

BLUE MOUNTAINS CITY COUNCIL

Minutes of the Ordinary Meeting of the Council of the City of Blue Mountains held in the Council Chamber, Administrative Headquarters, Civic Place, Katoomba on Tuesday, 19 April 2005, commencing at 7:32 pm.

\* \* \* \* \*

There were present:

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

\* \* \* \* \*

In attendance:

General Manager, Group Manager BM City Services, Acting Group Manager City Solutions, Group Manager City Sustainability, Group Manager Corporate Policy, Acting Group Manager Environmental and Customer Services, Executive Officer, Manager - Property, Tourism Manager, Manager - Environmental Management, Youth Services Development Officer, Acting Administration Officer and Technical Officer.

\* \* \* \* \*

Prayer / Reflection:

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

\* \* \* \* \*

MINUTE NO. 96

**C00336. Confirmation of Minutes - Ordinary Meeting, 29/3/05**

**RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and Searle that the Minutes of the Ordinary Meeting of 29 March 2005 be confirmed.**

\* \* \* \* \*

OFFICERS' REPORTS, 19/4/05

MINUTE NO. 97

**1. C00145. Special Variation to General Income**

The Meeting was Herman Kozelj, John Kendall, Ian Jordan, Malcolm Hughes and Lyndal Sullivan.

A MOTION was moved by Councillors McInnes and Henson:

- 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).**
- 5. That a report come to Council with further details on the expenditure of the Environmental Management Budget. This report should provide the following, to supplement that available in Attachment 4:**
  - (a) the expenditure levels of each of the following programs over the last three years and the source of that income (ie whether grant or council funded):**

MINUTE NO. 97 (CONTD.)

- **Aquatic Monitoring and Action Program**
- **Creekline Restoration Work**
- **Noxious Weeds – private property inspections and issuing notices**
- **Resident Weed Control Support**
- **Bush Regeneration Works**
- **Landcare Program**
- **Rural Practice improvements**

- (b) **the level of ‘officer time’ that the Bushcare budget has supported over the last three years (ie total days per week).**

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

<b>For</b>		<b>Against</b>	
Councillors	Angel Brown Frappell Henson McInnes O’Grady Searle Van der Kley	Councillors	Creed Hamilton McLaren Myles

\* \* \* \* \*

MINUTE NO. 98

**2. C07486. Placement of the Draft 2005-2006 Management Plan including the Draft Revenue Policy on Public Exhibition**

The Meeting was addressed by Herman Kozelj.

A MOTION was moved by Councillors Van der Kley and Brown 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.

An AMENDMENT was moved by Councillors Hamilton and Creed:

1. **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.**

MINUTE NO. 98 (CONTD.)

2. That, at Blackheath Swim Centre, the proposed total payable concession/child fee for 2005/2006 be \$2.50 (\$2.27, plus \$0.23 GST).
3. That the proposed 2005/6 fee for spectators (Swimming Carnivals) be \$1.00 plus GST.

Upon being PUT to the Meeting, the AMENDMENT was AGREED TO UNANIMOUSLY and BECAME the MOTION.

Upon being PUT to the Meeting, the MOTION was CARRIED UNANIMOUSLY.

\* \* \* \* \*

MINUTE NO. 99

**3. C02658. Submission of Returns of Interest**

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and Brown that the Register of Returns of Interest under Section 450A of the Local Government Act 1993 be tabled.

\* \* \* \* \*

MINUTE NO. 100

**4. H01183. Compulsory Acquisition of Land by Railcorp – Lot 1 in DP 1046118 being Part of Gang Gang Street, Katoomba**

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and Brown:

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.

\* \* \* \* \*

MINUTE NO. 101

**5. R03/0176. R03/0177. Road Naming - Oxley Way and Allen Street, Blaxland**

The Meeting was addressed by David Thomas.

A MOTION was moved by Councillors McLaren and McInnes:

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.
3. That Council, with input from the community, establish an ongoing register of names which could be used as suggestions for street names or renaming in the future.

An AMENDMENT was moved by Councillors Henson and Brown:

1. **That this item be deferred pending further discussion with the developer, Bellvale Homes, regarding the renaming of the proposed Oxley Way in honour of the Thomas family who had a 70 year association with this parcel of land.**
2. **That Council, with input from the community, establish an ongoing register of names which could be used as suggestions for street names or renaming in the future.**

Upon being PUT to the Meeting, the AMENDMENT was AGREED TO UNANIMOUSLY and BECAME the MOTION.

Upon being PUT to the Meeting, the MOTION was CARRIED UNANIMOUSLY.

\* \* \* \* \*

MINUTE NO. 102

**6. X04/1424. 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**

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and Brown:

1. **That Council receives and notes this report.**

MINUTE NO. 102 (CONTD.)

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.

**Attachment 1 - Proposed Condition of Development Consent**

- |   |  |
|---|--|
| <hr/> <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. |
| <hr/> <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.  |
| <hr/> <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.  |
| <hr/> <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.   |
| <hr/> <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.  |

MINUTE NO. 102 (CONTD.)

---

**Access and mobility  
statement**

6. To ensure access is provided for people with a disability, and in accordance with the provisions of the *Disability Discrimination Act 1992; Australian Standard AS1428* and Council's *Access and Mobility Policy* 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.

---

**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.

---

**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.

MINUTE NO. 102 (CONTD.)

- |                               |   |
|-------------------------------|---|
| <b>Soil erosion</b>           | <b>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.</b>   |
| <b>Plans on site</b>          | <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>   |
| <b>External lighting</b>      | <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>   |
| <b>Hours of operation</b>     | <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>   |
| <b>Identification signage</b> | <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>   |
| <b>Council's works</b>        | <b>14. The following engineering works shall be constructed by the applicant at the applicant's expense:</b><br><br><b>a. The driveways and parking areas are to be amended as shown in red on the approved plan.</b><br><b>b. All vehicles are required to enter and leave the site in a forward direction.</b><br><b>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.</b><br><b>d. All car parking areas and driveways are to conform to Australian Standards 2890.</b> |

MINUTE NO. 102 (CONTD.)

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.

---

**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.

MINUTE NO. 102 (CONTD.)

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.

---

**Construction in  
Council's roads**

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.

MINUTE NO. 102 (CONTD.)

- 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.**

**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.**

MINUTE NO. 102 (CONTD.)

- 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.**
- 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.**

---

**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.**

MINUTE NO. 102 (CONTD.)

- |  |   |
|--|---|
| <hr/> <b>Relocation of services</b>    | <b>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.</b>   |
| <hr/> <b>Repair of damage</b>          | <b>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.</b>  |
| <hr/> <b>Restore disturbed area</b>    | <b>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.</b>   |
| <hr/> <b>Certification by Council</b>  | <b>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.</b>   |
| <hr/> <b>Compliance with standards</b> | <b>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.<br/>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.<br/>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.</b> |

MINUTE NO. 102 (CONTD.)

---

**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.

---

**Sedimentation and erosion control**

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.

\* \* \* \* \*

MINUTE NO. 103

**7. C04892. Youth Council Charter**

The Meeting was addressed by Joel Clark and Stuart Jones.

A MOTION was moved by Councillors McLaren and Henson **that Council endorse the changes to Section 3.1.4 of the Youth Council Charter as outlined in this Report.**

MINUTE NO. 103 (CONTD.)

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

<b>For</b>		<b>Against</b>	
Councillors	Angel Brown Frappell Hamilton Henson McInnes McLaren Myles O'Grady Searle Van der Kley	Councillor	Creed

\* \* \* \* \*

MINUTE NO. 104

**8. H01396. Capital Works Budget Adjustment - Pitt Park Field Upgrade - Timing of Works**

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and Brown 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.

\* \* \* \* \*

MINUTE NO. 105

**9. H01396. Capital Works Budget Adjustment – Pitt Park Field Upgrade / St Johns (Blaxland) Oval Field Upgrade**

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and Brown:

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.

\* \* \* \* \*

MINUTE NO. 106

**10. C07297. Review of 1999-2003 Cultural Strategy**

RESOLVED UNANIMOUSLY on the MOTION of Councillors O’Grady and Hamilton:

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.

\* \* \* \* \*

MINUTE NO. 107

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

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and Brown:

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

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

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

<u>Organisation</u>	<u>Amount</u>
Blue Mountains Community Legal Centre	\$200

\* \* \* \* \*

MINUTE NO. 108

**12. C07486. Blue Mountains Fitness and Aquatic Centres Fees and Charges and Ratepayer Subsidy Report**

RESOLVED UNANIMOUSLY on the MOTION of Councillors Creed and Hamilton:

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;

and subject to alterations as follows:

- Blackheath Swim Centre - the proposed total payable concession/child fee for 2005/2006 be \$2.50 (\$2.27, plus \$0.23 GST);
  - the 2005/6 fee for spectators (Swimming Carnivals) be \$1.00 plus GST;
  - the all seasons pass holders be given access to all Blue Mountains outdoor pools without additional cost, for the corresponding season. These pools being:
    - Glenbrook
    - Lawson
    - Katoomba
    - Blackheath, once it becomes operational.
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.

\*\*\*\*\*

MINUTE NO. 109

**13. H01417. Blackheath Pools, Construction & Refurbishment – Progress Report No. 1**

The Meeting was addressed by Herman Kozelj.

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and Van der Kley that Council receives and notes this report.

Councillor Brown was not present in the Council Chamber when this matter was considered.

\* \* \* \* \*

MINUTE NO. 110

**14. Road Renaming – Roads Serving Properties Previously Fronting the Great Western Highway at Leura**

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and Brown:

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.

\* \* \* \* \*

MINUTE NO. 111

**15. R11/0124. Environmental Issues Associated with Great Western Highway Roadworks around Leura**

The Meeting was addressed by Doreen Kerr.

RESOLVED UNANIMOUSLY on the MOTION of Councillors O’Grady and Hamilton **that the report be noted by Council.**

\* \* \* \* \*

NOTICES OF MOTION, 19/4/05

MINUTE NO. 112

**16. H00127. Coronation Park and War Memorial, Wentworth Falls**

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and Brown:

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.**

\* \* \* \* \*

MINUTE NO. 113

**17. C00039 Pt 8. Ongoing Funding of Government’s Obligations**

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and Brown **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.**

\* \* \* \* \*

MINUTE NO. 114

**18. C03249. Groundwater in the Blue Mountains**

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and 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.

\* \* \* \* \*

MINUTE NO. 115

**19. C07408. Council Finances**

RESOLVED UNANIMOUSLY on the MOTION of Councillors McLaren and Searle:

1. That a report comes to Council assessing the state of Council's medium to long term finances.
2. That this report be provided to Council's independent External Auditors for verification (of the methodology) and/or comment.
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 provided and explained as part of the final document.

Councillor Myles was not present in the Council Chamber when this matter was considered.

\* \* \* \* \*

MINUTE NO. 116

**20. H00616 Pt 2. Waterslide Fees – Lower Blue Mountains Aquatic Centre**

RESOLVED UNANIMOUSLY on the MOTION of Councillors McLaren and Searle **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.**

Councillor Myles was not present in the Council Chamber when this matter was considered.

\* \* \* \* \*

MINUTE NO. 117

**21. H01276. Due Diligence Report - Lower Blue Mountains Aquatic Centre**

RESOLVED UNANIMOUSLY on the MOTION of Councillors McInnes and O'Grady **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.'*

Councillors Creed and Van der Kley were not present in the Council Chamber when this matter was considered.

\* \* \* \* \*

MINUTE NO. 118

**22. C05481 Pt 2. Draft Amendments to Heritage Schedule for DLEP 2004**

This item was WITHDRAWN at the request of the mover.

\* \* \* \* \*

PRECIS OF SELECTED CORRESPONDENCE, 19/4/05

MINUTE NO. 119

**23. C00680. Precis of Selected Correspondence, 19/4/2005**

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and Brown **that the Precis of Selected Correspondence be received and appropriate letters forwarded where necessary.**

\* \* \* \* \*

MINUTE NO. 120

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

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

Upon being PUT to the meeting, the QUESTION was AGREED TO UNANIMOUSLY, the time being 10:02 pm on Tuesday, 19 April 2005.

The Ordinary Meeting of the Council then closed until 7:30 pm on Tuesday, 10 May 2005 in the Council Chamber, Council Headquarters, 2 Civic Place, Katoomba.

\* \* \* \* \*