

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, 10 May 2005, commencing at 7:33 pm.

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There were present:

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

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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, Manager - Building & Construction, Program Manager – City Outcomes, Road Safety Program Co-ordinator, Communications Officer and Administrative Assistant.

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Prayer / Reflection:

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

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MINUTE NO. 121

C00679. Apologies and Leave of Absence

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and Frappell that the apology tendered on behalf of Councillor Creed for her non-attendance at the meeting be accepted and leave of absence granted.

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MINUTE NO. 122

C00336. Confirmation of Minutes - Ordinary Meeting, 19/4/05

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and Frappell **that the Minutes of the Ordinary Meeting of 19 April 2005 be confirmed.**

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OFFICERS' REPORTS, 10/5/05

MINUTE NO. 123

1. C07465. Sydney Metropolitan Water Plan

The Meeting was addressed by Rosemary Morrow.

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and McInnes:

1. **That Council note the implications for Council in implementing the Sydney Metropolitan Water Plan.**
2. **That Council staff continue to monitor the development of the Sustaining the Catchments Regional Environmental Plan (REP) and provide a report, once the REP is finalised, on the implications and opportunities for Council.**
3. **That Council staff maintain a watching brief on State Government initiatives in regard to water recycling in Western Sydney, and the role of the Winmalee STP, and respond accordingly once the State Government's intentions are clear.**
4. **That dialogue be pursued with the State Government regarding:**
 - (a) **Council's concerns on ground water use and its impacts on the environment and the World Heritage Status of the National Park through the Local Members Bob Debus and Karyn Paluzzano; and**
 - (b) **the potential for Council to assume either an approval or concurrence role for licences to extract groundwater within the Blue Mountains Local Government Area.**
 - (c) **That in this dialogue Council specifically propose:**
 - (i) **that the priority of the \$4 million SMWP (Sydney Metropolitan Water Board Plan) study should be to establish an ecologically sustainable use which does not degrade groundwater dependent ecosystems;**

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- (ii) **that groundwater should not be identified as a potential source of free water, as is implied in the SMWP;**
- (iii) **that Council and the community be involved in the development of “appropriate guidelines” for accessing groundwater via bores.**

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

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MINUTE NO. 124

2. C01626. State of the Environment Report for the City of Blue Mountains 2003-2004

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

1. **That Council endorses the “State of the Environment Report for the City of Blue Mountains 2003-2004”, with the addition of the available information on the extent of areas mechanically cleared for hazard reduction included in the Biodiversity section, and that this be submitted to the Minister for Local Government as required by Section 428 of the Local Government Act 1993.**
2. **That, in Council’s next Management Plan process, Council considers the issues identified in the “State of the Environment Report for the City of Blue Mountains 2003-2004” that require attention by decision makers.**
3. **That Council accepts the State of the Environment Report as a key tool for guiding decisions about its Management Plan Key Principle Activity Area ‘Looking After Environment in the Blue Mountains.’**

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

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MINUTE NO. 125

3. Cities for Climate Protection Program

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and Frappell:

1. **That Council join the International Council for Local Environmental Initiatives (ICLEI) energy efficiency reduction program, Cities for Climate Protection program.**
2. **That Council undertake a preliminary investigation into the feasibility of setting up a Sustainability Initiatives Revolving Fund as a means of reinvesting financial savings from energy efficiency initiatives.**

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MINUTE NO. 126

4. C01166. Council Business Paper

A MOTION was moved by Councillors Van der Kley and Myles that the status quo remain in relation to public access to the Business Papers.

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

For		Against	
Councillors	Angel McLaren Myles Van der Kley	Councillors	Brown Frappell Hamilton Henson McInnes O'Grady Searle

A FURTHER MOTION was moved by Councillors McInnes and Searle **that Council's Code of Meeting Practice be amended where necessary to give effect to:**

- (i) **extending the time period by which Councillors and the public have access to the Business Paper to at least five working days prior to the Council Meeting; and**
- (ii) **setting the closing date for Councillors to submit any business to the General Manager by Monday (i.e. eight working days prior to the Council Meeting).**

MINUTE NO. 126 (CONTD.)

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

For		Against	
Councillors	Brown Frappell Hamilton Henson McInnes O'Grady Searle	Councillors	Angel McLaren Myles Van der Kley

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MINUTE NO. 127

5. C05343. Access Deed over Council Land at 6 Hodgson Road, Glenbrook for Telstra Corporation Limited

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and Frappell:

1. That Council agree to an Access Deed over part of Lot 2 Deposited Plan 628055, located at 6 Hodgson Road, Glenbrook, for the purpose of operating communication facilities by Telstra Corporation Limited, subject to the terms and conditions set out in this report.
2. That the Common Seal of Council be attached to the necessary documents.

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MINUTE NO. 128

6. C00694. Schedule of Invested Monies

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and Frappell **that the Schedule of Invested Monies as at 31 March 2005 be received.**

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MINUTE NO. 129

7. R22/0046. Compulsory Acquisition of Part of Council Land in Warrimoo by the Roads and Traffic Authority for Great Western Highway Improvement Works

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and Frappell:

1. That Council concur to the compulsory acquisition of Lots 3, 4 and 5 in DP 1059203 Great Western Highway, Warrimoo, by the Roads and Traffic Authority in connection with the upgrading of the Great Western Highway at Warrimoo and for subsequent consolidation with the adjacent rail reserve.
2. That Council agree with the RTA's request and waive compensation relating to this matter.
3. That Council's Common Seal be affixed to relevant documents relating to this matter.

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MINUTE NO. 130

8. C06232. Corporate Property Policy - Review

RESOLVED UNANIMOUSLY on the MOTION of Councillors Henson and O'Grady **that this matter be deferred.**

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MINUTE NO. 131

9. C07344. Licensing Organised Nature Based Recreation

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and Frappell **that Council issue licences to the organisations listed in Attachment 1 to conduct the Permitted Activities also listed in Attachment 1 on the lands specified in Attachment 2 for the following periods:**

- **Interim license from mid May2005 until 31 August 2005**
- **Initial 12 month license from 1 September 2005 until 31 August 2006.**

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MINUTE NO. 132

10. H01321. Tender for Bush Regeneration Works – Deanei Reserve

The Meeting was addressed by Robert Agars.

RESOLVED UNANIMOUSLY on the MOTION of Councillors McInnes and Henson **that Council accept the Tender submitted by A&S Bushcare Services for the Bush Regeneration Works at Deanei Reserve as funded by Valad property Group.**

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MINUTE NO. 133

11. X04/1013. Development Application No. X04/1013 for a Two Storey Dwelling on Lot 11 Section 2 DP 6112, No. 5 Banksia Park Road, Katoomba

The Meeting was addressed by Ivan Jeray, Gary Johnston and Peter Stutchbury.

A MOTION was moved by Councillors McLaren and Hamilton **that the Development Application for a two storey dwelling on Lot 11 Section 2 DP 6112, No. 5 Banksia Park Road, Katoomba be deferred until the following matters have been satisfied:**

1. **The proposed dwelling to be relocated a minimum five (5) metres from the Eucalyptus oreades (Blue Mountains Ash) located on the No. 3 Banksia Park Road (adjacent to the south-western pavilion) or a greater distance if required. In this regard, the tree is to be assessed by a qualified Arborist and a report prepared that addresses the protection measures to be employed during construction of the dwelling upon finalisation of an amended location.**
2. **A detailed survey of the tree, its canopy and its position in relation to the proposed dwelling shall be carried out. If necessary, the dwelling shall be relocated so that it does not intrude into the tree's canopy zone.**
3. **The application is to be referred to the Rural Fire Service to confirm that the tree will not require thinning as part of ongoing management of the Inner Protection area (IPA) on No. 5 Banksia Park Road.**

MINUTE NO. 133 (CONTD.)

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

For		Against	
Councillors	Angel Brown Frappell Hamilton Henson McInnes McLaren Myles O'Grady Searle	Councillors	Van der Kley

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MINUTE NO. 134

12. S04/0067. Development Application No. S04/0067 for the Closure and Subdivision of Townsend Pathway, Glenbrook into Two (2) Allotments and Shallard Pathway, Glenbrook into One (1) Allotment

The Meeting was addressed by Kylie Webb and Colleen Fuller.

A MOTION was moved by Councillors Brown and Frappell that Development Application No. S04/0067 for the closure and subdivision of Townsend Pathway, Glenbrook into two (2) allotments and Shallard Pathway, Glenbrook into one (1) allotment be determined pursuant to Section 80 (3) of the Environmental Planning and Assessment Act 1979 by the granting of a 'Deferred Commencement' consent subject to conditions shown in Attachment 1 to this Report.

Attachment 1 - Proposed Conditions of Consent

Part 1—Proposed Deferred Commencement Consent Conditions

Road Closure

- 1. The closure of both Townsend Pathway and Shallard Pathway shall be gazetted by the Department of Lands generally in accordance with the plan prepared by M Freeburn Surveyors Reference 27841/20778/Drawing 2077C dated 1 November 2004 with evidence of such gazettal provided to Council.**

MINUTE NO. 134 (CONTD.)

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| Easement | 2. To ensure adequate drainage and maintenance of Council's stormwater pipe located at 4 Nepean Gardens Place (Lot 7, DP 222068), a instrument setting of Terms of Restriction on the use of land shall be created, pursuant to Section 88B of the Conveyancing Act, 1919, and submitted in a form acceptable to Council. The easement shall allow the continued operation and access for maintenance of the stormwater pipe. The easement shall be 3m in width with the pipe located central, and shall extend along the full north eastern boundary of the property. |
| Time to Comply | 3. Evidence that Condition No. 1 has been satisfied must be provided to Council within twelve (12) months from the date of the issue of the consent. |

Part 2—Proposed Operational Consent Conditions

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| Confirmation of relevant plans | 1. Upon closure of both Shallard and Townsend Pathways, the subdivision (and consolidation) of proposed Lot 1, 2 and 3 as shown on plans prepared by M Freeburn, Surveyors reference 27841/20778/Drawing 2077C dated 1 November 2004 shall be subject of a further plan of subdivision showing the following: <ul style="list-style-type: none">▪ Proposed Lot 1 in isolation of Lot 7 DP 222068.▪ Proposed Lot 2 shall be consolidated into Lot 6 DP 222068, No. 5 Nepean Gardens Place with a Right of Carriageway established over that part of proposed Lot 2 adjoining Lot 35 DP 870003 to enable pedestrian access to be maintained to the rear of the latter allotment. or <ul style="list-style-type: none">▪ Proposed Lot 2 to be consolidated proportionally to Lot 6 DP 222068 and Lot 35 DP 870003.▪ Proposed Lot 3 consolidated into Lot 7 DP 222068, No. 4 Nepean Gardens Place. |
| Period of development consent | 2. Pursuant to Section 95(2) of the Environmental Planning and Assessment Act 1979, this consent will lapse two (2) years from the date of commencement of the Operational Consent, unless the required plans and documentation have been prepared and registered with NSW Land and Property Information before the expiration of the two (2) years from the date of notification of the operational consent. |

MINUTE NO. 134 (CONTD.)

88B Instrument

3. To minimise impact on the streetscape, an instrument setting of Terms of Restriction on the use of land intended to be created, pursuant to Section 88B of the Conveyancing Act, 1919 shall be submitted in a form acceptable to Council indicating that:
- Fencing/retaining walls and like physical barriers shall not exceed 1.8 metres in height along the common boundary with Lot 5 DP 27450, No. 4 Newbridge Place.
 - Car parking shall be prohibited within any area designated as a Right of Carriageway.

The 88B Instruments shall also contain a provision that it may not be extinguished or altered except by Blue Mountains City Council.

Subdivision certificate

4. An application for a subdivision certificate is required on completion of all conditions nominated in Part 2 of the Development Consent. The application is to be lodged with an approved by Council as the consent authority. The application should include the original plan of subdivision plus five (5) copies. The location of all buildings and/or other permanent improvements must be shown on one (1) copy.

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

For		Against	
Councillors	Angel Brown Frappell Hamilton Henson McInnes Myles O'Grady Van der Kley	Councillors	McLaren Searle

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MINUTE NO. 135

13. X02/1346. Section 96 (1A) Application to Modify Development Application No. X02/1346 for the Redevelopment of the Winmalee Shopping Town to Include the Construction of a New Supermarket, Alterations and Additions to Existing Specialty Shops and Associated Car Parking on Lot 2 DP 873341, Nos. 14-28 White Cross Road and Lot 222 DP 619188, Nos. 32-44 White Cross Road, Winmalee

RESOLVED UNANIMOUSLY on the MOTION of Councillors Henson and Van der Kley that Development Application and Consent No. X02/1346 for the redevelopment of the Winmalee Shopping Town to include the construction of a new supermarket, alterations and additions to existing specialty shops and associated car parking on Lot 2 DP 873341, No. 14-28 White Cross Road and Lot 222 DP 619188, No. 32-44 White Cross Road, Winmalee be modified pursuant to Section 96 (1A) of the Environmental Planning and Assessment Act 1979 as follows:

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| <hr/> Consent | 1. Blue Mountains City Council issues its consent, subject to conditions stated hereunder, in accordance with Section 80A of the Environmental Planning & Assessment Act 1979. Substantial physical commencement of construction is required within three (3) years from the date the consent is issued. |
| Condition amended
19/12/03 | |
| Condition amended
28 July 2004 | |
| Condition amended
10 May 2005 | <p>To confirm and clarify the terms of consent, the development shall be carried out in accordance with the following plans and supportive documentation, as amended by or as otherwise provided or modified by the conditions of this consent.</p> <ul style="list-style-type: none">▪ Plans prepared by D and R Architects dated 19 March 2004 being Drawing Nos. DA2.01B to DA2.08B as amended by plans prepared by D and R Architects dated March 2005 being Drawing Nos SP96.01, SP96.02 and SP.03 inclusive subject to all requirements of Condition 22(c).▪ Landscape Plans prepared by Warwick Ralph undated being Drawing Nos. DA 1.L1 and DA 1.L2.▪ Sediment Control Plan and report prepared by Henry and Hymas Consulting Structural Engineers dated July 2002 being Drawing No. 02075—SED 01, Rev. A.▪ Advanced landscaping be implemented to provide screening. |

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MINUTE NO. 136

14. R03/0176. R03/0177. Road Naming—Oxley Way and Allen Street, Blaxland

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

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.

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

For		Against	
Councillor	Angel	Councillors	Brown
			Frappell
			Hamilton
			Henson
			McInnes
			McLaren
			Myles
			O'Grady
			Searle
			Van der Kley

A FURTHER MOTION was moved by Councillors Myles and Van der Kley **that Council publicly exhibit the proposed naming of the roads created by the subdivision and development of Lot 10 DP 1071630, No. 67 Wilson Way Blaxland, to be known as Thomas Way and Allen Street.**

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

MINUTE NO. 137

15. X04/0693. Development Application No. X04/0693 for the Establishment of a Community Market within the Grounds of Mount Victoria Memorial Park, Lots 20-30 DP 3048 and Lots 1-7 DP 648, Nos. 2-14 Station Street, Mount Victoria

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and Frappell **that Development Application X04/0693 for a community market at Lots 20-30 DP 3048 and Lots 1-7 DP 648 Nos. 2-14 Station Street Mount Victoria be determined pursuant to Section 80 of the Environmental Planning and Assessment Act 1979 by refusal as the proposed use is not permissible under the provisions of Local Environmental Plan 4.**

MINUTE NO. 138

16. S01/0042. Section 96 Modification of Development Consent No. S01/0042 for a Four into Seven Lot Subdivision of Lots 198, 202 and 203 DP 13407 and Lot 1 DP 610497, Nos. 12, 14, 16 and 18 Kalinda Road, Bullaburra

The Meeting was addressed by Gregory Longhurst.

RESOLVED UNANIMOUSLY on the MOTION of Councillors Van der Kley and Myles that Section 96 modification of Development Consent No. S01/0042 for four(4) into seven (7) lot subdivision of Lots 198, 202 and 203 DP 13407 and Lot 41 DP 610497, Nos. 12, 14, 16 and 18 Kalinda Road, Bullaburra be determined pursuant to Section 96 of the Environmental Planning and Assessment Act 1979 by the amendment to the existing consent as shown in Attachment 1 to this Report.

Attachment 1 - Amendment to development consent

Development consent

(Amended date of consent)

1. Blue Mountains City Council issues its consent, subject to conditions stated hereunder, in accordance with Section 80A of the *Environmental Planning and Assessment Act 1979*. Substantial physical commencement of construction is required within 2 years from the date the consent is issued.

To confirm and clarify the terms of consent, the development shall be carried out in accordance with the plans as amended in red by Council, prepared by s Mark Bowler & Associates, numbered 94266/2, dated 16 May 2001 and accompanying supportive documentation, as modified by plans submitted with the Section 96 application to modify consent dated 12 January 2005, except as otherwise provided or modified by the conditions of this consent.

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MINUTE NO. 139

17. Z20/028. Proposed Reclassification of Council Land, being Lot 3 DP 505403, No. 59A Springwood Avenue, Springwood from Community Land to Operational Land

RESOLVED UNANIMOUSLY on the MOTION of Councillors Myles and McLaren:

1. That pursuant to Section 54 of the Environmental Planning and Assessment Act, 1979, Council prepare draft Local Environmental Plan No. 156, as detailed in Attachment 1 to this Report, to amend the relevant Local Environmental Plan at the time by reclassifying from Community Land to Operational Land Lot 3 DP 505403, No. 59A Springwood Avenue, Springwood to enable its sale to Integral Energy, with provision made in the draft LEP pursuant to Section 30 of the Local Government Act 1993 to discharge the land of any trusts, estates, interests, dedications, conditions, restrictions and the like that may affect the land.
2. That the Director General of the Department of Infrastructure, Planning and Natural Resources be informed that:
 - (a) In Council's opinion a Local Environmental Study is not required to be carried out in accordance with Section 57 of the Environmental Planning and Assessment Act 1979.
 - (b) Council intends to exercise its delegations with respect to Section 65 and Section 69 of the Environmental Planning and Assessment Act 1979.
3. That Council publicly exhibit the proposed draft Local Environmental Plan in accordance with the Best Practice Guideline published by the former Department of Urban Affairs and Planning in January 1997 titled 'LEPs and Council Land – Guideline for Council using delegated powers to prepare LEPs involving land that is or was previously owned or controlled by Council'.
4. That Council convene, at the conclusion of the exhibition period, an independently facilitated public hearing into the proposed reclassification.

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MINUTE NO. 140

18. X05/0231. Development Application No. X05/0231 for Alterations to Provide Disabled Access and Licensing Improvements at Lot 1 DP 665140, No. 2 Ross Street, Glenbrook (Glenbrook Theatre)

The Meeting was addressed by Todd Hawken, Dr William Cameron, Ben Curran and Max Sinclair.

RESOLVED UNANIMOUSLY on the MOTION of Councillors Frappell and Brown that Development Application No. X05/0231 for alterations to provide disabled access and licensing improvements at Lot 1 DP 665140, No. 2 Ross Street, Glenbrook (Glenbrook Theatre) be determined pursuant to Section 80 of the Environmental Planning and Assessment Act 1979 by the granting of consent subject to conditions shown in Attachment 1 to this report.

Attachment 1 - Conditions of development consent

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| Development consent | 1. Blue Mountains City Council issues its consent, subject to conditions stated hereunder, in accordance with Section 80A of the <i>Environmental Planning and Assessment Act 1979</i>. Substantial physical commencement of construction is required within 2 years from <i>[insert date of determination]</i>. |
| | To confirm and clarify the terms of consent, the development shall be carried out in accordance with the plans prepared by Bio-Building Design, numbered 1-21, dated 11 February 2005 and accompanying supportive documentation, except as otherwise provided or modified by the conditions of this consent. |
| Construction certificate (building) | 2. A construction certificate is required prior to the commencement of any site or building works. This certificate can be issued either by Council as the consent authority or by an accredited certifier. |
| Safety barriers | 3. To ensure the protection of the public during construction, safety barriers are to be provided as required on the site, and in accordance with the requirements of NSW Workcover Authority. |
| Building Code of Australia | 4. All building work must be carried out in accordance with the provisions of the Building Code of Australia. |

MINUTE NO. 140 (CONTD.)

Site management

5. **To safeguard the local amenity, reduce noise nuisance and to prevent environmental pollution during the construction period:**
- a) **The Consent does not impose restrictions on when internal building works can occur, however the noise control provisions of the Protection of the Environment Operations Act still apply.**
 - b) **All noise and light spillage associated with internal building works shall be appropriately managed so as to not cause adverse nuisance to surrounding residential properties or inappropriately impact traffic on adjoining roads.**
 - c) **All site and external building works (including the delivery of materials to and from the property) shall be limited to Monday to Friday between 7am-6pm and on Saturdays between 8am-3pm.**
 - d) **Alteration to the site and building works hours may be possible for safety reasons but only on the approval of Council.**
 - e) **Stockpiles of topsoil, sand, aggregate, spoil or other material shall be stored clear of any drainage path or easement, footpath, kerb or road surface and shall have measures in place to prevent the movement of such material off site.**
 - f) **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.**
 - g) **Builders waste must not be burnt or buried on site. All waste must be contained and removed to a Waste Disposal Depot.**

Plans on site

6. **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.**

Protection of vegetation

7. **To preserve the site features and limit site disturbance, all vegetation identified as remaining must be protected by suitable guards / barriers to prevent damage as a result of the construction phase.**

The proposed development shall include all the landscape works indicated on the approved plans.

MINUTE NO. 140 (CONTD.)

**Relocation of
foundation stones**

8. **The foundation stones located to the northern elevation shall be relocated, as indicated on the approved plan and in a manner to ensure they are protected from damage during the relocation process.**

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MINUTE NO. 141

19. C00534. Local Traffic Committee

The Meeting was addressed by Ivan Jeray.

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and Frappell:

1. **That Council receives and notes this report.**
2. **That the items 2005.11 and 2005.12 contained in the report of the Local Traffic Committee meetings held on 5 April 2005 be approved by Council.**
3. **That the Director Client Services - Roads and Traffic Authority Blacktown, the Superintendent of Police - Blue Mountains Area Command and the Local Member's Representative be notified of Council's approval.**
4. **That the items 2005.13 and 2005.14 are noted.**

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MINUTE NO. 142

20. R11/0124. Environmental Issues Associated with Great Western Highway Roadworks Around Leura

The Meeting was addressed by Ivan Jeray, Jeanette Hanson, Meredith Osborne and Russell Pink.

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

1. **That Council notes the responses to the Notice of Motion.**
2. **That Council supports the proposed approach to remediation and prevention in this report to be the subject of community consultation aimed at resolving and minimizing any further environmental issues associated with the Great Western Highway roadworks around Leura.**

MINUTE NO. 142 (CONTD.)

3. That Council writes to the RTA seeking confirmation of its commitment to:

- **engage a stormwater engineer with knowledge of the area;**
- **form a working party with Council, National Parks, Bushcare, Landcare and the North Leura Residents' Group and other stakeholders;**
- **develop joint stormwater initiatives as agreed by this working party;**
- **provide funding to remedy stormwater problems that become apparent in years to come, for a minimum of 10 years;**
- **fund a 5 year weed management program which completely remediates the Govetts Creek, Wentworth Creek catchments.**

4. That Council obtains information from the EPA on what action, if any, it has taken or plans to take in response to these pollution events.

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

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NOTICES OF MOTION, 10/5/05

MINUTE NO. 143

21. C07499 Pt 2. Consideration of Matter Concerning Glenbrook Theatre

RESOLVED UNANIMOUSLY on the MOTION of Councillors Henson and McInnes **that the report re the scope of the works in relation to the Glenbrook Theatre be discussed at a public forum (in the Lower Mountains) before that report is brought before Council.**

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MINUTE NO. 144

22. C01343 Pt 2. Footpath Usage Fees

A MOTION was moved by Councillors McLaren and Searle that Council retain the footpath usage fees for the financial year 2004/2005 at the rate set for the 2003/2004 year.

The Mayor ruled this MOTION to be OUT OF ORDER.

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MINUTE NO. 145

23. X05/362 Pt 1. Proposed Redevelopment of Colless Site, Leura

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and O'Grady **that, in reference to the development application for the redevelopment of the Colless site in Leura, Council holds a public meeting in the early stage of the submission period, in order to fully acquaint residents with the proposal.**

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PRECIS OF SELECTED CORRESPONDENCE, 10/5/05

MINUTE NO. 146

24. C00680. Precis of Selected Correspondence, 10/5/2005

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

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MINUTE NO. 147

C00336. Procedural – Matter of Urgency

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and O'Grady **that Council now consider a matter concerning the Parklands Development Application, such matter having been ruled by the Mayor to be a matter of great urgency.**

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MINUTE NO. 148

Matter of Urgency – Parklands Development Application

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and O'Grady **that Council officers, as soon as possible, hold a public meeting at Blackheath in order to fully inform residents of the recently lodged Parklands development application.**

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MINUTE NO. 149

C00336. Procedural – Matter of Urgency

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and Searle **that Council now consider a matter concerning a Meeting of Councillors with New South Wales Local Government, Clerical, Administrative, Energy, Airlines & Utilities Union, such matter having been ruled by the Mayor to be a matter of great urgency.**

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MINUTE NO. 150

Matter of Urgency – Meeting of Councillors with New South Wales Local Government, Clerical, Administrative, Energy, Airlines & Utilities Union

RESOLVED UNANIMOUSLY on the MOTION of Councillors Hamilton and Searle **that the Mayor, as a matter of urgency, arranges a meeting with Councillors and Union Official, Mick Keyes, New South Wales Local Government, Clerical, Administrative, Energy, Airlines & Utilities Union, in order to discuss concerns and issues regarding the General Manager’s proposed Council restructure, as detailed in the Union’s letter to the Mayor of 27 April 2005.**

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MINUTE NO. 151

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 10:37 pm on Tuesday, 10 May 2005.

The Ordinary Meeting of the Council then closed until 7:30 pm on Tuesday, 31 May 2005 in the Council Chamber, Council Headquarters, 2 Civic Place, Katoomba.

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