

BLUE MOUNTAINS CITY COUNCIL

MINUTES OF ORDINARY MEETING OF COUNCIL

30 March 2021

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Minutes of the Ordinary Meeting of Council of the City of Blue Mountains, held in the Chambers on Tuesday, 30 March 2021, commencing at 7.30pm.

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There were present:

The Mayor (Councillor Greenhill) in the Chair, and Councillors Bowling, Brown, Fell, Foenander, Hoare, Hollywood, McGregor, Myles, Schreiber, Van der Kley.

* * * * *

In attendance:

Chief Executive Officer; Director Strategy and Corporate Services; Director Environment and Planning Services; Director Cultural and Community Services; Director Economy Place and Infrastructure Services; Executive Business Manager; Manager Governance and Civic Services; Manager City Planning; Manager Environment; Program Leader Corporate Communications & Marketing; Project Manager, Special Projects, Principal Landscape Architect; Meeting & Councillor Support Officer; Project Officer; Environmental Ranger; Environmental Ranger.

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Prayer/Reflection:

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

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Apologies

Nil

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MINUTE NO. 64

Procedural – Leave of Absences

A MOTION was MOVED by Councillors Fell and Foenander:

That the Council accepts a leave of absences from Councillor Christie until 7 May 2021.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For	Against
Councillors	Councillors
Greenhill	
Fell	
Myles	
Hollywood	
Van der Kley	
McGregor	
Bowling	
Brown	
Foenander	

Hoare
Schreiber

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MINUTE NO. 65

Confirmation of Minutes - Ordinary Meeting - 23 February 2021

A MOTION was MOVED by Councillors Schreiber and McGregor:

That the Minutes of the Ordinary Meeting of 23 February 2021 be confirmed.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For		Against
Councillors	Greenhill	Councillors
	Fell	
	Myles	
	Hollywood	
	Van der Kley	
	McGregor	
	Bowling	
	Brown	
	Foenander	
	Hoare	
	Schreiber	

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Declarations of Interest – Ordinary Meeting, 30 March 2021

Councillor Schreiber declared a non-significant, pecuniary interest with respect to Item 3:
“I am declaring that I am a member of the Central Blue Mountains Rotary Club but will be remaining in the Chamber for the debate and the vote.”

Councillor Van der Kley declared a non-significant, pecuniary interest with respect to Item 3:
“I am declaring that I am a member of the Central Blue Mountains Rotary Club but will be remaining in the Chamber for the debate and vote.”

Councillor Van der Kley declared a non-significant, non-pecuniary interest with respect to Item 20:
“I am declaring that I have an interest in one of the streets listed in this item but will be remaining in the Chamber for the debate and the vote.”

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Mayoral Matter of Urgency

That the Council now considers a matter arising in relation to the March floods that has been ruled by the Mayor to be a matter of great urgency.

MINUTE NO. 66**Procedural - Matter of Urgency**

A MOTION was MOVED by Councillors Greenhill and Van der Kley:

1. That the Council notes the significant impacts across the Blue Mountains community by the recent extreme weather event;
2. That the Council notes, in particular, the impacts on the Megalong Valley, Berambing, and Mt Tomah due to landslips;
3. That the Council notes the support received from the SES, RFS, FRNSW, Police, Ambulance and Council Officers in yet another crisis faced by our community, this includes the RFS in the Megalong Valley that assisted with transportation and delivery of critical goods and services; and
4. That that Council writes to the heads of each agency to thank them on behalf of the community.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For	Against
Councillors	Councillors
Greenhill	
Fell	
Myles	
Hollywood	
Van der Kley	
McGregor	
Bowling	
Brown	
Foenander	
Hoare	
Schreiber	

* * * * *

Mayoral Matter of Urgency

That the Council now considers a matter arising in relation to the waste levy during the March floods that has been ruled by the Mayor to be a matter of great urgency.

MINUTE NO. 67**Procedural - Matter of Urgency**

A MOTION was MOVED by Councillors Greenhill and Van der Kley:

1. That Council notes that a Hawkesbury Nepean Regional Recovery Committee has been activated and that the Regional Recovery Committee will encompass the 12 LGAS in Western Sydney that have been Disaster Declared including Blacktown, Blue Mountains, Camden, Campbelltown, Cumberland, Fairfield, Hawkesbury, Liverpool, Parramatta, Penrith, The Hills and Wollondilly;

2. That Council notes the NSW State Government Waste Exemption for disposal of flood impacted waste in Blue Mountains to 30 June 2021;
3. That Council notes Service NSW are providing a one stop shop for people and businesses to access all recovery services;
4. That Council notes that a regional clean-up is commencing with priority on ensuring roads are accessible, making places safe for people to return, assisting with wash out and clean up and removing bulk waste to provide initial relief;
5. That Council notes that one-way vehicular access to Megalong Valley has been restored and that Mt Tomah and Berambing residents access to the east has been restored;
6. That the Council continues communications outlining the flood assistance available and clean up advice to assist the community; and
7. That the Council receives a briefing at the earliest opportunity on the Waste Levy.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For	Against
Councillors	Councillors
Greenhill	
Fell	
Myles	
Hollywood	
Van der Kley	
McGregor	
Bowling	
Brown	
Foenander	
Hoare	
Schreiber	

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Mayoral Matter of Urgency

That the Council now considers a matter arising in relation to the Final Report of the Public Inquiry into the Blue Mountains City Council that has been ruled by the Mayor to be a matter of great urgency.

MINUTE NO. 68

Procedural - Matter of Urgency

A MOTION was MOVED by Councillors Greenhill and Van der Kley:

1. That the Council notes that the Final Report of the Public Inquiry into Blue Mountains City Council ("Report") prepared by Commissioner Richard Beasley SC ("the Commissioner") was tabled in the NSW Parliament on 25 March 2021;
2. That the Council notes that the Commissioner found that at all times the elected Councillors, when informed of relevant issues, acted appropriately and diligently;

3. That the Council notes that the Commissioner found that there is no basis for declaring the civic offices of the Council vacant, and that no such recommendation was made;
4. That the Council notes that the Commissioner found that failings in asbestos management prior to mid-2017 have since been remedied by the organisation and that the Council is on the path of being an exemplar in the management of asbestos;
5. That the Council notes the comments made by the Commissioner concerning the Organisational Failures document submitted by the Council to the Inquiry, that the admissions “were properly made, helpful to the Inquiry and saved hearing time”;
6. That the Council notes that the Organisational Failures document submitted to the Public Inquiry was prepared under the instructions of the Chief Executive Officer and that the document records the acknowledgement of the Council, as an organisation, of failures that occurred in the Council’s historic management of asbestos;
7. That the Council formally acknowledges and expresses its regret for the failings outlined in the Organisational Failures document submitted by the Council to the Inquiry, noting that the Council has rectified these matters and is now fully compliant with statutory requirements relating to asbestos management;
8. That the Council notes that the Chief Executive Officer, on behalf of the organisation, formally apologises for the failings acknowledged in the Organisational Failures document submitted to the Public Inquiry;
9. That the Council notes that the events of the past 4 years, including the relentless media attacks on the Council and Council staff in 2017 and 2018, and the multiple simultaneous inquiries and investigations into the Council, have taken a massive toll on the Council, on Councillors, on current and former staff across all Directorates and on the City;
10. That the Council notes that the Public Inquiry was conducted from 27 June 2018 until 25 March 2021 and involved more than 30 days of public hearings and required extensive commitment of Council staff and production of tens of thousands of pages of documents; and
11. That the Council notes that the Commissioner found that the Council and its legal representatives at all times cooperated with the Inquiry in a helpful, mature and non-defensive fashion and that the Council had cooperated fully and appropriately with SafeWork NSW, the Environment Protection Authority and the Office of Local Government.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For		Against
Councillors	Greenhill	Councillors
	Fell	
	Myles	
	Hollywood	
	Van der Kley	
	McGregor	
	Bowling	

Brown
Foenander
Hoare
Schreiber

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Mayoral Matter of Urgency

That the Council now considers a matter arising in relation to the job seeker allowance that has been ruled by the Mayor to be a matter of great urgency.

MINUTE NO. 69

Procedural - Matter of Urgency

A MOTION was MOVED by Councillors Greenhill and Van der Kley:

1. **That the Council notes the impacts to the Blue Mountains economy, tourism and environment as a result of a stream of crises including, the 2019/20 bushfires, coronavirus and recent rain events which have caused significant financial hardship for some members of our local and business community;**
2. **That the Council notes that the financial hardship will continue for some time as it will be at least another 12 months or longer before international tourism begins again;**
3. **That the Council notes that there 2,721 recipients of the JobSeeker payment registered with Centrelink for the regions in the Blue Mountains;**
4. **That the Council notes that the coronavirus supplement payment of \$150 per fortnight will cease from 31 March 2021 causing further significant hardship to residents across the Blue Mountains;**
5. **That the Council notes that there are currently 2,941 residents of the Blue Mountains currently receiving the Job Keeper allowance;**
6. **That the Council notes that the Job Keeper Allowance will cease from 31 March 2021;**
7. **That the Council notes the current economic situation for many small businesses in the LGA is that they will not be able to retain staff when the Job Keeper allowance is removed; and**
8. **That that Council writes to the Prime Minister the Hon. Scott Morrison MP, the Treasurer the Hon. Josh Frydenberg, the Minister for Families and Social Services Senator the Hon. Anne Ruston and Susan Templeman MP, Federal Member for Macquarie to express the Council's deep concerns in the cessation of the coronavirus supplement payment with the Job Seeker payments and the cessation of Job Keeper payments to people within our community.**

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For
Councillors Greenhill
Fell

Against
Councillors

Myles
Hollywood
Van der Kley
McGregor
Bowling
Brown
Foenander
Hoare
Schreiber

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Mayoral Matter of Urgency

That the Council now considers a matter arising in relation to the Planetary Health initiative that has been ruled by the Mayor to be a matter of great urgency.

MINUTE NO. 70

Procedural - Matter of Urgency

A MOTION was MOVED by Councillors Greenhill and Van der Kley:

1. **That a report comes to Council initiating the creation of a committee to assist with the development of the Planetary Health initiative;**
2. **That the Council elects a Councillor Fell as Chair upon the passing of this motion;**
3. **That the Chair liaises with the CEO on the report to come to before the Council appointing broader membership of the committee and terms of reference; and**
4. **That the appointed Chair holds office until the end of the current term of Council.**

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For	Against
Councillors	Councillors
Greenhill	
Fell	
Myles	
Hollywood	
Van der Kley	
McGregor	
Bowling	
Brown	
Foenander	
Hoare	
Schreiber	

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MINUTE NO. 71**1. 21/51792. Odour issues surrounding the Blaxland Waste Management Facility**

A MOTION was MOVED by Councillors Greenhill and Bowling:

1. That the Council notes the present investigation into the odour issues surrounding the Blaxland Waste Management Facility;
2. That the Council notes that a report on the outcomes of the odour study is scheduled to come to the Council meeting in May 2021;
3. That the Council receives a report at the June 2021 Council meeting outlining the recommendations from the odour report that will be implemented and the associated cost and timeframe for delivery;
4. That the Council notes that local residents have also raised concern with noise impacts from the Blaxland Waste Management Facility operations; and
5. That the Council undertakes noise monitoring of the facility, including taking readings along Railway Parade and Springwood Road, and that the outcomes of the noise study are reported to the Council.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For	Against
Councillors	Councillors
Greenhill	
Fell	
Myles	
Hollywood	
Van der Kley	
McGregor	
Bowling	
Brown	
Foenander	
Hoare	
Schreiber	

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MINUTE NO. 72**S1. 21/64865. Racism not welcome here campaign**

A MOTION was MOVED by Councillors Greenhill and Van der Kley:

That the Council joins the “Racism not welcome here campaign” and liaises with the organisers about the appropriate communications to follow from the Council’s involvement.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For	Against
Councillors	Councillors
Greenhill	
Fell	
Myles	

Hollywood
 Van der Kley
 McGregor
 Bowling
 Brown
 Foenander
 Hoare
 Schreiber

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MINUTE NO. 73

2. 21/45848. Performance of Investments February 2021

A MOTION was MOVED by Councillors Myles and Fell:

That the Council notes the performance of invested monies for February 2021 including:

- **That as at 28 February 2021 funds held in investments totaled \$28.0 million; and**
- **The enclosed certificate of the Responsible Accounting Officer.**

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For		Against
Councillors	Greenhill	Councillors
	Fell	
	Myles	
	Hollywood	
	Van der Kley	
	McGregor	
	Bowling	
	Brown	
	Foenander	
	Hoare	
	Schreiber	

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MINUTE NO. 74

3. 21/62035. Community Assistance Donations Recommendation by Councillors

A MOTION was MOVED by Councillors Myles and Fell:

That the Council endorses the following community assistance donations from the Councillor funds:

Organisation	Amount
Central Blue Mountains Rotary	\$400.00

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For	Against
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Councillors	Greenhill Fell Myles Hollywood Van der Kley McGregor Bowling Brown Foenander Hoare Schreiber	Councillors
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MINUTE NO. 75**4. 20/280642. Sustainable Blue Mountains - Carbon Abatement Action Plan Progress Report 2019-2020**

A MOTION was MOVED by Councillors Myles and Fell:

That the Council notes that 2019/20 operational footprint has shown a 25% reduction compared to the 2015/16 base year.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For		Against
Councillors	Greenhill Fell Myles Hollywood Van der Kley McGregor Bowling Brown Foenander Hoare Schreiber	Councillors

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MINUTE NO. 76**5. 21/1777. Guidelines for Domestic Waste Management Charging**

A MOTION was MOVED by Councillors Myles and Fell:

That the Council adopts the amended Guidelines for Domestic Waste Management Charging.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For		Against
Councillors	Greenhill Fell Myles	Councillors

Hollywood
 Van der Kley
 McGregor
 Bowling
 Brown
 Foenander
 Hoare
 Schreiber

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MINUTE NO. 77

6. 21/50474. Confidential Business Paper - Progress towards a Renewable Energy Power Purchase Agreement

A MOTION was MOVED by Councillors Van der Kley and Hollywood:

1. That Item 6 in the Confidential Business Paper be deferred for consideration until all other business of this meeting has been concluded; and
2. That the Council close part of the Council Meeting for consideration of Item6 in the Confidential Business Paper 'Progress towards a Renewable Energy Power Purchase Agreement' pursuant to the provisions of Section 10A(2)(c) of the Local Government Act 1993, as the report contains, and discussion is likely to involve;

(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For		Against
Councillors	Greenhill	Councillors
	Fell	
	Myles	
	Hollywood	
	Van der Kley	
	McGregor	
	Bowling	
	Brown	
	Foenander	
	Hoare	
	Schreiber	

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MINUTE NO. 78

7. 21/55605. Wildlife Recovery Mayoral Reference Working Group Final Report

A MOTION was MOVED by Councillors Foenander and Hollywood:

1. That the Council notes that the Wildlife Recovery Mayoral Reference Working Group has fulfilled its Terms of Reference, having completed the three working

group sessions and that Council receives this final report from the Working Group;

2. That the findings and recommendations of the Wildlife Recovery Mayoral Reference Working Group will provide for key considerations as part of the development of Councils Biodiversity Strategy and Vertebrate Pest Management Plan;
3. That the Council, notes the lead NSW agency for wildlife, the NSW National Parks and Wildlife Service, is currently delivering the Wildlife Recovery Project, which includes an associated Action Plan and guidelines that will support the management and implementation of wildlife recovery in the future; and
4. That the Council acknowledges the Working Group's Chair, Councillor Foenander and thanks all participants for their contribution of time and expertise to the Wildlife Recovery Mayoral Reference Working Group.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For	Against
Councillors	Councillors
Greenhill	
Fell	
Myles	
Hollywood	
Van der Kley	
McGregor	
Bowling	
Brown	
Foenander	
Hoare	
Schreiber	

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MINUTE NO. 79

8. 21/55625. Participation in the Great Eastern Ranges Initiative

A MOTION was MOVED by Councillors Myles and Fell:

That the Council accepts the invitation from the Great Eastern Ranges Initiative (GER) and authorises the Chief Executive Officer to enter into a non-binding Memorandum of Understanding (MoU) with the GER outlining the nature of the relationship and the areas of mutual interest where Council and the GER can work collaboratively to contribute to delivering the vision of the Great Eastern Ranges Initiative.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For	Against
Councillors	Councillors
Greenhill	
Fell	
Myles	
Hollywood	
Van der Kley	
McGregor	
Bowling	

Brown
Foenander
Hoare
Schreiber

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MINUTE NO. 80

9. 21/18199. Blaxland War Memorial Park

A MOTION was MOVED by Councillors Bowling and Greenhill:

1. That the Council notes that the redevelopment of Blaxland War Memorial Park is not currently provided for within the adopted Open Space and Recreation Strategic Plan 2018- 2028;
2. That Council notes that there are significant access and safety issues at Blaxland War Memorial Park, both pedestrian and vehicular, that cannot be resolved by the Council alone and that would need to be resolved with the assistance of Transport for NSW prior to the Council considering the feasibility of redeveloping this park;
3. That staff meet with relevant State Government representatives to discuss redevelopment and what funding sources exist; and
4. That the outcomes of this meeting with State Government representatives be briefed to Councillors ahead of any further report to Council on this matter.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For		Against
Councillors	Greenhill	Councillors
	Fell	
	Myles	
	Hollywood	
	Van der Kley	
	McGregor	
	Bowling	
	Brown	
	Foenander	
	Hoare	
	Schreiber	

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MINUTE NO. 81

10. 20/222387. Exhibition of Wentworth Falls Lake Reserve Draft Plan of Management and Draft Masterplan

The meeting was addressed by: Paul Vale

A MOTION was MOVED by Councillors Hollywood and Hoare:

1. That the Council endorses the Wentworth Falls Lake Reserve draft Plan of Management for the purpose of public exhibition in accordance with the provisions

of Section 38 of the Local Government Act 1993 for a minimum period of 42 days from the date of public notice;

2. That the Council endorses the Wentworth Falls Lake Reserve draft masterplan for concurrent public exhibition;
3. That the Council delegates the authority to the Chief Executive Officer to make any final minor amendments to the draft Plan of Management document, prior to exhibition; and
4. That the Council receives a further report following the public exhibition period that will outline public comment received.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For		Against
Councillors	Greenhill Fell Myles Hollywood Van der Kley McGregor Bowling Brown Foenander Hoare Schreiber	Councillors

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MINUTE NO. 82

11. 20/218643. Exhibition of Buttenshaw Park draft Plan of Management and draft Masterplan

A MOTION was MOVED by Councillors Myles and Fell:

1. That the Council endorses the Buttenshaw Park draft Plan of Management for the purpose of public exhibition in accordance with the provisions of Section 38 of the Local Government Act 1993 for a minimum period of 42 days from the date of public notice;
2. That the Council endorses the Buttenshaw Park draft Masterplan for concurrent public exhibition;
3. That the Council delegates the authority to the Chief Executive Officer to make any final minor amendments to the draft Plan of Management document, prior to exhibition; and
4. That the Council receives a further report following the public exhibition period that will outline public comment received.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For		Against
Councillors	Greenhill	Councillors

Fell
 Myles
 Hollywood
 Van der Kley
 McGregor
 Bowling
 Brown
 Foenander
 Hoare
 Schreiber

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MINUTE NO. 83

12. 21/40800. South Lawson Park - Plan of Management & Masterplan for adoption

The meeting was addressed by: Caroline Williams

A MOTION was MOVED by Councillors Hollywood and Van der Kley:

1. That the Council notes the outcomes of the public exhibition of the draft South Lawson Park Plan of Management and Masterplan;
2. That the Council adopts the South Lawson Park Plan of Management and Masterplan to guide the future management of the site;
3. That the Council delegates the authority to the Chief Executive Officer to make any final minor changes as required prior to adoption; and
4. That the Council writes to the Member for the Blue Mountains Trish Doyle MP, the NSW Minister for Health Brad Hazzard MP and the Chair of the Inquiry into health outcomes and access to health and hospital services in rural, regional and remote NSW Inquiry, Greg Donnelly MLC, to highlight that:
 - a. while a new hospital is needed in the Blue Mountains, the Council, after extensive consultation with our community, has developed and approved a Master Plan and Plan of Management for the South Lawson Park which demonstrates the community's priorities for this area are passive recreational activities to strengthen social connections, health and well-being, and improvements to the environment protections for the creek and bushland.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For		Against
Councillors		Councillors
	Greenhill	
	Fell	
	Myles	
	Hollywood	
	Van der Kley	
	McGregor	
	Bowling	
	Brown	
	Foenander	
	Hoare	
	Schreiber	

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MINUTE NO. 84**13. 20/267504. Adoption of Heritage Strategy 2021-2025**

A MOTION was MOVED by Councillors Van der Kley and Hollywood:

1. That the Council notes the results of the public exhibition of the Draft Heritage Strategy 2021-2025;
2. That the Council adopts the amended and final Heritage Strategy 2021-2025;
3. That, should the Heritage Strategy 2021-2025 be adopted, it be provided to the Heritage NSW and made available on Council's website; and
4. That the Council delegates the authority to the CEO (or her delegate) to make minor amendments to the adopted Blue Mountains Heritage Strategy that may arise after the formal adoption by the Council, subject to such amendments maintaining the policy intent of the strategy.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For	Against
Councillors	Councillors
Greenhill	
Fell	
Myles	
Hollywood	
Van der Kley	
McGregor	
Bowling	
Brown	
Foenander	
Hoare	
Schreiber	

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MINUTE NO. 85**14. 20/228405. Rezoning application assessment: 213 Cliff Drive, Katoomba**

A MOTION was MOVED by Councillors Myles and Fell:

That Council not support the proposed rezoning of 213 Cliff Drive, Katoomba (Lot 1 DP 435959) from zone RE2 Private Recreation to zone E4 Environmental Living, for the reasons outlined in this report.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For	Against
Councillors	Councillors
Greenhill	
Fell	
Myles	
Hollywood	
Van der Kley	
McGregor	
Bowling	

Brown
Foenander
Hoare
Schreiber

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MINUTE NO. 86

15. 21/9508. Post Exhibition - Draft DCP 2015 Amendment 4: Seniors Housing Provisions and Housekeeping

A MOTION was MOVED by Councillors Myles and Fell:

1. That the Council notes the matters raised in submissions in response to the public exhibition of draft Amendment 4 to Blue Mountains Development Control Plan 2015: Seniors Housing Provisions and Housekeeping (Attachment 1);
2. That the Council adopts the amendments in Attachment 2, which will constitute Amendment 4 to Blue Mountains Development Control Plan 2015; and
3. That the Council delegates authority to the Chief Executive Officer (or her delegate) to make minor changes to draft Amendment 4 Blue Mountains Development Control Plan 2015 once adopted prior to publication, subject to such amendments maintaining the policy intent of the draft plan.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For		Against
Councillors	Greenhill Fell Myles Hollywood Van der Kley McGregor Bowling Brown Foenander Hoare Schreiber	Councillors

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MINUTE NO. 87

16. 21/44465. Confidential Business Paper - 5-7 Loftus Street, Lawson - Sale

A MOTION was MOVED by Councillors Van der Kley and Hollywood:

1. That Item 16 in the Confidential Business Paper be deferred for consideration until all other business of this meeting has been concluded; and
2. That the Council close part of the Council Meeting for consideration of Item 16 in the Confidential Business Paper '5-7 Loftus Street, Lawson - Sale' pursuant to the provisions of Section 10A(2)(c) and (d)(i) of the Local Government Act 1993, as the

report contains, and discussion is likely to involve;

(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; and

(d)(i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For		Against
Councillors	Greenhill	Councillors
	Fell	
	Myles	
	Hollywood	
	Van der Kley	
	McGregor	
	Bowling	
	Brown	
	Foenander	
	Hoare	
	Schreiber	

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MINUTE NO. 88

17. 21/44477. Confidential Business Paper - Former Katoomba Golf Clubhouse - Lease to NPWS

A MOTION was MOVED by Councillors Van der Kley and Hollywood:

1. That Item 17 in the Confidential Business Paper be deferred for consideration until all other business of this meeting has been concluded; and
2. That the Council close part of the Council Meeting for consideration of Item17 in the Confidential Business Paper 'Former Katoomba Golf Clubhouse - Lease to NPWS' pursuant to the provisions of Section 10A(2)(c) and (d)(ii) of the Local Government Act 1993, as the report contains, and discussion is likely to involve:

(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; and

(d)(ii) commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For		Against
Councillors	Greenhill	Councillors
	Fell	
	Myles	
	Hollywood	
	Van der Kley	
	McGregor	

Bowling
Brown
Foenander
Hoare
Schreiber

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MINUTE NO. 89

18. 21/60661. Development Application Advertising in Print Media

A MOTION was MOVED by Councillors Myles and Fell:

1. That the Council notes that the adopted Community Participation Plan (February 2021) forms the legal basis of satisfying legislative notice requirements for development applications and planning proposals which are to be online;
2. That the Council implements a gradual transition from traditional print media to online notices for development applications and planning proposals;
3. That the Council will continue to print media notices in the local newspaper (in a modified form) to provide alerts of significant applications / proposals and development determinations, which will be an additional step to the requirements of the Community Participation Plan; and
4. That the Council will review this arrangement for online and print media publication for planning matters and development applications as part of the next statutory review of the Community Participation Plan, informed by community needs and expectations.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For		Against
Councillors	Greenhill	Councillors
	Fell	
	Myles	
	Hollywood	
	Van der Kley	
	McGregor	
	Bowling	
	Brown	
	Foenander	
	Hoare	
	Schreiber	

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MINUTE NO. 90

19. 21/61427. Mobile Food Van at Wentworth Falls

A MOTION was MOVED by Councillors Hollywood and Fell:

That the Council notes this Item 19, Mobile Food Van at Wentworth Falls has been withdrawn by the Chief Executive Officer.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For	Against
Councillors	Councillors
Greenhill	
Fell	
Myles	
Hollywood	
Van der Kley	
McGregor	
Bowling	
Brown	
Foenander	
Hoare	
Schreiber	

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MINUTE NO. 91

20. 21/32015. Local Traffic Committee Minutes - 9 February 2021

A MOTION was MOVED by Councillors Myles and Fell:

1. That the Council receives the Minutes for the Local Traffic Committee (LTC) of 9 February 2021; and
2. That the Council approves the recommendations from the LTC meeting Minutes of 9 February 2021 as follows:
 - a. 2021: 1 Lurline St, Katoomba – Bus Zone Extension;
 - b. 2021: 2 Sinclair Cres, Wentworth Falls – ‘No Parking BMCC Vehicles Only’ Signage Installation;
 - c. 2021: 3 Honour Ave and Queens Oak Rd, Lawson – Installation of ‘Give Way’ Signage;
 - d. 2021: 4 Lincoln’s Rock Car Park Upgrade;
 - e. 2021: 5 Macquarie Rd, Springwood – Loading Zone Installation;
 - f. 2021: 6 Blaxland East Public School – Bus Zone Changes; and
 - g. 2021: 7 Attunga Rd, Blaxland – ‘No Stopping’ Signage Installation.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For	Against
Councillors	Councillors
Greenhill	
Fell	
Myles	
Hollywood	
Van der Kley	
McGregor	
Bowling	
Brown	
Foenander	
Hoare	
Schreiber	

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MINUTE NO. 92**21. 21/32623. Proposed Licence - Electric Vehicle Charging Station - Blaxland - Tesla**

A MOTION was MOVED by Councillors Myles and Fell:

1. That the Council receives the information on the proposal for introducing electric vehicle charging stations in Blaxland; and
2. That the Council endorses the engagement in a 15 year licence agreement with Tesla to install electric vehicle charging stations at Blaxland.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For	Against
Councillors	Councillors
Greenhill	
Fell	
Myles	
Hollywood	
Van der Kley	
McGregor	
Bowling	
Brown	
Foenander	
Hoare	
Schreiber	

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MINUTE NO. 93**22. 21/18580. Tender Report - Construction of Transport Upgrades at Various Locations in the Blue Mountains**

A MOTION was MOVED by Councillors Myles and Fell:

1. That the Council notes that it received seven (7) tender submissions for the construction of transport upgrades at various locations in the Blue Mountains;
2. That the Council accepts the tender submitted by Convil Group Pty Ltd for the construction of transport upgrades at various locations in the Blue Mountains for the sum of \$278,319 exclusive of GST; and
3. That the Council delegates the authority to the Chief Executive Officer (or her delegate) to execute and sign documents relating to the contract for the construction of transport upgrades at various Locations in the Blue Mountains.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For	Against
Councillors	Councillors
Greenhill	
Fell	
Myles	
Hollywood	
Van der Kley	

McGregor
Bowling
Brown
Foender
Hoare
Schreiber

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MINUTE NO. 94

23. 21/20495. Textile Recycling Trial

A MOTION was MOVED by Councillors Brown and Schreiber:

1. That the Council notes that:

- a. Approximately 800,000 tonnes of textile, leather and rubber waste was discarded in the 2018-19 financial year in Australia with almost 75 per cent sent directly to landfill (Australian Bureau of Statistics); and
- b. Bathurst Regional Council's textile recycling trial program has recycled 1,600kg of textiles in the first month; and

2. That the Council receives a report in quarter 2 of 2021/22 on the Bathurst Regional Council Clothing (Textile) Recycling Trial with Textile Recyclers Australia (TRA) and the feasibility of a program or initial trial by Blue Mountains City Council.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For	Against
Councillors	Councillors
Greenhill	
Fell	
Myles	
Hollywood	
Van der Kley	
McGregor	
Bowling	
Brown	
Foender	
Hoare	
Schreiber	

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MINUTE NO. 95

24. 21/29662. Grant application writing

A MOTION was MOVED by Councillors Brown and Schreiber:

- 1. That the Council notes that the council has a low rate base relative to the size of the local government area of 1432 square kilometres and to the costs of providing and maintaining infrastructure and services for around 5 million tourists a year and is dependent on state and federal grants to meet some of this shortfall;**

- I. The combination of 2019-20 bushfires, COVID and a federal election within 6 to 15 months has increased the grant opportunities for councils including the size of the grants;
 - II. The recent NSW Government Inquiry led by Greens David Shoebridge MLC has put governments on notice about the need for due process in grant applications and assessment;
 - III. 'Shovel ready' projects that could be completed with all necessary studies, approvals and WHS requirements by June 2023 were a requirement of the second round of BLER funding and are likely to continue to be a preference for governments;
 - IV. Blue Mountains community groups have researched and prepared detailed grant applications for 'shovel ready' projects to upgrade council assets including, for example, the Blackheath Community Centre as a carbon neutral neighbourhood safer place; the power-undergrounding, tree planting and whole-of-precinct refurbishment of Lurline Street, Katoomba; and the successful application by the community group Toolo in collaboration with Council for art installations in five Katoomba laneways that was funded by a Regional Tourism Bushfire Recovery Grant;
 - V. Application-writing, particularly for 'shovel-ready' projects, requires substantial time and professional expertise and is therefore a significant call on council staff time and resources whether undertaking it themselves or assisting community efforts; and
2. That the Council receives an urgent briefing with a view to a future report on how the staff will maximise the opportunities for grant funding over the next 12 months while maintaining services and operations.

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

For		Against	
Councillors	Brown Schreiber	Councillors	Greenhill Fell Myles Hollywood Van der Kley McGregor Bowling Foenander Hoare

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MINUTE NO. 96

25. 21/38941. Seeking improved design: Over-rail bridge at Wentworth Falls and associated intersecting roads

A MOTION was MOVED by Councillors Hollywood and Hoare:

1. That the Council notes that:
 - i. The area of the over-rail bridge at Wentworth Falls that links Station Street to Blaxland Road as well as the intersection between Blaxland Road and Railway Parade;
 - ii. The multiple and well-known challenges that this cluster of intersections

- creates such as poor sight lines for motorists, traffic hazards, difficult pedestrian access due to the slope of pedestrian footpath on the bridge making it inaccessible for people who use mobility aids and the highly constrained pedestrian access on Railway Parade; and
- iii. The upgrade of the Transport for NSW (TfNSW) commuter car park on eastern side encourages more pedestrians to use the car park as a route to exit the Station to walk home or to the District Park of Wentworth Falls Lake; and
2. That the Council writes to Andrew Constance MP calling a meeting with TfNSW to review the whole area now that the upgrade of Wentworth Falls Station has been completed and calls for a fully funded plan to make this area safer for pedestrians and motorists;
 3. That the Council sends a copy of this letter to the State Member for Blue Mountains Trish Doyle MP for her reference;
 4. That the Council receives a briefing on options, including those previously explored such as the BMCC-commissioned Report "Safety Review and Managements Options for Pedestrians and Vehicles - For Specialist Bridge Advice BMCC 30/6/2016, that it can take for discussion with TfNSW; and
 5. That the Council also highlights the multiple issues identified with the Local Traffic Committee, including options to reduce the speed limits in this area, to seek support for a clear plan to improve this area for pedestrians and motorists.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For	Against
Councillors	Councillors
Greenhill	
Fell	
Myles	
Hollywood	
Van der Kley	
McGregor	
Bowling	
Brown	
Foenander	
Hoare	
Schreiber	

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MINUTE NO. 97

26. 21/46758. Interfaith and Nature Garden

A MOTION was MOVED by Councillors Brown and Schreiber:

1. That the Council notes:
 - i. the climate crisis, degradation of land, sea and air, and mass species extinction are a moral, social and scientific challenge;
 - ii. around the world, there are faith leaders and organisations speaking acting on climate change and the protection of biodiversity;
 - iii. religious traditions are an important influence in shaping people's

attitudes and behaviour toward each other and the rest of the living world;

- iv. religious traditions differ in dogma but share moral values of community interdependence, compassion and respect for life;
- v. respect and tolerance between different faith communities is an essential precursor for planetary health;
- vi. we are all connected and must act together on the climate and biodiversity crisis; and

2. That the Council investigates the potential for a Faith and Nature Garden as part of the Planetary Health Leadership Centre in the grounds of the old Katoomba Golf Club House or elsewhere on the former Katoomba Golf Course that would provide opportunity for Blue Mountains religious communities to permanently display a symbol and interpretation of the sacred value of our living planet.

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

For		Against	
Councillors	Brown Schreiber	Councillors	Greenhill Fell Myles Hollywood Van der Kley McGregor Bowling Foenander Hoare

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MINUTE NO. 98

27. 21/56403. Precis of Selected Correspondence

A MOTION was MOVED by Councillors Myles and Fell:

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

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For		Against	
Councillors	Greenhill Fell Myles Hollywood Van der Kley McGregor Bowling Brown Foenander Hoare Schreiber	Councillors	

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28. 21/49943. Estimated Cost of Enforceable Undertaking with SafeWork NSW

That the Council notes the response to the Question Without Notice.

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Matter of Urgency

That the Council now considers a matter arising in relation to advocating for Julian Assange release, that has been ruled by the Mayor to be a matter of great urgency.

MINUTE NO. 99**Procedural - Matter of Urgency**

A MOTION was MOVED by Councillors Brown and Hoare:

1. That the Council writes under the signature of the Mayor to Foreign Minister Marise Payne and Prime Minister Scott Morrison asking that the Australia Government make urgent representations to the Governments of the United Kingdom and of the United States of America for the immediate release of Julian Assange and that all charges against him be dropped. That they do so on the basis that:
 - a. Julian Assange, the founder and editor-in-chief of Walkley Award-winning Wikileaks, is an Australian Citizen and his safety and well-being is therefore the concern of the Australian government;
 - b. The rejection of his extradition to the USA in January 2021 by the UK Magistrate Vanessa Baraitser on mental health grounds is equally relevant to the need to reject Mr Assange's continued incarceration in Belmarsh Prison;
 - c. Since the outbreak of COVID in Belmarsh Prison in November last year, Mr Assange has been in solitary confinement with no visitors putting his physical as well as his mental health at extreme risk;
 - d. If Julian Assange is extradited and convicted, he faces 175 years in a USA prison where he will die. This is in effect a death sentence;
 - e. Following claims by Prime Minister Julia Gillard in 2010, that Mr Assange had acted illegally, the Australian Federal Police investigated the allegations and found no criminal offences under Australian jurisdiction;
 - f. The USA is refusing to recognise Mr Assange's legal rights under the First Amendment of the USA Constitution because he is not an American citizen but nevertheless seeks to try and convict him under its Espionage Act for actions that did not occur on American soil;
 - g. The USA has not sought to prosecute any of the other publishers who published the same material before or after Wikileaks, for example, the New York Times and Guardian published 'the Iraq War Logs' before Wikileaks;
 - h. On 4 December 2015, the United Nations Working Group (WGAD) on Arbitrary Detention adopted Opinion No. 54/2015, in which it determined that Julian Assange was arbitrarily detained by the Governments of Sweden and the United Kingdom of Great Britain and Northern Ireland.
 - i. The WGAD found that Mr Assange's detention is in violation of Articles 9 and 10 of the Universal Declaration of Human Rights and Articles 7, 9(1), 9(3), 9(4), 10 and 14 of the International Covenant on Civil and Political Rights (ICCPR);

- j. The Working Group therefore requested in February 2016 that Sweden and the United Kingdom facilitate the exercise of Mr Assange's right to freedom of movement in an expedient manner. The Working Group considered that the detention should be brought to an end and that Mr. Assange should be afforded the right to compensation;
 - k. The Opinions of the Working Group on Arbitrary Detention are legally-binding to the extent that they are based on binding international human rights law, such as the International Covenant on Civil and Political Rights (ICCPR) to which the UK, USA and Australia are all signatories. The Opinions of the WGAD are also considered as authoritative by prominent international and regional judicial institutions, including the European Court of Human Rights;
 - l. On 14 August 2020, 152 legal experts including legal practitioners, professors, judges, doctors of law and eminent jurists and 15 lawyers' associations wrote to UK Prime Minister Boris Johnson, accusing government authorities of violating "national and international law" in Mr Assange's case. The international group called upon the UK government to end Julian Assange's extradition proceedings, and grant his "long overdue freedom", on legal grounds
 - m. In 2019, a 24-member cross-party group of Australian parliamentarians was established in defence of Julian Assange, and this has been replicated in many other parliaments around the world;
 - n. The Universal Declaration of Human Rights was drafted by eight countries including Australia and its adoption by the United Nations in 1948 was overseen by the then President of the UN General Assembly, former Australian Attorney-General H.V. (Doc) Evatt;
 - o. The thirty articles of the Declaration articulate fundamental political and civil rights and liberties including "the right to life, liberty and security of person (Art.3),... not to be subjected to torture or to cruel, inhuman or degrading treatment (A.5), ...not to be subjected to arbitrary detention or exile or punishment (A.9),... to a fair and public hearing by an independent and impartial tribunal... in the determination of any criminal charge against him (A.10),... to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence (A.11), ... freedom of movement (A13), freedom of opinion and expression.. and to seek, receive and impart information through any media and regardless of frontiers (A.19); and
 - p. This proud tradition of Australian leadership on human rights should inform the Australian Government's defence of Julian Assange's rights;
2. The Council further advises the Minister and Prime Minister that:
- a. The authenticity and accuracy of the Wikileaks releases of 10,000s of documents and the 2007 'Collateral Murder' video, showing US military air strikes in Baghdad that killed 12-18 people including two journalists and a van driver who came to help a dying man, and seriously wounded his two children, have never been challenged;
 - b. The Wikileaks releases constitute a significant public record of the \$6.4 trillion US government 'war on terror' since the 9/11 attacks of 2001 which is estimated by Brown University's 'Costs of War Project' to have killed 801,000 people on all sides directly, including 335,000 civilians, plus many times more people indirectly, and to have created 37 million

- refugees;
- c. In 2011, Wikileaks won the Australian Walkley Award for Outstanding Contribution to Journalism; and
3. That the Council provides a copy of this letter to Federal Member for Macquarie Susan Templeman, Leader of the Opposition Anthony Albanese MP, Independent Federal Member for Clark Andrew Wilke, Federal Leader of the Australian Greens Adam Bandt MP and Greens Senator for Tasmania Peter Whish-Wilson; and to all other members of the 24-member cross party committee for the defence of Julian Assange.

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

For	Against
Councillors	Councillors
Greenhill	Van der Kley
Fell	Bowling
Myles	Foenander
Hollywood	
McGregor	
Brown	
Hoare	

With Councillor Schreiber out of the chamber

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Matter of Urgency

That the Council now considers a matter arising in relation to supporting the community of Mount Tomah in emergency situations, that has been ruled by the Mayor to be a matter of great urgency.

MINUTE NO. 100

Procedural - Matter of Urgency

A MOTION was MOVED by Councillors McGregor and Hollywood:

That the Council receives an urgent briefing on ways Council can support the isolated communities of Mount Tomah and surrounds to maintain and manage the Council/Crown land at Skyline Drive as a helipad and staging ground in the event of an emergency.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For	Against
Councillors	Councillors
Greenhill	
Fell	
Myles	
Hollywood	
Van der Kley	
McGregor	
Bowling	
Brown	
Foenander	
Hoare	

With Councillor Schreiber out of the chamber

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Matter of Urgency

That the Council now considers a matter arising in relation to the road surface of George Street Springwood, that has been ruled by the Mayor to be a matter of great urgency.

MINUTE NO. 101**Procedural - Matter of Urgency**

A MOTION was MOVED by Councillors Myles and Fell:

1. That the Council notes the poor condition of the road surface of George St, Springwood between the intersections of Holland/George and Prince/George Streets;
2. That the Council notes that due to proposed work by Sydney Water, repair of this surface may be delayed as long as until September, 2021; and
3. That the Council, as a matter of urgency proceed to resurface the broken section of roadway in George Street, Springwood.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For	Against
Councillors	Councillors
Greenhill	
Fell	
Myles	
Hollywood	
Van der Kley	
McGregor	
Bowling	
Brown	
Foenander	
Hoare	

With Councillor Schreiber out of the chamber

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MINUTE NO. 102**Procedural – Move into Confidential Session**

A MOTION was MOVED by Councillors Van der Kley and Fell:

1. That the Meeting move into a Confidential Session;
2. That pursuant to the provisions of Section 10A(2) (c) (d)(i) (d)(ii) of the Local Government Act 1993, as the report contains and discussion is likely to involve:
 - (c) Information that would if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposed to conduct business);
 - (d)(i) Commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it;
 - (d)(ii) Commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council; and
3. That the correspondence and reports relevant to the subject business be withheld

from access to the media and public as required by section 11(2) of the Local Government Act 1993.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For		Against
Councillors	Greenhill	Councillors
	Fell	
	Myles	
	Hollywood	
	Van der Kley	
	McGregor	
	Bowling	
	Brown	
	Hoare	

With Councillor Schreiber and Councillor Foenander out of the chamber

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MINUTE NO. 103

6. 21/50474. Confidential Business Paper - Progress towards a Renewable Energy Power Purchase Agreement

A MOTION was MOVED by Councillors McGregor and Van der Kley:

1. That the Council delegates the authority to the Chief Executive Officer (CEO) (or her delegate) to enter a binding acceptance declaration to commit to a tender process, including its outcome, for a retail renewable electricity Power Purchase Agreement (PPA) or other competitive power supply arrangements established competitively;
2. That the Council notes the benefits of a retail Power Purchase Agreement; and
3. That the Council notes the risks of a retail Power Purchase Agreement as outlined in the report.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For		Against
Councillors	Greenhill	Councillors
	Fell	
	Myles	
	Hollywood	
	Van der Kley	
	McGregor	
	Bowling	
	Brown	
	Hoare	

With Councillor Schreiber and Councillor Foenander out of the chamber

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MINUTE NO. 104

16. 21/44465. Confidential Business Paper - 5-7 Loftus Street, Lawson - Sale

A MOTION was MOVED by Councillors Hoare and Hollywood:

That the Council defers Item 16 Confidential busiensss paper – 5-7 loftus Street, Lawson – Sale, pending further advice on the matter to be briefed to the Council at the earliest opportunity.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For	Against
Councillors	Councillors
Greenhill	
Fell	
Myles	
Hollywood	
Van der Kley	
McGregor	
Bowling	
Brown	
Hoare	

With Councillor Schreiber and Councillor Foenander out of the chamber

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MINUTE NO. 105

17. 21/44477. Confidential Business Paper - Former Katoomba Golf Clubhouse - Lease to NPWS

A MOTION was MOVED by Councillors Van der Kley and Fell:

1. **That the Council leases the upper floor of the former Katoomba golf clubhouse at 33-39 Acacia Street, Katoomba to the National Parks and Wildlife Service for an initial term of five (5) years plus an option for a further term of five (5) years in accordance with the terms and conditions outlined in this report;**
2. **That the Council authorises the Chief Executive Officer (or her delegate) to finalise additional details of the lease terms and conditions, especially those relating to lease incentives and ongoing maintenance of the hard and soft surface of the external areas and landscaping of the site; and**
3. **That the Council notes the negotiations with the National Parks and Wildlife Service regarding a Memorandum of Understanding for the shared use of meeting, conference and/or event facilities within the former Katoomba golf clubhouse building for NPWS, BMCC, traditional owners and planetary health purposes.**

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For	Against
Councillors	Councillors
Greenhill	
Fell	
Myles	
Hollywood	
Van der Kley	
McGregor	
Bowling	
Brown	

Hoare

With Councillor Schreiber and Councillor Foenander out of the chamber

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MINUTE NO. 106

Procedural – Return to Public Meeting

A MOTION was MOVED by Councillors Van der Kley and Fell:

That the Meeting be reopened to the Public.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For		Against
Councillors	Greenhill	Councillors
	Fell	
	Myles	
	Hollywood	
	Van der Kley	
	McGregor	
	Bowling	
	Brown	
	Hoare	

With Councillor Schreiber and Councillor Foenander out of the chamber

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MINUTE NO. 107

Procedural – Question that Meeting Close

A MOTION was MOVED by Councillors Van der Kley and McGregor:

That as there was no further business before the Ordinary Meeting of Tuesday, 30 March 2021, the meeting closed at 10:20pm.

Upon being PUT to the Meeting, the MOTION was CARRIED, the vote being UNANIMOUS:

For		Against
Councillors	Greenhill	Councillors
	Fell	
	Myles	
	Hollywood	
	Van der Kley	
	McGregor	
	Bowling	
	Brown	
	Hoare	

With Councillor Schreiber and Councillor Foenander out of the chamber

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I confirm that these minutes, consisting of this page 34 and the previous 33 pages, were confirmed at the Ordinary Meeting of the Council on 27 April 2021.

Chairman: Mayor Mark Greenhill..... Date.....