arts for NSW in 1995. As a result of this designation and Council's Cultural planning work, Council received significant grant funding to upgrade and refurbish the Wentworth Falls School of Arts for performing arts (\$250,000) and implement a City of the Arts small projects funding program (\$300,000) resulting in numerous cultural development initiatives. In addition, the designation and Council's 1999-2003 Cultural Strategy were influential in Council receiving significant funding to pursue development of the Blue Mountains Cultural Centre (\$7.3 million from State government and \$0.5 million from the Federal government).

The principles that guided the City of the Arts came from the *Blue Mountains Cultural Planning Vision*, and were based upon a definition of culture which emphasised:

- Human needs, life enhancing exchange and creativity as the main virtue,
- The exchange of meanings, rituals and customs on an informal and formal basis
- Diversity and variety
- A caring and nurturing environment
- A sense of place
- Town character
- A sense of community
- Cultural tourism rather than mass tourism.

## **FACILITATING COMMUNITY DEVELOPMENT**

### **Item 10 - Ordinary Meeting, 19/4/05**

The vision and planning principles were carried through into the *Blue Mountains Cultural Strategy 1999-2003*. This Strategy put forward six Key Goals each with associated strategies and actions to implement Council's vision for cultural development.

#### **KEY GOALS**

1. Integrating cultural considerations into Council's decision-making and planning processes.
2. Engaging community input into policy, planning and decision-making.
3. Reinforcing local identity and promoting excellence in urban design for our towns and villages.
4. Protecting cultural heritage and assets.
5. Increasing access to quality cultural opportunities for the community.
6. Contributing to sustainable economic growth.

The Cultural Strategy recognised that the achievement of Council's vision for Cultural Development would be contingent on:

- Further policy and program development work to guide cultural decision-making and resource allocation, and
- Identification of cultural funding sources.

Preparation and adoption of a Cultural Plan or Strategy by Councils is now a necessary requirement to qualify for state and federal government funding for cultural development. The Cultural Planning Guidelines for Local Government developed by the Department of Local Government and the Ministry for the Arts in 2004 provide a guide for Council during this planning process.

### **Review of Cultural Strategy 1999- 2003 Implementation**

#### **Evaluation Methodology**

The evaluation of the Blue Mountains Cultural Strategy 1999-2003 was undertaken from June to September 2004. It involved: assessing the achievements of the strategy as well as identifying those activities or projects which were not achieved; consulting key arts and cultural professionals on the impact of the Strategy; consulting key Council staff on the impact of the Strategy in their area of work; and finally consulting key Cultural Partners in the Blue Mountains community to ascertain the extent to which the implementation of the Strategy assisted them in meeting their cultural aims.

#### **Tangible Results - Achievement of Goals, Strategies and Actions**

The Strategy sought to deliver tangible results on the ground and to ensure integration of cultural considerations into the work programs of all Groups within Council. As detailed in the table below, significant progress was made in implementing the great majority of strategies and actions set out in the Cultural Strategy 1999-2003. Action on a number of these strategies will need to continue into the future.

## FACILITATING COMMUNITY DEVELOPMENT

### Item 10 - Ordinary Meeting, 19/4/05

<b>Goal 1: Integrating Cultural considerations into Council's decision-making and planning processes</b>				
	<b>Actions</b>	<b>Outcomes Achieved/Work progressed</b>	<b>Gaps and comments</b>	<b>Status</b>
<b>Strategy 1.1: Integrate cultural planning with Council's Management, Business and Capital Works planning/cycles.</b>	Ensure cultural development considerations are integrated into Council's Management, Business and Capital Works planning procedures.	Cultural outcomes have been incorporated into Councils' Management & Group Business Planning processes; and cultural criteria are used in Capital Works assessment processes.  Cultural considerations were incorporated into 2004-8 Management Plan eg Using Land for Living.	A clear monitoring framework that identifies cultural outcomes of decisions made by Council is required.	Achieved, action ongoing
<b>Strategy 1.2: Maintain and develop a comprehensive cultural planning database to support cultural planning development.</b>	Maintain and develop cultural database and Artists Register.	Artist Register updated annually and published on Councils' website  Cultural Organisations database developed, updated annually and published on website.  Council's Art, Local Studies and Sister Cities Collections have been plotted and are electronically available to staff.  Councils' Bicentennial Art Collection has been assessed and independently valued, and this information has been added to Councils' asset inventory.  Cultural Assets Physical Database has been developed incorporating Councils' Public Art		Achieved, action ongoing
	Develop Cultural Profiles City Wide	Cultural profiles were developed for Areas 1,2 & 5  The development of e-notices is an innovative way of capturing the ephemeral data, and has commenced the profiling of events and activities within the Blue Mountains.	Investigate other partnerships and sources to capture data required to form local cultural profiles.	Achieved, action ongoing
	Work to ensure LEP2000 incorporates cultural considerations.  Integrate cultural planning into Area Strategic Planning  Provide cultural input into Community Plan.	Cultural planning incorporated with Draft LEP2004; BMCC Community Plan Revision; 25 Year Vision for the City <i>Towards a More Sustainable Blue Mountains</i> ; Youth Strategy; & Economic Development projects e.g. World Heritage Business Opportunities-Creative Industries.	Provision of further training and tools would assist staff to translate cultural considerations from strategic planning levels into day-to-day policy and practise needs	Achieved, action ongoing

## FACILITATING COMMUNITY DEVELOPMENT

### Item 10 - Ordinary Meeting, 19/4/05

<b>Goal 2: Engaging community input into policy, planning and decision-making</b>				
	<b>Actions</b>	<b>Outcomes Achieved/Work progressed</b>	<b>Gaps and comments</b>	<b>Status</b>
<b>Strategy 2.1 Consult with community and cultural organisations, cultural providers and artists on cultural planning and development matters.</b>	As part of area and citywide planning processes conduct appropriate consultations to identify cultural needs.	Artists Forum held leading to the establishment of Blue Mountains Artists Network. Performing Arts meeting held regarding use of Wentworth Falls School of Arts. Regular Performing Arts pre-booking meetings are held with all major events. Young peoples' consultations Creative Industries workshops City Strategy consulted extensively with the community resulting in increased Council awareness of the value of culture & the arts to the community. BMCC Tourism consulted with the arts community in development of the Tourism Plan. Blue Mountains Local History Conferences supported.	Cultural heritage sector representatives have sought further involvement and communication with Council.	Achieved, action ongoing
<b>Strategy 2.2: Consult with young people and their representative organisations to incorporate the cultural needs of young people into the planning process.</b>	Consult with young people and their representative organisations to incorporate the cultural needs of young people into the planning process.	Youth Council established to provide input on Council matters. City Strategy consultation undertaken with young people.	Appropriate recognition and involvement of children and youth in planning matters will need ongoing attention.	Achieved, action ongoing
<b>Strategy 2.3: Consult with Aboriginal people and their representative organisations on cultural development matters to incorporate the needs of Aboriginal people into planning processes.</b>	Liaise with Aboriginal people and organisations about the development of an appropriate consultative process for considering cultural development matters.	Living in Harmony project (Mountain Outreach Community Service project to support reconciliation processes between Aboriginal and Torres Strait Islander peoples, non English speaking people and others in the Blue Mountains). Artists forums and projects held. Protocol developed for Council to consult with Aboriginal people.	Links with Aboriginal community need to be further developed. Proposed Aboriginal liaison position and Aboriginal Advisory Committee should assist this process.	Action partially achieved, action ongoing

## FACILITATING COMMUNITY DEVELOPMENT

### Item 10 - Ordinary Meeting, 19/4/05

	<b>Actions</b>	<b>Outcomes Achieved/Work progressed</b>	<b>Gaps and comments</b>	<b>Status</b>
<b>Strategy 2.4: Utilise computer technology to better consult visually with communities about proposed streetscape/public art projects</b>	Develop pilot urban design and technology project using computer 3D technology in conjunction with Katoomba Streetscape Program.	3D technology used with Katoomba Streetscape Program, Carrington Place and Roundabout Projects.  Council GIS and other graphic presentation of information has advanced greatly over the planning period.		Achieved

<b>Goal 3: Reinforcing local identity and promoting excellence in urban design for our towns and villages</b>				
	<b>Actions</b>	<b>Outcomes Achieved/Work progressed</b>	<b>Gaps and comments</b>	<b>Status</b>
<b>Strategy 3.1: Develop Public Art Policy</b>	Develop Public Art Policy and present to Council for endorsement.	Public Art Commissioning Policy adopted by Council.		Achieved
<b>Strategy 3.2: Develop Public Art Program.</b>	In line with adopted Public Art Policy commence development of Public Art Program at Citywide, Area and Township level.  Develop public art program priorities for townships through Strategic Planning processes.  Develop public art program priorities for Gateway proposals in conjunction with Strategic Planning processes.	Public Art Program priorities were determined and resources were focussed on the Katoomba CBD as a component of master planning and urban design process, the "Charrette".  First Sculpture Park at Wentworth Falls Lake constructed, and an Education Kit and Publication published on this project.  Artworks installed along the highway to signify a sense of arrival and town character eg Glenbrook Gateway, Blaxland bus shelter murals.	Approach and priorities for longer term Public Art program need to be further developed.  This would include consideration of the integration of Public Art into capital works program and projects such as the RTA Highway upgrade.	Achieved, action ongoing

## FACILITATING COMMUNITY DEVELOPMENT

### Item 10 - Ordinary Meeting, 19/4/05

	<b>Actions</b>	<b>Outcomes Achieved/Work progressed</b>	<b>Gaps and comments</b>	<b>Status</b>
<b>Strategy 3.3: Implement Public Art Projects</b>	Continue development of Public Art Program for Katoomba Town Centre in conjunction with Main Street Strategy and Katoomba Streetscape Plan. Implement public art project as funds become available.	Two murals produced in Katoomba. Katoomba Streetscape art works implemented including ceramic tile corners and custom made bollards and fencing. Partnership with WSROC Public Art programme formed. Art integrated into design of Carrington Place. \$30,000 received from Ministry for the Arts to implement Carrington Place artworks. Expressions of Interest taken for artists- Yeoman's Bridge Roundabout. Springwood Town Square & Art Pavement completed.	In practise public art proposals have focused on funding opportunities. Funding mechanisms for Public Art need to be considered.	
		Young Women's Mosaic Mural (Katoomba-Art Start Programme) completed. Blaxland Tabletops Mural Project (Art Start) completed. Blaxland Tunnel Young People's Graffiti Project completed.		

#### Goal 4: Protecting cultural heritage assets

	<b>Actions</b>	<b>Outcomes/ Achievements</b>	<b>Gaps</b>	<b>Status</b>
<b>Strategy 4.1: Identify and document cultural assets</b>	Develop Cultural Assets Register.  Integrate projects related to maintenance or development of cultural assets into capital works as appropriate.	Heritage Assets Register developed Four Cultural databases developed for asset management being the Artists Register; Cultural Organisations Register, Physical Cultural Assets and Art Collection.  The Sustainable Asset Management Program will continue with the physical assets register. This will further assist integration of asset management into capital works as appropriate.	Public Monuments component of Heritage Assets register deferred due to budget and resource constraints.  This strategy needs to be broadened in its application to investigate the status of cultural heritage in the Blue Mountains.  This will include the protection of heritage assets through Councils' LEP and resourcing for implementation of Councils' heritage responsibilities.	Achieved, action ongoing

## FACILITATING COMMUNITY DEVELOPMENT

### Item 10 - Ordinary Meeting, 19/4/05

	<b>Actions</b>	<b>Outcomes Achieved/Work progressed</b>	<b>Gaps and comments</b>	<b>Status</b>
<b>Strategy 4.2: Evaluate and provide guidelines for management of Councils' art collection.</b>	Continue collection building <i>if appropriate</i> and implement maintenance and conservation strategy, including if necessary funding proposal development.	Collection evaluated and valued by certified valuer.	Collection building deferred until Cultural Centre Director appointed. It was determined that it was not appropriate to continue collection building in the absence of a curatorial position, lack of access of collection to the public and no conditioned space to house and conserve a collection. The development of exhibition policy & program for BM Cultural Centre is to focus on showing other collections rather than being a collecting institution.	Achieved
<b>Strategy 4.3: Promote cultural assets</b>	See 6.1.	Cultural assets are marketed through Blue Mountains Tourism and other avenues for the enjoyment and education of residents, visitors and tourists where appropriate.	See 6.1	Achieved, action ongoing

#### Goal 5: Increasing access to quality cultural opportunities for the community

	<b>Actions</b>	<b>Outcomes Achieved/Work progressed</b>	<b>Gaps</b>	<b>Status</b>
<b>Strategy 5.1: Establish and develop City of the Arts Trust</b>	Raise funds for Trust (corpus).	Business & Marketing Plan produced. Workshops held with Custodians. Calls for donations implemented. Donations of \$850 received. Two scholarship rounds for young artists delivered in 2000/2002. Funding of \$10,000 delivered to young artists. Arts Trust advise on Cultural Partnerships funding totalling \$275,000.	The City of the Arts Trust has potential for a greater contribution but will require additional administrative support and strategic direction.  There is opportunity for the City of the Arts Trust to be reinvigorated with the appointment of an external chair and the development of the Blue Mountains Cultural Centre.	Partially completed with action deferred

## FACILITATING COMMUNITY DEVELOPMENT

### Item 10 - Ordinary Meeting, 19/4/05

	<b>Actions</b>	<b>Outcomes Achieved/Work progressed</b>	<b>Gaps and comments</b>	<b>Status</b>
<b>Strategy 5.2: Develop Cultural Partnerships Program</b>	Develop guidelines, criteria and funding sources for Council to form partnerships with cultural organisations, providers and local organisations to achieve strategic objectives.	Guidelines developed and approved by Council and the Ministry for the Arts. Cultural partnerships Programme implemented for 3 years to date. Program recognised as best practise by Ministry for the Arts.  Funding of \$275,000 delivered to Arts organisations to date.  32 partnership projects supported.	The opportunity exists to further develop the concept of 4 year funding programs with Ministry for the Arts.	Achieved, action ongoing
<b>Strategy 5.3: Support the involvement of young people in the Arts.</b>	Implement Youth Art Start Program/Festival on a bi-annual basis.  Seek funding to support further development of Youth Arts Centre.	3 Art Start projects implemented with \$93,000 funding to date.  Youth Arts Skills Development Festival workshops held across City and Showcase implemented.  Upper Mountains Youth Resource Centre received \$15,000 to establish arts facility but has since abandoned this goal. It continues to support specific arts projects.	There is a need for continued attention to opportunities for involvement of children and youth in the Arts and also in planning matters.	Achieved, action ongoing
<b>Strategy 5.4: Support the development and maintenance of quality Council cultural facilities.</b>	Follow up appropriately on outcomes of Cultural Centre Assessment and of TAFE East site tendering process.	\$7.8m Grant funding obtained for BM Cultural Centre.  Considerable work done to develop technical briefs, master plans, schematic designs, consultancies re property, legal & functional requirements from a management perspective and to cover recurrent costs.  Refurbishments undertaken to Katoomba Civic Centre for cultural events.		Achieved, and action ongoing

**FACILITATING COMMUNITY DEVELOPMENT****Item 10 - Ordinary Meeting, 19/4/05**

	<b>Actions</b>	<b>Outcomes Achieved/Work progressed</b>	<b>Gaps</b>	<b>Status</b>
	<p>Assess facility development requirements and management issues for Wentworth Falls School of Arts and Braemar Gallery to ensure they meet cultural objectives</p> <p>Investigate needs of performing arts groups</p>	<p>Refurbishments and governance improvements to Braemar Gallery &amp; Wentworth Falls School of Arts (\$250,000) completed.</p> <p>Consultation with performing arts groups and other users of WFSOA conducted</p>	<p>Needs of performing arts groups to be assessed and opportunities for best use of existing venues to be explored to better provide for performing arts needs in BM City</p>	<p>Further work required</p>

**Goal 6: Contributing to sustainable economic growth**

	<b>Actions</b>	<b>Outcomes Achieved/Work progressed</b>	<b>Gaps and comments</b>	<b>Status</b>
<b>Strategy 6.1: Promote and develop the Blue Mountains as a cultural destination and as the "City of the Arts".</b>	<p>Develop a marketing strategy to promote the Blue Mountains as a City of the Arts in partnership with Blue Mountains Tourism.</p>	<p>Plaques for Springwood Arts &amp; Heritage Trail produced.</p> <p>Cultural Events Calendar produced &amp; updated regularly by tourism.</p> <p>Various publications produced that promote the Blue Mountains as a City of the Arts i.e. BM Cultural Directory &amp; ArtFiles-Regional Cultural Directory.</p> <p>One Stop Shop implemented by Tourism</p> <p>BM Tourism Plan recognises importance of arts/cultural experiences.</p> <p>BM Regional Tourism Arts/Cultural Advisory Committee established</p> <p>Cultural e-notices promote cultural events to 1,500 subscribers local, regional &amp; Sydney increasing audiences for cultural providers and promoting external recognition of the cultural assets and vitality of the Blue mountains.</p>	<p>Closer working relationship between tourism and cultural industries can be achieved.</p>	<p>Achieved, action ongoing</p>

## FACILITATING COMMUNITY DEVELOPMENT

### Item 10 - Ordinary Meeting, 19/4/05

	Actions	Outcomes Achieved/Work progressed	Gaps and comments	Status
	<p>Support the development of cultural product by implementing “Regional Cultural Trails” project in partnership with BMTL.</p> <p>Support the development of local cultural trails.</p>	<p>Cultural trails developed in Blackheath and booklets produced for cultural landscapes of the Blue Mountains.</p>		
<p><b>Strategy 6.2: Encourage and facilitate the development of cultural industries and enterprises in the Blue Mountains.</b></p>	<p>Evaluate research findings and seek funding, if appropriate, for implementation and development of Cultural Enterprise Project(s).</p> <p>Engage a contractor to research and assess options for development of Cultural Enterprise Project linked to Blue Mountains Cultural Centre.</p>	<p>Creative industries acknowledged as driver for World Heritage Business Opportunities.</p> <p>Creative Industries Workshop held.</p> <p>BM Artist Network resourced as key mechanism for implementation of Creative Industries Project.</p>	<p>Cultural enterprise project linked to the Cultural Centre yet to be investigated.</p>	<p>Achieved, action ongoing</p> <p>Not yet undertaken</p>
<p><b>Strategy 6.3: Facilitate and support the development of the artistic and cultural values and benefits of festivals and arts events.</b></p>	<p>Develop appropriate guidelines for Events Assistance Funding Program and seek endorsement from Council to establish program and level of funding.</p> <p>Implement Event assistance Program subject to above.</p> <p>Resource festival organisers in terms of available grant funding/possible sponsorship funding.</p>	<p>\$10,000 funding per annum provided by Council for events sponsored by community branch, eg Carnivale, Blue Fringe, Youth Arts Expo.</p> <p>Key Festivals resourced financially and in kind eg: Winter Magic: Folk Roots &amp; Blues Festival; Songlines, Blue Gum Pathways; Short Film Festival; One Van Puppet Festival, Blue Mountains Local History Conference.</p>	<p>Events assistance funding not obtained from external bodies. Guidelines not developed.</p> <p>Examine further opportunities to strengthen and support events</p>	<p>Action not taken.</p> <p>Achieved, action ongoing</p>

**FACILITATING COMMUNITY DEVELOPMENT****Item 10 - Ordinary Meeting, 19/4/05**

	<b>Actions</b>	<b>Outcomes Achieved/Work progressed</b>	<b>Gaps and comments</b>	<b>Status</b>
		Arts prizes & sponsorship delivered to a range of projects, including Seniors Week-Renaissance Art Exhibition; NAIDOC Celebrations; Braemar Youth Art show; Carnivale, Connecting Cultures; Blue Fringe Festival (artists with mental disabilities) Pilot Katoomba ArtSpace Project developed with Creative Blue Mountains & Civic Centre Management Committee resulting in 6 high quality curated community exhibitions, across art forms per year Advice re funding given and support letters written. One stop shop event coordination provided by Council until position withdrawn in 2003		

**Results of the consultation**

Certain trends emerged during consultation and the evaluation identified a number of areas for continued attention. These are grouped around:

- Achieving adequate infrastructure for the performing arts including better utilisation of existing facilities
- Integration of tourism promotion and marketing in relation to the arts and culture
- Measures and resourcing for cultural heritage protection and promotion and support of the community cultural heritage sector
- Increasing the capacity of community organisations to access funding through other levels of government and private sponsorship
- Difficulties experienced by community organisations following the insurance industry problems, and also the withdrawal of event coordination assistance by Council in 2003.

**Consultation with key cultural professionals at State and Regional level**

This consultation indicated that the Cultural Strategy has had a positive impact. State and regional cultural organisation representatives identified positive growth of critical mass of the creative industries in the Blue Mountains and the great potential for further development of these industries. "Critical mass is not just a question of the level of activity taking place or the numbers of people involved, but is specifically about how everything works together." (Dr Elaine Lally, University of Western Sydney 2003).

## **FACILITATING COMMUNITY DEVELOPMENT**

### **Item 10 - Ordinary Meeting, 19/4/05**

---

*A Strategy for the Arts in Western Sydney - An evaluation* identified artists and infrastructure within the Blue Mountains operating at a high level of artistic capacity and capability within the cultural industry in the Blue Mountains indicated by the high level of funding for projects and programs relative to position funding.

The four-year Cultural Strategy was successful in attracting significant state and federal funding for cultural development within the Blue Mountains. As shown in the table above this included the \$7.8 million for the Cultural Centre, \$93,000 for Youth Art Start, \$30,000 for the Carrington Place Artworks, \$137,500 for Cultural Partnerships funding, and \$16,000 pa for Anti-graffiti Aerosol Art Projects on Bus shelters and Skate parks. Council has also supported cultural development during this period with funding to complement these government grants, including \$10,000 annually to support arts based initiatives in the cultural diversity, young people, aged and disability sectors.

State and Regional bodies hold a number of Blue Mountains cultural programs, such as the Cultural Partnership Program, Blue Mountains Artist Network, and e notices as exemplar best practise.

#### **Groups involved with Cultural Partnership Program**

These identified the *process* of forming a partnership with Council as one of the most valuable exercises they encountered for their own organizational development and for network development. This process ensured that organizations reflected on their aims and objectives, consciously developed their core values and identified their core business in order to make a case for partnership and funding. For small organizations, this was often the first time that such an exercise was undertaken and proved in itself a foundation for further development, understanding and clarity of these organizations.

The significance of the Cultural Partnership funding has been the delivery of funding to community organisations not otherwise able to attract government grants.

The focus of the strategy on strengthening cultural activities and organisations within the community has been an important step towards a strengthening of the cultural sector. This has had social, environmental and economic benefits for the city. The growth and success of the many cultural events and festivals within the city over this period demonstrate these benefits.

Innovatory responses for cultural development such as the e notices and the Blue Mountains Artists Network also developed over this period. E notices have had many benefits through increasing audiences to events and strengthening networks between cultural organisations and individuals.

#### **Consultation with Council staff**

This indicated that there was broad goodwill in relation to the intentions of the strategy. There was a need expressed for further attention to the mechanisms and processes within Council to assist delivery of cultural outcomes through the various roles of Council, and to strengthen the ability of Council staff to act on any future strategy.

## **FACILITATING COMMUNITY DEVELOPMENT**

### **Item 10 - Ordinary Meeting, 19/4/05**

---

The *Cultural Planning Guidelines for Local Government* recognise that Cultural Planning is an evolving process and that evidence of progress being made over time in achieving effective integration of cultural development will be a key factor in the assessment of a local plan's effectiveness. The Guidelines present the strategic aim of the cultural planning process within local government as being "to move progressively towards a point where a broad approach to cultural development is accepted, understood and fully integrated into a council's operations. In other words to have the culture of the community informing council's thinking, policies and programs and to strengthen council's relationships with their communities."

#### **Recommended Focus for Next Cultural Planning Cycle:**

The achievements of the Cultural Strategy 1999-2003 have provided a foundation on which to build the next Cultural Strategy and to address the challenges identified through this evaluative process. It is anticipated that the next strategy will:

- Have a 10 year focus with emphasis on delivering tangible results on the ground that enhance the well being and vitality of the Blue Mountains community and economy
- Provide a cultural framework and processes to support implementation of the strategy
- Further clarify roles and responsibilities for cultural outcomes within Council, especially for carriage of cultural heritage issues, event coordination, urban design and public art.

This evaluation recommends focusing resources on strategic initiatives and infrastructure to support areas of ongoing needs. A major focus for the next planning cycle will be the development and ongoing operation of the proposed Blue Mountains Cultural Centre. This is a significant investment for the city that brings the opportunity to deliver major cultural and economic outcomes for the City. Continued attention will be required in future to develop entrepreneurial activities to cross subsidise the community benefit programs of the Cultural Centre.

Other areas for possible attention include:

- Promoting capacity building and sustainable growth for arts and cultural heritage organisations
- Arts and cultural heritage promotion, communication and critical debate
- Creative industry development
- Strengthening linkages between the arts, cultural heritage, and corporate and tourism sectors
- Art in the development and redevelopment of public space
- Performing arts needs analysis and identification of affordable options to improve access for the Blue Mountains performing arts sector to suitable venues for training, rehearsal and performance
- Developing the Blue Mountains as a centre of excellence for community cultural development through projects that encompass communicating the Blue Mountains' unique local identity and environmental assets and social needs

## **FACILITATING COMMUNITY DEVELOPMENT**

### **Item 10 - Ordinary Meeting, 19/4/05**

---

- Resource sharing and collaboration, especially within the Greater Blue Mountains sub-region and the broader Western Sydney region
- Professional and artistic development for emerging artists, especially indigenous and others who experience significant barriers to participation in mainstream programs

Consultation with major stakeholders including the Arts, Cultural Heritage and Indigenous communities, State and Regional cultural organisations, Councillors, and Council staff will be an important component of the next Cultural Planning process.

### **Conclusion**

Overall the Cultural Strategy 1999-2003 was successful in achievement of most of its key strategies and actions. Their implementation has resulted in tangible outcomes on the ground providing significant benefits to the Blue Mountains community.

The implementation of the Strategy has also resulted in goodwill and high levels of recognition of the Council at a Regional and State level and within the Blue Mountains community, particularly the arts community. The significance of this should not be underestimated. Alongside the environment, arts and cultural activities and cultural heritage are the key elements of what makes this area unique. Care and management of the cultural environment is as important as care and management of the natural environment.

The development of the next Cultural Strategy for the period 2006-16 should build on the achievements of the previous strategy and investigate the gaps and opportunities identified through this evaluation.

**FACILITATING COMMUNITY DEVELOPMENT**

Ordinary Meeting, 19/4/05

**ITEM NO: 11****SUBJECT: COMMUNITY ASSISTANCE / DONATIONS -  
RECOMMENDATIONS BY COUNCILLORS****FILE NO: C00944****Recommendations:**

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

<u>Organisation</u>	<u>Amount</u>
<i>Lower Mountains Neighbourhood Centre Inc</i>	<i>\$450</i>
<i>Mid Mountains Youth Centre</i>	<i>\$500</i>
<i>Western Sydney Academy of Sport</i>	<i>\$200</i>
<i>Blue Mountains Community Legal Centre</i>	<i>\$500</i>
<i>Katoomba Mainstreet Committee</i>	<i>\$100</i>

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

<u>Organisation</u>	<u>Amount</u>
<i>Blue Mountains Community Legal Centre</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 K Frappell	Lower Mountains Neighbourhood Centre Inc	To assist with computer upgrades	\$250
Cr P McInnes	Mid Mountains Youth Centre	Youth Week activities	\$500
Cr A Brown	Western Sydney Academy of Sport	Canoe Slalom Program	\$100
Cr A Henson	Western Sydney Academy of Sport	Canoe Slalom Program	\$100

**FACILITATING COMMUNITY DEVELOPMENT****Item 11 - Ordinary Meeting, 19/4/05**

<u>Recommending Councillor</u>	<u>Organisation</u>	<u>Purpose</u>	<u>Amount</u>
Cr A Brown	Lower Mountains Neighbourhood Centre Inc	'Square Pegs' ADHD Support Group	\$100
Cr A Henson	Lower Mountains Neighbourhood Centre Inc	'Square Pegs' ADHD Support Group	\$100
Cr P McInnes	Blue Mountains Community Legal Centre	Design and print of a training package and launch	\$250
Cr K O'Grady	Blue Mountains Community Legal Centre	Design and print of a training package and launch	\$250
Cr K O'Grady	Katoomba Mainstreet Committee	Launch of the Carrington Place Chess Project	\$100

**Mayoral Contingency Fund**

<u>Recommending Councillor</u>	<u>Organisation</u>	<u>Purpose</u>	<u>Amount</u>
Cr J Angel	Blue Mountains Community Legal Centre	Administration costs	\$200

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

Ordinary Meeting, 19/4/05

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**ITEM NO:** 12

**SUBJECT:** BLUE MOUNTAINS FITNESS AND AQUATIC CENTRES FEES AND CHARGES AND RATEPAYER SUBSIDY REPORT

**FILE NO:** C07486

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**Recommendations:**

1. *That Fees and Charges for Council's Fitness and Aquatic Centres are determined based on the "Pool Only – Adult Casual Entry" fee changes as defined below. All other pricing points at each of the Centres would rise consistent with the rise in this base price.*
    - *Fees and Charges at the Glenbrook, Lawson and Blackheath outdoor Centres to be set at the same level with the Pool Area – Adult Casual Entry, as a base price, rising from \$3.80 to \$4.00.*
    - *At Springwood, the Pool Area – Adult Casual Entry, as a base price, to rise from \$4.70 to \$5.00.*
    - *At Katoomba, the Pool Area – Adult Casual Entry, as a base price, to rise from \$4.20 to \$4.50.*
  2. *That Fees and Charges for programs such as Learn to Swim and Group Exercise are consistent across all Centres, where applicable.*
  3. *That Council note that the Net Ratepayer Subsidy for Council's Fitness and Aquatic Centres would need to increase by \$549,466 as a result of adopting the Fees and Charges as outlined above.*
  4. *That, subject to any amendments arising from Council's consideration of this matter, the Draft 2005/6 Fees and Charges for Council's Fitness and Aquatic Centres be adopted by Council for Public Exhibition as part of the 2005/6 Management Plan.*
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**Report by Acting Group Manager, City Solutions:**

**Introduction**

Recently a project was undertaken seeking to review and present financial and market information associated with Council's Fitness and Aquatic Centres in order to assist in determining appropriate Fees and Charges and the level of ratepayer subsidy required for the ongoing operation of these Centres. The report "Blue Mountains Fitness and Aquatic Centres Fees and Charges and Ratepayer Subsidy (April 2005)" (Enclosure 1) and the Proposed 2005/06 Blue Mountains Fitness and Aquatic Centres Fees & Charges (Enclosure 2) are enclosed separately for the information of Councillors.

**PROVISION OF RECREATIONAL & COMMUNITY SERVICES/FACILITIES**  
**Item 12 - Ordinary Meeting, 19/4/05**

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This Council report presents the key findings from the project and recommends a structure for Fees and Charges across the five Fitness and Aquatic Centres across the City (ie Glenbrook, Springwood, Lawson, Katoomba and Blackheath).

### **Projected Attendances**

An in depth data analysis of market and demographical information for the Blue Mountains provided a basis to identify likely trends in attendance levels across five Centres. The primary conclusion from the analysis was that projected attendances were not likely to increase above current levels for the following key reasons:

- The census data shows little overall population growth in the mountains ie. 77,000 (2005) to 79,000 in (2025).
- The decline in population in the 0-44 age group predicts a drop in patronage.
- The current attendance levels are close to double the industry rule of thumb, suggesting saturation in the market place.

The attendance levels, as summarised in the Table 1 below, for the current financial year were projected and tested against actual year to date figures.

Table 1: Projected Attendance Levels 2004/5

	<b>2004/5 (Projected)</b>
<b>Glenbrook</b>	96, 492
<b>Springwood</b>	242, 015
<b>Lawson</b>	41, 134
<b>Katoomba</b>	196, 980
<b>Blackheath</b>	14, 800
<b>TOTAL</b>	591, 421

### **Operating Costs**

Financial information indicates that Council currently operates the Fitness and Aquatic Centres on the basis of an overall cost recovery of 83%. To achieve this, Council currently provides a *Net Ratepayer Subsidy* of \$744,868 (2004/5). In the 2005/6 Draft Budget this subsidy rose to \$1,246,678, an increase of 67%. The increase is primarily due to significant rises in employment costs (ie. workers compensation and award increases) and increased utility costs.

When expected increases in award wage rates (\$220,000), Glenbrook winter opening increased operating costs (\$90,000) and Blackheath additional operating costs (\$50,000) are added, the *Net Ratepayer Subsidy* required for 2005/6 rises from \$1,246,678 to \$1,586,678.

Depreciation is accounted for in Council's financial reporting however, it is important to recognise that it is not currently funded in the 2005/6 Draft Budget. To fund depreciation for Fitness and Aquatic Centres would require an additional ratepayer subsidy of around \$800,000.

**PROVISION OF RECREATIONAL & COMMUNITY SERVICES/FACILITIES**  
**Item 12 - Ordinary Meeting, 19/4/05**

---

### Current Revenue and Subsidies

Figures representing *Current External Revenue*, *Net Ratepayer Subsidy* and the *Public/Private Benefit Ratio* for the current financial year (ie 2004/5) were reviewed and are summarised in Table 2 below.

Table 2: Revenue and Subsidies for the 2004/5 Financial Year

2004/05	Glenbrook	Springwood	Lawson	Katoomba	Blackheath	Total
<b>Total Operating Costs</b>	\$555,115	\$1,544,881	\$356,397	\$1,882,933	\$143,513	<b>\$4,482,840</b>
<b>Total External Revenue</b>	\$506,608	\$1,584,856	\$194,488	\$1,452,020	\$0	<b>\$3,737,972</b>
<b>Net Ratepayer Subsidy</b>	\$48,508	-\$39,975	\$161,909	\$430,913	\$143,513	<b>\$744,868</b>
<b>Public Benefit</b>	9%	-3%	45%	23%	100%	<b>17%</b>
<b>Private Benefit</b>	91%	103%	55%	77%	0%	<b>83%</b>

It can be seen that Council currently operates its Fitness and Aquatic Centres on the basis of an overall cost recovery of 83%. To achieve this Council supplies a current total *Net Ratepayer Subsidy* of \$744,868. The figures clearly show that Centres in the Lower Mountains are generally subsidised by ratepayer funds to a significantly lesser degree than those in the Upper Mountains. In fact, the Springwood Fitness and Aquatic Centre is budgeted to return a small profit of \$39,975 in the current financial year (2004/5). It will be important to review the actual budget results after June 30, 2005 to better understand the actual operating costs and revenue results for 2004/5.

### Pricing Scenarios Results and Conclusions

Five scenarios were considered to set boundaries, test assumptions and suggest a course of action. It should be noted that the scenarios themselves are not options, nor are they recommendations on Fees and Charges. The scenarios considered are listed below:

1. No Net Ratepayer Subsidy Increase:  
Fees and Charges are increased at each centre on the basis of not increasing the current Net Ratepayer Subsidy.
2. Total Cost Recovery:  
Fees and Charges are increased at each centre on the basis total cost recovery (ie., 100% user pays).
3. Current Practice:  
Fees and Charges are increased by the CPI at all Centres except Springwood which rises by the market rate.
4. Maintain 83% Cost Recovery:  
Fees and Charges are increased at each centre on the basis of not increasing the current level of cost recovery (ie. Public/Private Benefit Ratio remains the same 17:83)

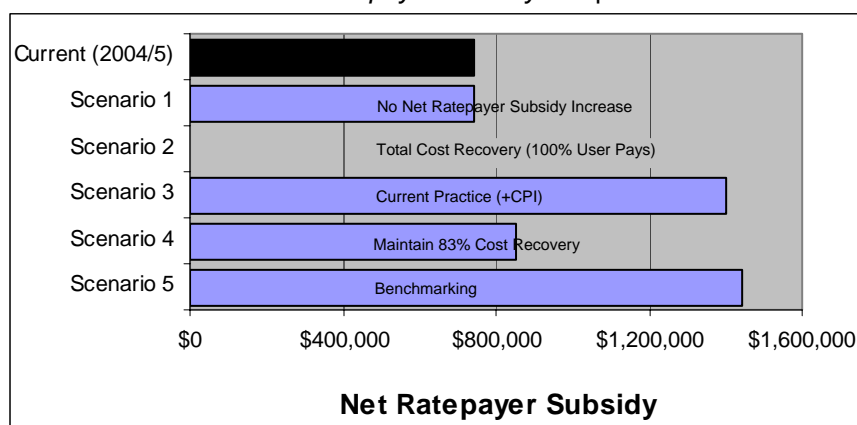
**PROVISION OF RECREATIONAL & COMMUNITY SERVICES/FACILITIES****Item 12 - Ordinary Meeting, 19/4/05**5. Benchmarked Fees and Charges:

Fees and Charges are increased at each centre consistent with benchmarked prices and the market rate.

The results of each scenario were presented below in terms of the *Pool Area - Adult Casual Entry* (2005/6), the *Projected External Revenue* (2005/06), the *Projected Net Ratepayer Subsidy* (2005/6), the *Projected Public/Private Benefit Ratio* and the *Projected Additional Ratepayer Subsidy* required above the current (2004/5) allocation.

The projected *Net Ratepayer Subsidy* (2005/6) and the *Pool Area – Adult Casual Entry* figures for each of the scenarios listed above are presented below.

*Net Ratepayer Subsidy comparisons for each scenario*



*Pool Area - Adult Casual Entry comparisons for each scenario*

	Glenbrook	Springwood	Lawson	Katoomba	Blackheath
<b>Current (2004/5)</b>	\$3.80	\$4.70	\$3.80	\$4.20	\$0.00
<b>Scenario 1</b>	\$4.84	\$5.93	\$5.06	\$4.63	\$4.38
<b>Scenario 2</b>	\$5.22	\$5.82	\$8.55	\$5.86	\$12.97
<b>Scenario 3</b>	\$3.90	\$4.94	\$3.90	\$4.31	\$3.90
<b>Scenario 4</b>	\$4.47	\$5.53	\$4.47	\$4.94	\$4.47
<b>Scenario 5</b>	\$3.92	\$4.94	\$3.99	\$4.16	\$3.99

The challenge for Council is to lift user Fees and Charges without creating loss of External Revenue. In reviewing each of the five scenarios tested it is clear that:

1. Continuing to raise Fees and Charges by the CPI alone (Scenario 3) will require a significant increase in level of Ratepayer Subsidy (ie. \$656,248).
2. To recover Total Operating Costs (Scenario 2), or maintain the existing level of Ratepayer Subsidy (Scenario 1 and 4), would result in unrealistically high Fees and Charges.
3. It is unclear what the level of resistance will be to higher Fees and Charges and its impact on attendance across all of the Centres. There is some evidence that Fees and Charges in the Lower Mountains could be raised by slightly more than the Upper Mountains without any negative impact on attendances.

**PROVISION OF RECREATIONAL & COMMUNITY SERVICES/FACILITIES**  
**Item 12 - Ordinary Meeting, 19/4/05**

---

4. Due to increased operating costs, and without considering depreciation or loan charges, Council would need to provide additional Ratepayer Subsidy for ongoing operation of Council's Fitness and Aquatic Centres up to \$700,864 (Scenario 5).
5. Funding depreciation (currently \$816,294) will require a significantly higher increase in the level of Ratepayer Subsidy provided to Council's Fitness and Aquatic Centres.

### Recommendation

In light of the conclusions outlined above it is recommended that the following pricing structure for 2005/6 be adopted to set Fees and Charges across the five Fitness and Aquatic Centres. The pricing structure is defined in terms of the *Pool Area - Adult Casual Entry* as a base price. All other pricing points would rise consistent with this base price.

- Fees and Charges at all outdoor centres (i.e., Glenbrook, Lawson and Blackheath) to be set at the same level with the *Pool Area - Adult Casual Entry*, as a base price, rising from \$3.80 to \$4.00.
- At Springwood, the *Pool Area - Adult Casual Entry*, as a base price, to rise from \$4.70 to \$5.00.
- At Katoomba, the *Pool Area - Adult Casual Entry*, as a base price, to rise from \$4.20 to \$4.50.

2004/5	Glenbrook	Springwood	Lawson	Katoomba	Blackheath
<b>Pool Area - Adult Casual Entry</b>	\$3.80	\$4.70	\$3.80	\$4.20	\$0.00
<b>2005/6</b>					
<b>Pool Area - Adult Casual Entry</b>	\$4.00	\$5.00	\$4.00	\$4.50	\$4.00

The rationale for the above pricing structure is based on balancing the increase in operating costs with sensible market and pricing considerations.

Using the model developed to run the pricing scenarios the outcomes of the recommended pricing structure would be as follows:

- Total Operating Costs (including Penalty Rates, Glenbrook winter opening and Blackheath additional costs) would rise from \$4,482,840 in the current financial year (2004/5) to \$5,475,262 in 2005/6, an increase of \$992,422 (22%).
- Total External Revenue would rise from \$3,737,972 in the current financial year (2004/5) to \$4,180,928 in 2005/6, an increase of \$442,956 (12%).
- Consequently the *Net Ratepayer Subsidy* **would rise** from \$744,868 in the current financial year (2004/5) to \$1,294,334 2005/6, an increase of \$549,466 (74%).

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

Ordinary Meeting, 19/4/05

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**ITEM NO: 13**

**SUBJECT: BLACKHEATH POOLS, CONSTRUCTION & REFURBISHMENT –  
PROGRESS REPORT NO. 1**

**FILE NO: H01417**

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**Recommendation:**

*That Council receives and notes this report.*

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

**1. Background**

Council at its 15 February 2005 meeting resolved to adopt as amended, (Minute No. 41):

- “1. That the Council receives and notes this report.*
- 2. That the Council notes that further negotiations have been unable to significantly reduce the quantum to the maximum value of \$2.05M associated with Option 2, which will increase the total cost of the project to \$2.80M.*
- 3. That Council notes that funds of \$1.6M have already been committed from land sales and funds the project cost balance of \$1.2M by way of the sale of land, such properties and their value to be identified in a report to Council.*
- 4. That in accordance with its resolution on 25 November 2003, the Council resolves in principle to introduce user fees / charges to the refurbished Blackheath Pool facility, to be set at a level commensurate with the fees and charges of other comparable pools with a similar level of facility. Such fees shall be considered further by the Council during the period of development of the Council’s annual fees and charges, and placed on public exhibition as part of the 2005/06 Management Plan and Budget process.*
- 5. That the Council accepts the tender / offer from Crystal Pools Pty. Ltd. to construct Option 2 for the sum of \$2,576,350.70 inclusive of GST, (\$2,342,137.00, exclusive of GST + \$234,213.70, GST component) as providing the best overall value.*
- 6. That the General Manager or the Public Officer be authorised to sign the Contract on behalf of Council on 18 February 2005, or as soon as possible, and the construction/refurbishment of the Blackheath Swimming Pools proceed with the utmost expediency.*

**PROVISION OF RECREATIONAL & COMMUNITY SERVICES/FACILITIES**  
**Item 13 - Ordinary Meeting, 19/4/05**

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7. *That, as soon as possible, an information sheet be forwarded to Blackheath, Megalong Valley, Medlow Bath and Mt Victoria residences, detailing the work that will be done on the Blackheath Swimming Pools.”*

This is the first progress report to Council from the project team, since the above was resolved.

Council will be provided with progress reports regarding the project on a six (6) weekly or bi-Council meeting frequency until the project has been completed.

## **2. Project Scope**

The scope of the project is for the contractor, (Crystal Pools Pty. Ltd.), to design, document, construct / refurbish and commission the Blackheath Swimming Pools at Memorial Park, Blackheath, in line with Council's earlier decisions.

## **3. Progress of Works**

### **3.1 Contractors**

Crystal Pools Pty. Ltd. are the principal contractors on this project.

Sub-Contractors engaged are as follows;

- Water treatment - Trisley's Hydraulic Services Pty. Ltd.

### **3.2 Works proposed during April 2005**

- Complete design documentation for submission of Construction Certificate
- Apply for Construction Certificate
- Site establishment, sheds, erection of construction safety fence around site
- Demolition and excavation

### **3.3 Development Consent Issues**

Development Consent has been obtained and the following conditions were included which were not included within the budget submitted to Council. These will be included in the projects scope of works: -

- Provision for an accessible path of travel from the disabled parking spaces on Prince Edward Street to the lap pool.
- Provision of two (2) disabled parking spaces at the junction of Aquatic Avenue and Prince Edward Street, including signposting and line marking.
- Ongoing monitoring to measure any leakage from the pool complex into the duck pond, watercourse and downstream water systems.
- Turning circle at the pump house end of Aquatic Avenue.
- Proposed chainwire pool fencing not suitable, required to install new safety / security fence similar to existing.
- The stepped concrete seating around the southwest perimeter of the pools to be retained, protected, upgraded and repaired.

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

**Item 13 - Ordinary Meeting, 19/4/05**

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- Retain a suitably qualified archaeologist and heritage professional on site at all times during any excavation works and while footings are laid. Record and photograph any disturbance to the black pool and original dam wall
- Preparation of an Interpretation Strategy by an appropriately qualified heritage professional.
- Restoration of the paintwork to the Pool Pavilion.

**3.4 Other Issues**

- In February 2005, Council resolved to charge an entry fee to use this facility, however, there was no allowance in the budget submitted to Council at this time for incorporating an “entry-fee control point”. The physical resolution of this requirement and its likely budget implications will be addressed following further discussions with BM Leisure.

**4. Program**

**4.1 Key Mile Stones**

- Letter of Acceptance dated 18 February 2005 sent to Crystal Pools Pty. Ltd.
- Information Sheet forwarded to residents of Blackheath, Megalong Valley, Medlow Bath and Mt. Victoria during week commencing 4 April 2005.
- Handover (to BM Leisure) is programmed for 14 November 2005. This date does not factor in any claims for extensions of time days due to inclement weather.
- BM Leisure will open the complex seven (7) working days after the date of handover.

**5. Project Financials**

The Project has currently spent \$40,644.54 against an estimated cost of \$2,800,000.00 with \$2,017,137.00 being committed.

**TRANSPORTATION & ROADS**

Ordinary Meeting, 19/4/05

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**ITEM NO: 14**

**SUBJECT: ROAD RENAMING – ROADS SERVING PROPERTIES PREVIOUSLY FRONTING THE GREAT WESTERN HIGHWAY AT LEURA**

**FILE NO:**

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**Recommendations:**

1. *That Council authorises the re-naming of four new access roads being constructed by the Roads & Traffic Authority NSW to serve properties previously served by the original alignment of the Great Western Highway at Leura, as follows:-*
    - *New road linking Wentworth Street to Britain Street to be named DEN HOGAN DRIVE.*
    - *Section of former Wentworth Street, south of Den Hogan Drive, to be re-named SPELLACY PLACE.*
    - *New service road to properties on north side of the Great Western Highway between East View Avenue and Mount Hay Road to be named CHATEAU TERRACE.*
    - *New service road to properties on south side of the Great Western Highway between Mount Hay Road and East View Avenue to be named ALEXANDRA TERRACE.*
  
  2. *That the 'Notice of the Re-naming of a Public Road' in the NSW Government Gazette and the formal notifications to Australia Post and Land & Property Information, NSW, be withheld until a date to be agreed with the RTA when the service roads will be handed over to the care and maintenance of Council and opened to traffic.*
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**Report by Acting Group Manager, City Solutions:**

**Introduction**

The Mount Hay Road to East View Avenue Reconstruction of the Great Western Highway includes the construction of an underpass through Leura that will cut off direct access to a number of properties that previously fronted the Great Western Highway. As part of the project, the Roads & Traffic Authority NSW is constructing local service roads that will provide alternative access to these properties. Temporary road access is being maintained during the current construction activity, but upon completion of the Reconstruction project, the service roads will be handed over to Council for care and maintenance.

## **TRANSPORTATION & ROADS**

### **Item 14 - Ordinary Meeting, 19/4/05**

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As the Local Roads Authority, Council is responsible for re-naming these service roads and for notifying residents, the Department of Lands NSW, Australia Post, various local services and the public of the newly adopted names.

#### **Background**

Four new roads are to be named. Names with a historical background and which comply with the Geographical Names Board Guidelines have been selected after informal consultation with the Leura Village Association and suggestions from residents.

In accordance with Council's Consultation Protocol, a letter dated 6 July 2004 was sent to all affected property owners and residents, inviting their comments on the preferred names. There was only one reply requesting an alternative to one of the names. That letter has been answered and there has been no further comment.

As no sustainable objections were received, the preferred names became the proposed names and these were notified to the Geographical Names Board, Department of Lands NSW and Australia Post on 6 September 2004. At the same time, all affected property owners and residents were invited by letter to comment on the proposed names. The proposed names were also advertised in the Blue Mountains Gazette on 15/09/04 and 22/09/04.

The Department of Lands NSW has confirmed that it has reviewed the proposed names and has no objection to their use. No adverse comments were received in response to local advertising.

The background to the choice of the names is as follows:-

1. The recommended name for the new road linking Wentworth Street to Britain Street is DEN HOGAN DRIVE. Den Hogan was a well known identity to at least two generations of Leura people through his long service as local bus driver for the Katoomba/Woodford Bus Company that operated from a depot adjoining this location. An alternative name is Britain Street but this is not recommended because the numbering sequence would have to begin at Wentworth Street and extend eastwards and consequently the present street numbers of all the houses in Britain Street would have to be changed.
2. The recommended name for a short section of Wentworth Street that has now been separated by the construction of the new link road is SPELLACY PLACE. Among other local achievements, Mr F J Spellacy OBE was the initial owner of the Katoomba/Woodford bus company that operated from a depot adjoining this location. Jack Spellacy was made a Freeman of the City in 1987.
3. The recommended name for the new, one-way eastbound service road on the north side of the Highway between East View Avenue and Mount Hay Road is CHATEAU TERRACE. The former 'Chateau Napier' was located at the intersection of Leura Mall and the Great Western Highway. An alternative name is Napier Crescent but there is already a street of that name in Leura.

## **TRANSPORTATION & ROADS**

### **Item 14 - Ordinary Meeting, 19/4/05**

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4. The recommended name for the new one-way westbound service road on the south side of the Highway between Mount Hay Road and East View Avenue is ALEXANDRA TERRACE. On completion of the Highway underpass, the Alexandra Hotel will have no direct access to the re-aligned Great Western Highway and it is appropriate for the service road to be given that name.

#### **Discussion**

The re-naming of the new service roads is intended to avoid confusion and delay in trying to access a former Great Western Highway address that will be inaccessible from the new Leura underpass. As the local roads authority, Council could be liable for damages arising from such confusion, particularly in an emergency. New street names will, together with new street signage and revised street maps, provide a clearly identifiable means of access to properties previously fronting the Great Western Highway at the Leura underpass. House numbers will remain unchanged.

The re-naming procedure has been conducted with prior community consultation and in accordance with Council's Road Re-naming Consultation Protocol.

#### **Conclusion**

It is recommended that Council adopts the re-naming proposal.

The work is still under construction and if the new names are used by property owners and residents before the new service roads and street signs are completed, there could be confusion with the temporary access arrangements and signage being provided by RTA. It is therefore recommended that the 'Notice of the Re-naming of a Public Road' in the NSW Government Gazette and the formal notifications to Australia Post and Land & Property Information, NSW, be withheld until a date to be agreed with the RTA when the service roads will be handed over to the care and maintenance of Council and opened to traffic. The planned completion date is 30 June 2005.

**TRANSPORTATION & ROADS**

**Item 14 - Ordinary Meeting, 19/4/05**

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Attachment 1

**TRANSPORTATION & ROADS**

Ordinary Meeting, 19/4/05

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**ITEM NO: 15**

**SUBJECT: ENVIRONMENTAL ISSUES ASSOCIATED WITH GREAT WESTERN HIGHWAY ROADWORKS AROUND LEURA**

**FILE NO: R11/0124**

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**Recommendation:**

*That the report be noted by Council.*

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

At its Ordinary Meeting of 29 March 2005, Council resolved as follows:

*“That a report come to the next Council Meeting, 19th April 2005, as a matter of urgency, on the environmental issues associated with Great Western Highway roadworks around Leura. This report should specifically include:*

- 1. Details of the voluntary and paid works contributed to repair the Katoomba and Govetts Creek Sub Catchments in the last year, including number of volunteer hours, funding supplied by Council and other Government agencies.*
- 2. BMCC liaison with the RTA, expected outcomes and list of reports that BMCC officers have made to the EPA re the Leura roadworks and copies of those reports. An outline of the design of the siltation management at the site and any faults identified by Council and discussed with the RTA and contractor.*
- 3. Maps of the area showing proximity of the site (north Mall, Highland Street etc) to sensitive areas such as the Blue Gum Forest and the Grose River Wilderness Areas.*
- 4. The environmental status of the old bus depot site on Highland Street, the management of contaminates of that site and any leaching of old fuels and oil that has or is likely to occur, including if this matter has been raised with the RTA.”*

(Minute No. 88)

A meeting has been arranged with the RTA to discuss these issues and a report will come back to Council as soon as possible.

**NOTICE OF MOTION**

Ordinary Meeting, 19/4/05

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**ITEM NO: 16**

**SUBJECT: CORONATION PARK AND WAR MEMORIAL, WENTWORTH FALLS**

**FILE NO: H00127**

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By Councillors A Searle and C Van der Kley:

- “1. That Council staff discuss with the Wentworth Falls Sub-Branch of the RSL, a proposal by the RSL Sub-Branch for the upgrading of Coronation Park and the War Memorial at Wentworth Falls.
2. That Council receives, within two months, a report on the RSL Sub-Branch proposal, together with a costing of it.
3. That the General Manager includes in the report any variations of the proposal, and the costings, developed by Council staff.”

**NOTICE OF MOTION**

Ordinary Meeting, 19/4/05

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**ITEM NO: 17**

**SUBJECT: ONGOING FUNDING OF GOVERNMENT'S OBLIGATIONS**

**FILE NO: C00039 Pt 8**

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By Councillor T Hamilton:

“That, having regard to the extent of the significant and diverse infrastructure and related environment management issues facing the City, and given the overall broader community’s expectations for environmental protection, particularly within a World Heritage National Park, and given our long-term projected static rate base, due primarily to our planning policies to protect that environment, a meeting be convened between the Mayor, General Manager and the Local State and Federal Members of Parliament to consider realistic and ongoing means of funding government’s obligations.”

**NOTICE OF MOTION**

Ordinary Meeting, 19/4/05

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**ITEM NO: 18**

**SUBJECT: GROUNDWATER IN THE BLUE MOUNTAINS**

**FILE NO: C03249**

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By Councillors A Henson, P McInnes, K O'Grady and A Brown:

“That Blue Mountains City Council initiate discussions with the Department of Infrastructure, Planning and Natural Resources, Department of Environment and Conservation, Hawkesbury-Nepean Catchment Management Authority, Sydney Water, other relevant government agencies and community environment organisations, about the existing groundwater situation in the Blue Mountains, with the purpose of these discussions being to work together to ensure the long term protection of the groundwater dependent Blue Mountains swamps, and the protection of the threatened species which live in them.”

Background Notes:

Since the most recent introduction of water restrictions, an increased number of new bores have been drilled in the Blue Mountains. More groundwater is now being used to supply bottled water, water exotic gardens, golf courses and fill new swimming pools. The tunnelling activities of Sydney Water, in constructing water and sewer lines also impact on aquifers which contain groundwater (the sewer tunnel between Hazelbrook and Katoomba alone releases 2.16 megalitres/day). Deep excavations for building footings, landfill or other activities can also release water from aquifers.

In recent years, Council has received at least 2 applications for commercial water bottling of springs or groundwater. In North Leura there is evidence of a hanging swamp dying back which may be related to loss of groundwater. This is currently under investigation both by Council and by Sydney Water.

In November 1999, the then Department of Land and Water Conservation prepared the ‘Blue Mountains-Richmond Interim Groundwater Management Plan (Draft)’. This plan is still in its draft stages. It was based on very little scientific data. Since that time, further information is available from Sydney Water as a result of its boring activities. Further information has also been gained about threatened species which are dependent on swamp habitat:

Blue Mountains Water Skink *Eulamprus leuraensis* (endangered)  
Blue Mountains Giant Dragonfly *Petalura gigantea* (endangered)  
Giant Burrowing Frog (*Heliporus australiacus*) (vulnerable)  
Red Crowned Toadlet (*Pseudophryne australis*) (vulnerable)  
*Eucalyptus copulans* at Wentworth Falls  
*Carex klaphakei*

It would be an opportune time to develop a greater understanding of groundwater in the Blue Mountains to ensure good management in the future.

**NOTICE OF MOTION**

**Item 18 - Ordinary Meeting, 19/4/05**

Groundwater is part of the water cycle and cannot be seen as separate from surface water. Groundwater is not an infinite resource. It is a major supplier of the water in creeks and waterfalls, ensuring that Blue Mountains waterfalls do not run dry during times of prolonged drought.

**NOTICE OF MOTION**

Ordinary Meeting, 19/4/05

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**ITEM NO: 19**

**SUBJECT: COUNCIL FINANCES**

**FILE NO: C07408**

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By Councillor A McLaren:

- “1. That a report comes to Council assessing the state of Council’s finances.
2. That this report be undertaken by an independent, private firm and its findings be presented to the elected Council directly in the form of a detailed briefing to be conducted by the staff of the firm in question.
3. That this report canvass all Council holdings, income and savings in all accounts and/or deposits.
4. That all debt and financial commitments be evaluated as part of the report and a projection of Council’s short, medium and long term financial health be explained as part of the final document.”

Note by Councillor McLaren:

For most of this term of Council, the staff have told us that the state of Council’s finances place certain limits on our activities and our ability to provide services to the people of the Blue Mountains.

As the elected representatives of the City of Blue Mountains, we have a duty to be independently aware of the extent of this problem.

Just as a board of directors is required to fully acquaint themselves as to the state of their company’s finances, we too have a duty to our community to be certain that the assessments we have been given are independently verified.

**NOTICE OF MOTION**

Ordinary Meeting, 19/4/05

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**ITEM NO: 20**

**SUBJECT: WATERSLIDE FEES – LOWER BLUE MOUNTAINS AQUATIC CENTRE**

**FILE NO: H00616 Pt 2**

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By Councillor A McLaren:

“That a report comes to Council about the potential for removing the Waterslide fee at the Lower Blue Mountains Aquatic Centre. This report should include information on the revenue generated from the Aquatic Centre and costs associated with operating the waterslide.”

Note by Councillor McLaren:

It seems piddling and unnecessary to charge parents for this if our gate revenue is substantial enough to support the centre.

**NOTICE OF MOTION**

Ordinary Meeting, 19/4/05

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**ITEM NO: 21**

**SUBJECT: DUE DILIGENCE REPORT - LOWER BLUE MOUNTAINS  
AQUATIC CENTRE**

**FILE NO: H01276**

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By Councillor P McInnes:

“That councillors receive a report (including copies of all correspondence between Council and the Minister) on the progress of the resolution of Council passed at its Ordinary Meeting on 10 June 2003 (Minute No. 230) wherein it resolved, in part:

*‘...3. That Council write to the Minister for Local Government requesting that the Department of Local Government cause an inquiry into the conduct of the Lower Blue Mountains Aquatic Centre project by the Blue Mountains City Council to be carried out in order to discover what went wrong, why, and how it can be avoided in the future.’”*

**NOTICE OF MOTION**

Ordinary Meeting, 19/4/05

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**ITEM NO:** 22

**SUBJECT:** **DRAFT AMENDMENTS TO HERITAGE SCHEDULE FOR DLEP  
2004**

**FILE NO:** C05481 Pt 2

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By Councillor P McInnes:

“That Council receive a report, at the next meeting, on the progress of the draft amendments to the Heritage Schedule for DLEP 2004, and that the report include Professor Ian Jack’s proposed Heritage Precincts for Lawson Commercial Precinct.”

**PRECIS OF SELECTED CORRESPONDENCE**

Ordinary Meeting, 19/4/05

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**ITEM NO:** 23

**SUBJECT:** **PRECIS OF SELECTED CORRESPONDENCE, 19/4/2005**

**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. 30/3/2005 – The Secretary, Mt Victoria Community Association**

Thanking a Council staff member for their assistance with the Association's gathering of information regarding the toilet facilities issue in Mt Victoria.

**2. 31/3/2005 – The Treasurer, Mt Wilson Progress Association**

Thanking a Council staff member for the standard of signs made for use by the Association at Mount Wilson in various reserves.

**3. 31/3/2005 – The Hon Bob Debus MP, Member for Blue Mountains**

Enclosing correspondence and a petition (previously received by Council) concerning traffic issues in Kristine Street, Winmalee, and seeking consideration of the issues raised.

**4. 31/3/2005 – The Chairperson, Youth Futures Group Management Committee**

Thanking Council for its support in helping the service to move from the old Mid Mountains Community Hall on the Highway at Lawson to the Uniting Church in Yileena Avenue, Lawson. Noting the premises even at this early stage have proved to be a great success both for workers and clients.

**5. 1/4/2005 – The Secretary, Katoomba High School Parents & Citizens Association**

Expressing gratitude for the recent removal of a vandalised and disused bus shelter outside the school, and noting that the work was completed quickly and to a high standard.

**6. 6/4/2005 – 5,000 Petitioners**

Objecting to the possible closure of the Glenbrook Cinema.

**PRECIS OF SELECTED CORRESPONDENCE**

**Item 23 - Ordinary Meeting, 19/4/05**

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**7. 6/4/2005 – 10 Signatories - Tabor Street Safety Committee, Glenbrook**

Expressing appreciation for the support and assistance of Council staff in the matter of development applications at 8 and 10 Tabor Street, Glenbrook. Also, thanking councillors who supported them in this matter.