

BLUE MOUNTAINS CITY COUNCIL
MINUTES OF ORDINARY MEETING OF COUNCIL

6 November 2012

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Minutes of the Ordinary Meeting of Council of the City of Blue Mountains, held in the Chambers on Tuesday, 6 November 2012, commencing at 7.30pm.

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There were present:

The Mayor (Councillor Myles) in the Chair, and Councillors Begg, Christie, Fell, Greenhill, Hollywood, Luchetti, McGregor, Stock, Van der Kley, Von Schulenburg, Williamson.

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In attendance:

General Manager; Director City Services; Director City & Community Outcomes; Director Development Health & Customer Services; Group Manager Integrated Planning and Finance; Executive Officer; Chief Financial Officer: Manager Assets; Manager Development & Planning Services; Manager City Planning; Manger Environmental Sustainability: Manager Building & Compliance; Communications Officer; Project Support Officer Governance Publications; Ranger; 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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MINUTE NO. 476

Confirmation of Minutes - Ordinary Meeting - 16 October 2012

A MOTION was MOVED by Councillors Greenhill and Luchetti:

That the Minutes of the Ordinary Meeting of 16 October 2012 be confirmed.

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

For		Against
Councillors	Myles	Councillors
	Christie	
	Greenhill	
	Von Schulenburg	
	Fell	
	Luchetti	
	Hollywood	
	Van der Kley	
	Williamson	
	Begg	
	McGregor	
	Stock	

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MINUTE NO. 477**MM1. 12/173761. Delegations for Making Local Environmental Plans**

A MOTION was MOVED by Councillors Myles and Luchetti:

1. That pursuant to Section 381 of the Local Government Act, the Council delegates to the General Manager the authority to exercise the Minister for Planning and Infrastructure's plan making powers under Section 59 of the Environmental Planning and Assessment Act, 1979 (the Act);
2. That the Council write to the Department of Planning and Infrastructure advising that it wishes to accept delegation of the Minister's plan making powers under Section 59 of the Act, and that the General Manager, Robert Keith Greenwood has been authorised to exercise these delegated powers for Blue Mountains City Council; and
3. That a further report is presented to the Council twelve months after receiving the delegated powers that outlines how these have worked, the implications for Council projects and their resourcing impacts.

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

For	Against
Councillors	Councillors
Myles	
Christie	
Greenhill	
Von Schulenburg	
Fell	
Luchetti	
Hollywood	
Van der Kley	
Williamson	
Begg	
McGregor	
Stock	

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MINUTE NO. 478**Procedural - Procedural Motion**

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

That Item 9 be moved to the beginning of the meeting for the external auditor presentation.

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

For	Against
Councillors	Councillors
Myles	
Christie	
Greenhill	
Von Schulenburg	
Fell	

Luchetti
 Hollywood
 Van der Kley
 Williamson
 Begg
 McGregor
 Stock

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MINUTE NO. 479

1. 12/168710. Council Meeting Schedule for first 6 Months in 2013

A MOTION was MOVED by Councillors Greenhill and Luchetti:

That the Council adopt the Council Meeting Schedule for 2013 to the end of the financial year calendar as follows:

Meeting Start Time	Council Meeting Date
7.30pm	29 January 2013
7.30pm	19 February 2013
7.30pm	12 March 2013
7.30pm	26 March 2013
7.30pm	23 April 2013
7.30pm	14 May 2013
7.30pm	4 June 2013
7.30pm	25 June 2013

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

For	Against
Councillors Myles	Councillors
Christie	
Greenhill	
Von Schulenburg	
Fell	
Luchetti	
Hollywood	
Van der Kley	
Williamson	
Begg	
McGregor	
Stock	

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MINUTE NO. 480**2. 11/191520. Community Assistance/Donations - Recommendation by Councillors**

A MOTION was MOVED by Councillors Greenhill and Luchetti:

That the Council approve the following donations from the Councillor's Minor Local Projects vote:

Organisation	Amount
Blackheath Rhododendron Festival	600.00
Blue Mountains Lantern Club	400.00
Crop and Swap Inc.	100.00
Hazelbrook Association	100.00

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

For	Against
Councillors	Councillors
Myles	
Christie	
Greenhill	
Von Schulenburg	
Fell	
Luchetti	
Hollywood	
Van der Kley	
Williamson	
Begg	
McGregor	
Stock	

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MINUTE NO. 481**3. 12/108238. Submission of Returns of Interest**

A MOTION was MOVED by Councillors Greenhill and Luchetti:

That the Council note, pursuant to Section 450A of the Local Government Act 1993, the Register of Pecuniary Interest Returns disclosing the interests of both Councillors and designated persons for the period 1 July 2011 to 30 June 2012.

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

For	Against
Councillors	Councillors
Myles	
Christie	
Greenhill	
Von Schulenburg	
Fell	
Luchetti	
Hollywood	
Van der Kley	
Williamson	
Begg	
McGregor	
Stock	

MINUTE NO. 482**4. 12/157886. Councillor Appointment - Western Sydney Academy of Sport**

A MOTION was MOVED by Councillors Greenhill and Von Schulenburg:

1. **That the Council appoint Councillor Christie as the Council's delegate to the Western Sydney Academy of Sport (WSAS), and**
2. **That a second Councillor be nominated as an alternate.**

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

For	Against
Councillors	Councillors
Myles	
Christie	
Greenhill	
Von Schulenburg	
Fell	
Luchetti	
Hollywood	
Van der Kley	
Williamson	
Begg	
McGregor	
Stock	

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MINUTE NO. 483**Procedural - Procedural Motion**

A MOTION was MOVED by Councillors Greenhill and Luchetti:

To appoint two Councillors as Chair and Co-Chair to the Blue Mountains Heritage Advisory Committee.

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

For	Against
Councillors	Councillors
Myles	
Christie	
Greenhill	
Von Schulenburg	
Fell	
Luchetti	
Hollywood	
Van der Kley	
Williamson	
Begg	
McGregor	
Stock	

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MINUTE NO. 484**5. 12/151344. Councillor Appointment - Blue Mountains Heritage Advisory Committee**

A MOTION was MOVED by Councillors Greenhill and Luchetti:

1. **That the Council appoint Councillors Fell as Chair and Van der Kley as Co-Chair to the Blue Mountains Heritage Advisory Committee for the term of the Council;**
2. **That the Council note with appreciation the contribution of Councillor Chris Van der Kley and former Councillor Howard McCallum to the Blue Mountains Heritage Advisory Committee.**

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

For	Against
Councillors	Councillors
Myles	
Christie	
Greenhill	
Von Schulenburg	
Fell	
Luchetti	
Hollywood	
Van der Kley	
Williamson	
Begg	
McGregor	
Stock	

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MINUTE NO. 485**6. 12/149072. Blue Mountains Heritage Advisory Committee - minutes of 19 September 2012**

A MOTION was MOVED by Councillors Greenhill and Luchetti:

That the Council note the minutes for the Blue Mountains Heritage Advisory Committee meeting held 19 September 2012.

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

For	Against
Councillors	Councillors
Myles	
Christie	
Greenhill	
Von Schulenburg	
Fell	
Luchetti	
Hollywood	
Van der Kley	
Williamson	
Begg	
McGregor	
Stock	

MINUTE NO. 486**7. 12/157276. Community Strategic Plan - Engagement Strategy**

A MOTION was MOVED by Councillors Greenhill and Luchetti:

That the Council approve the following modification to the proposed Engagement Plan for Community Engagement to update the Community Strategic Plan.

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

For		Against
Councillors	Myles Christie Greenhill Von Schulenburg Fell Luchetti Hollywood Van der Kley Williamson Begg McGregor Stock	Councillors

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MINUTE NO. 487**8. 12/157814. Proposed Application to IPART to Continue Special Variation to Rates Expiring June 2013**

A MOTION was MOVED by Councillors Greenhill and Luchetti:

1. That the Council consults with the community on the possible continuation of the current special variation to rates for infrastructure, in accordance with the community engagement strategy outlined in Attachment 1;
2. That a one-off budget variation of \$30,000 be approved to fund the proposed community engagement strategy;
3. That staff address key assessment criteria that will be used by the Independent Pricing and Regulatory Tribunal to assess a s508(2) application from the Council to continue the existing special variation to rates for infrastructure; and
4. That a report comes back to the Council in February 2013 summarising the outcomes of the community engagement process with recommendations on any special variation to rates.

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

For		Against
Councillors	Myles Christie Greenhill Von Schulenburg	Councillors Williamson Stock

Fell
Luchetti
Hollywood
Van der Kley
Begg
McGregor

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MINUTE NO. 488

9. 12/162703. Financial Statements for the Year Ended 30 June 2012

The meeting was addressed by: Leanne Smith

A MOTION was MOVED by Councillors Luchetti and Fell:

1. **That the Council receive the audited Annual General Purpose and Special Purpose Financial Statements for the year ended 30 June 2012 pursuant to Section 419 of the Local Government Act 1993;**
2. **That the reports are to be made available for public inspection and an invitation for public submissions be extended for seven days after presentation of the Financial Statements to Council pursuant to Section 420 of the Local Government Act 1993; and**
3. **That a representative of the Council appointed external auditor, Morse Group, be invited to address the 6 November 2012 Ordinary Meeting in respect to the Council Audited Financial Reports.**

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

For		Against
Councillors	Myles	Councillors
	Christie	
	Greenhill	
	Von Schulenburg	
	Fell	
	Luchetti	
	Hollywood	
	Van der Kley	
	Williamson	
	Begg	
	McGregor	
	Stock	

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MINUTE NO. 489

10. 12/165188. Change of Audit Committee name

A MOTION was MOVED by Councillors Greenhill and Luchetti:

That the Council approves the change of the external Audit Committee name to Audit and Risk Committee.

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

For	Against
Councillors	Councillors
Myles	
Christie	
Greenhill	
Von Schulenburg	
Fell	
Luchetti	
Hollywood	
Van der Kley	
Williamson	
Begg	
McGregor	
Stock	

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A MOTION was MOVED by Councillors Greenhill and Luchetti:

1. That the Council note the information provided that demonstrates how 'Shark Aquatic Herbicide' is the only effective, registered product for the control of Cabomba in aquatic situations and that there is a sole licensed supplier of this product in Australia making a tender process unnecessary;
2. That in accordance with s55 (3) (i) of the Local Government Act 1993, the Council resolves not to invite tenders for the purchase of 'Shark Aquatic Herbicide' for the control of the aquatic weed Cabomba in Glenbrook Lagoon on the basis that the Council considers that a satisfactory result would not be achieved by inviting tenders because of the unavailability of competitive tenderers; and
3. That the Council therefore approves the purchase of 'Shark Aquatic Herbicide' from the sole supplier, MacSpred Australia.

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

For	Against
Councillors	Councillors
Myles	
Christie	
Greenhill	
Von Schulenburg	
Fell	
Luchetti	
Hollywood	
Van der Kley	
Williamson	
Begg	
McGregor	
Stock	

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MINUTE NO. 490**12. 12/147884. Special thanks to the Katoomba Library Technical Advisory Panel**

A MOTION was MOVED by Councillors Greenhill and Luchetti:

1. That the Community representatives are thanked for their important contributions to the Katoomba Library Technical Advisory Panel; and
2. That Councillor Terri Hamilton is thanked for her important contribution to library service in the Blue Mountains and as Chairperson on the Katoomba Library Technical Advisory Panel.

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

For	Against
Councillors	Councillors
Myles	
Christie	
Greenhill	
Von Schulenburg	
Fell	
Luchetti	
Hollywood	
Van der Kley	
Williamson	
Begg	
McGregor	
Stock	

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MINUTE NO. 491**13. 12/124726. Lower Mountains Men's Shed**

The meeting was addressed by: Ron Langley, Ramon U'Brien, Bob Maynard

A MOTION was MOVED by Councillors Greenhill and Christie:

1. That the Council defer consideration for occupation of the Falconbridge Church Hall by the Lower Mountains Men's Shed (LMMS), pending outcomes of the ability of the LMMS to fund the essential criteria required to enable occupation and commencement of new use of the Hall;
2. That the Council note that the Falconbridge Church Hall requires the car parking issues to be resolved as part of the Development Application before the commencement of the new use of the hall; and
3. That the Council receive a further update report after the Lower Mountains Men Shed group finalise their assessment, by March 2013.
4. That the Council allows the LMMS interim access to the site as required between now and March 13 when a further report will be received in order for the LMMS to undertake proper analysis, costing and minor preparatory works; and
5. That, in the public interest, Council includes consideration of adjacent available off street parking as meeting requirements for the site.

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

For	Against
Councillors	Councillors
Myles	
Christie	
Greenhill	
Von Schulenburg	
Fell	
Luchetti	
Hollywood	
Van der Kley	
Williamson	
Begg	
McGregor	
Stock	

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MINUTE NO. 492

14. 12/153848. Nature Tourism Infrastructure Enhancement, Sassafras or Birdwood Gully in Springwood

A MOTION was MOVED by Councillors Luchetti and Fell:

That the Council endorses the proposed works to nature tourism and recreation infrastructure at Sassafras and Birdwood Gully and Magdala Creek in Springwood.

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

For	Against
Councillors	Councillors
Myles	
Christie	
Greenhill	
Von Schulenburg	
Fell	
Luchetti	
Hollywood	
Van der Kley	
Williamson	
Begg	
McGregor	
Stock	

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MINUTE NO. 493

15. 12/130596. Hat Hill Road Blackheath - Dog Off-Leash Modification

The meeting was addressed by: Susan Shipway, Nigel Holland, Kerry Kirk

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

1. That the Council undertakes the package of works outlined in this report to replace the existing dog off-leash area arising from the Hat Hill land sale; and
2. That the Council funds the works from the Property Investment Fund.

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

For		Against
Councillors	Myles Christie Greenhill Von Schulenburg Fell Luchetti Hollywood Van der Kley Williamson Begg McGregor Stock	Councillors

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MINUTE NO. 494

16. 12/150265. Additional Permissible Uses in the Blue Mountains Business Park Lawson

A MOTION was MOVED by Councillors Greenhill and Luchetti:

1. That the Council note that an Employment Lands Study is currently underway as part of the LEP review process, and is scheduled for completion before the end of 2012;
2. That the Council endorses the Employment Land Study to be extended to include considerations relating to the hospitality industry, including local food production;
3. That a report on the outcome of the Study, as it relates to the hospitality industry and local food production, is presented to the Council by March 2013; and
4. That the matter is also referred to Blue Mountains Economic Enterprise to consider options on completion of the extended Employment Lands Study to assist in promoting the Blue Mountains Business Park.

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

For		Against
Councillors	Myles Christie Greenhill Von Schulenburg Fell Luchetti Hollywood Van der Kley Williamson	Councillors

Begg
McGregor
Stock

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MINUTE NO. 495

17. 12/160018. Confidential Business Paper - Sale of Land by Private Treaty

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

1. That Item 17 in the Confidential Business Paper be deferred for consideration until all other business of this meeting has been concluded.
2. That the Council close part of the Council Meeting for consideration of Item 17 in the Confidential Business Paper 'Sale of Land by Private Treaty' pursuant to the provisions of Section 10A(2)(c), (d i) 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;
 - (d i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it; 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	Councillors
Myles	
Christie	
Greenhill	
Von Schulenburg	
Fell	
Luchetti	
Hollywood	
Van der Kley	
Williamson	
Begg	
McGregor	
Stock	

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MINUTE NO. 496

18. 12/160555. State Environmental Planning Policy No.1 (SEPP 1) Variations

A MOTION was MOVED by Councillors Greenhill and Luchetti:

That the Council receive and note this report.

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

For		Against
Councillors	Myles Christie Greenhill Von Schulenburg Fell Luchetti Hollywood Van der Kley Williamson Begg McGregor Stock	Councillors

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MINUTE NO. 497

19. 12/164171. Draft Amendment to Exempt and Complying Code

A MOTION was MOVED by Councillors Greenhill and Luchetti:

1. That this Report, relating to proposed changes to the State Environmental Planning Policy (Exempt & Complying Development Codes) and associated changes to the Environmental Planning & Assessment Regulations, be received and noted;
2. That the Council write to the Department of Planning and Infrastructure advising that, given the extent and potential implications of the proposed changes the three (3) week exhibition period in which submissions will be received is grossly inadequate, and requesting a further three (3) week period until 30 November 2012 in which to make a submission; and
3. That the Council write to the Local Member for the Blue Mountains Roza Sage and the Local Member for Penrith, Stuart Ayres seeking their support for the extension of the exhibition period.

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

For		Against
Councillors	Myles Christie Greenhill Von Schulenburg Fell Luchetti Hollywood Van der Kley Williamson Begg McGregor Stock	Councillors

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MINUTE NO. 498**20. 12/161227. Development Application No X/557/2012 the first use as a 24 hour fitness studio on L 1 DP 303561, 60 Govett Street, Katoomba**

The meeting was addressed by: Bill Burke, Felix Lewandowski, Shaun Cameron-Lee

A MOTION was MOVED by Councillors Christie and Hollywood:

That the Development Application No. X/557/2012 for the first use of an industrial unit as a 24 hour fitness studio on Lot 1 DP 303561, 60 Govett Street, Katoomba be determined pursuant to S.80 of the Environmental Planning and Assessment Act 1979 by the granting of a consent subject to the conditions shown in Attachment 1 to this report.

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

For	Against
Councillors	Councillors
Myles	
Christie	
Greenhill	
Von Schulenburg	
Fell	
Luchetti	
Hollywood	
Van der Kley	
Williamson	
Begg	
McGregor	
Stock	

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MINUTE NO. 499**21. 12/159928. Development Application No X/503/2012, 6 Adeline Street, Faulconbridge, Lot 8 Sec. 2 DP 8526, for an attached carport.**

A MOTION was MOVED by Councillors Greenhill and Luchetti:

That the Development Application No. X/503/2012 for an attached carport on Lot 8 Sec. 2 DP 8526, 6 Adeline Street, Faulconbridge be determined pursuant to S.80 of the Environmental Planning and Assessment Act 1979 by the granting of consent subject to conditions shown in Attachment 1 to this report.

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

For	Against
Councillors	Councillors
Myles	
Christie	
Greenhill	
Von Schulenburg	
Fell	
Luchetti	
Hollywood	
Van der Kley	

Williamson
Begg
McGregor
Stock

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MINUTE NO. 500

22. 12/124123. Feasibility on providing a Footpath in Taringha Street, Blaxland

A MOTION was MOVED by Councillors Greenhill and Von Schulenburg:

That the Council consider the provision of a footpath as described in the report as a priority for either of the two forthcoming financial years.

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

For	Against
Councillors	Councillors
Myles	
Christie	
Greenhill	
Von Schulenburg	
Fell	
Luchetti	
Hollywood	
Van der Kley	
Williamson	
Begg	
McGregor	
Stock	

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MINUTE NO. 501

23. 12/124703. Bus Seat at Rusden Road, East Blaxland

A MOTION was MOVED by Councillors Greenhill and Von Schulenburg:

- 1. That consultation occur with the affected residents and if no objections raised a seat be installed at the location defined in this report; and**
- 2. That if objections are raised the Councillors be informed of the objections and proposed course of action.**

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

For	Against
Councillors	Councillors
Myles	
Christie	
Greenhill	
Von Schulenburg	
Fell	
Luchetti	
Hollywood	

Van der Kley
Williamson
Begg
McGregor
Stock

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MINUTE NO. 502

24. 12/154470. Options for stabilising eroded land at Germaine Avenue, Mt Riverview

A MOTION was MOVED by Councillors Greenhill and Von Schulenburg:

That Council adopts option 3 as an interim measure and applies option 2 as soon as funds become available.

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

For		Against
Councillors	Myles Christie Greenhill Von Schulenburg Fell Luchetti Hollywood Van der Kley Williamson Begg McGregor Stock	Councillors

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MINUTE NO. 503

25. 12/162762. Cost Benefit Analysis of Sealing Gravel Roads in the Upper Mountains

A MOTION was MOVED by Councillors Greenhill and Luchetti:

- 1. That the Council notes this report;**
- 2. That the Council continues to pursue grant opportunities as a funding mechanism for the sealing of gravel roads; and**
- 3. That the Council notes that future Capital Works programs will consider the merits of sealing priority gravel roads.**

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

For		Against
Councillors	Myles Christie Greenhill Von Schulenburg	Councillors

Fell
Luchetti
Hollywood
Van der Kley
Williamson
Begg
McGregor
Stock

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MINUTE NO. 504

26. 12/160835. Cars parked on GWH for Sale

A MOTION was MOVED by Councillors Greenhill and Luchetti:

1. That the Council notes people use land near the oval at Glenbrook on the Great Western Highway as an unofficial place where they sell their cars. Council notes this occurs from time to time in other parts of the Blue Mountains;
2. That the Council calls for a briefing into the efficacy of formalizing certain sites where people may park cars for sale on weekends in way that is controlled and regulated;
3. That the report addresses designating such areas, charging a fee for the parking and advertising of cars in such areas, strictly controlling the numbers and regulating the usage; and
4. That the briefing addresses whether or not Council can derive a small income from this activity while at the same time regulate an activity that is currently unregulated.

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

For		Against
Councillors	Myles	Councillors
	Christie	
	Greenhill	
	Von Schulenburg	
	Fell	
	Luchetti	
	Hollywood	
	Van der Kley	
	Williamson	
	Begg	
	McGregor	
	Stock	

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MINUTE NO. 505**27. 12/165957. Sealing Boynton Street, Blaxland**

A MOTION was MOVED by Councillors Greenhill and Luchetti:

1. **That a report comes to Council on the efficiency of sealing the whole of Boynton St Blaxland from Glen St to Ross Cres Blaxland and canvasses grading or kerbing the northern side of Boynton St.; and**
2. **That Boynton Street is realigned so that the centre of the road matches the fully sealed street in the event that these works take place.**

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

For		Against
Councillors	Myles	Councillors
	Christie	
	Greenhill	
	Von Schulenburg	
	Fell	
	Luchetti	
	Hollywood	
	Van der Kley	
	Williamson	
	Begg	
	McGregor	
	Stock	

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MINUTE NO. 506**28. 12/165971. Repairs to Paragon Cafe**

A MOTION was MOVED by Councillors Greenhill and Luchetti:

1. **That on behalf of the community Council officers approach the owners and operators of the building housing the Paragon Café with the view to having them restore and maintain the public facing façade so that it contributes positively to the heritage streetscape and town character of Katoomba; and**
2. **That in an endeavour to achieve the above outcome Council officers seek to gain the owner's consent and support to seek heritage funding to supplement the required building maintenance and upgrade given the long standing historic reputation of the Café as a tourist attraction.**

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

For		Against
Councillors	Myles	Councillors
	Christie	
	Greenhill	
	Von Schulenburg	
	Fell	
	Luchetti	

Hollywood
Van der Kley
Williamson
Begg
McGregor
Stock

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MINUTE NO. 507

29. 12/167715. Evacuation Plans for Blue Mountains

A MOTION was MOVED by Councillors Greenhill and Von Schulenburg:

That the Council receives a report on the status of emergency planning and operations including for evacuations in the case of bushfires for the Blue Mountains LGA .

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

For		Against
Councillors	Myles Christie Greenhill Von Schulenburg Fell Luchetti Hollywood Van der Kley Williamson Begg McGregor Stock	Councillors

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MINUTE NO. 508

30. 12/168636. Gate on Fire Trail between 141-143 Burns Road, Springwood

A MOTION was MOVED by Councillors Greenhill and Luchetti:

That the Council receive a report on the feasibility of installing a gate that will restrict access to the fire trail between 141-143 Burns Road, Springwood.

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

For		Against
Councillors	Myles Christie Greenhill Von Schulenburg Fell Luchetti Hollywood	Councillors

Van der Kley
Williamson
Begg
McGregor
Stock

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MINUTE NO. 509

31. 12/168727. Hazelbrook to Woodford Highway Upgrade

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

1. That the Council convene an urgent briefing from residents with Councillors and relevant senior staff on the multiple issues emerging in the works undertaken for the Hazelbrook to Woodford Highway Upgrade, including recent changes to existing plans.
2. That Council, as a matter of urgency, seek a meeting with Senior Officers of the RMS, to outline the impacts on the community including safety, heritage and liveability issues and solutions to address these issues.
3. And that if matters cannot be satisfactorily resolved, that Council write to the local member for the Blue Mountains Roza Sage MP and the Minister for Roads Duncan Gay to highlight community concerns and solutions to address these matters.

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

For	Against
Councillors	Councillors
Myles	
Christie	
Greenhill	
Von Schulenburg	
Fell	
Luchetti	
Hollywood	
Van der Kley	
Williamson	
Begg	
McGregor	
Stock	

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MINUTE NO. 510

32. 12/168748. Amateur Hunting in National Parks

A MOTION was MOVED by Councillors Hollywood and Greenhill:

1. That Blue Mountains City Council, as a city within a World Heritage National Park, opposes recreational hunting in national parks in NSW;
2. That with more than 70% of the Local Government Area being part of the Greater Blue Mountains World Heritage, Blue Mountains City Council recognises its

leadership role in advocating with our community to repeal the NSW Government legislation allowing amateur hunters to shoot in National Parks;

3. That Council notes amateur hunting in National Parks has the potential to:
 - undermine public safety and trust in our parks system, which, in turn, may reduce the use of parks by bushwalkers and campers and threatens our local economy
 - be ineffective in reducing feral animal populations
 - kill and maim protected wildlife
4. As a first step, that Council writes to the Premier Barry O'Farrell; NSW Minister for Environment, Robyn Parker and the local Member Roza Sage to express Council's opposition to recreational hunting in National Parks and ask the NSW Government to repeal its June 2012 amendments to the Game and Feral Animal Control Act 2002.

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

For	Against
Councillors	Councillors
Myles	
Christie	
Greenhill	
Von Schulenburg	
Fell	
Luchetti	
Hollywood	
Van der Kley	
Williamson	
Begg	
McGregor	
Stock	

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MINUTE NO. 511

33. 12/168751. NSW Cuts to Education Funding

A MOTION was MOVED by Councillors Hollywood and Greenhill:

1. That the Council expresses its concern about the impact that the \$1.7B cuts to education funding in NSW will have on children and young people, teachers and families in the Blue Mountains. In particular, Council notes that the reduction of support teachers and programs for vulnerable children and children with additional needs in schools will place extra stress on families and add to pressures on an already stretched local community services system. Council also notes that any reduction to services for TAFE Outreach and literacy and disability support programs in TAFE is likely to entrench marginalisation of people who are living on very low incomes and experiencing multiple layers of disadvantage; and
2. That the Council calls for a Community Impact Statement to be prepared identifying the local effects on proposed TAFE Cuts.

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

For		Against	
Councillors	Greenhill Von Schulenburg Fell Luchetti Hollywood Williamson McGregor Stock	Councillors	Myles Christie Van der Kley Begg

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MINUTE NO. 512

34. 12/167857. Precis of Selected Correspondence

A MOTION was MOVED by Councillors Greenhill and Luchetti:

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	Myles Christie Greenhill Von Schulenburg Fell Luchetti Hollywood Van der Kley Williamson Begg McGregor Stock	Councillors	

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MINUTE NO. 513

Procedural - Procedural Motion

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

That the Matter of Urgency be heard prior to the Council entering confidential session.

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

For		Against	
Councillors	Myles Christie Greenhill Von Schulenburg Fell Luchetti	Councillors	

Hollywood
Van der Kley
Williamson
Begg
McGregor
Stock

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Matter of Urgency

That the Council now consider a matter arising in relation to Coal Seam Gas, that has been ruled by the Mayor to be a matter of great urgency.

MINUTE NO. 514

Procedural - Matter of Urgency

A MOTION was MOVED by Councillors Hollywood and Williamson:

That the Council, as a city with a World Heritage National Park, calls on the NSW Government to:

- a) **Overturn its recent decision to renew AGL's expired coal seam gas exploration licence over the lower Blue Mountains;**
- b) **Exempt the Greater Blue Mountains World Heritage area from coal seam gas exploration and production;**
- c) **Support wider calls for a moratorium on coal seam gas exploration and mining until there has been further research and community consultation on the risks (particularly on our water catchment and water supplies in NSW); and**
- d) **And that Council notes the resolution number 71 of the recent Local Government Association Conference.**

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

For		Against
Councillors	Myles	Councillors
	Christie	
	Greenhill	
	Von Schulenburg	
	Fell	
	Luchetti	
	Hollywood	
	Van der Kley	
	Williamson	
	Begg	
	McGregor	
	Stock	

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MINUTE NO. 515**Procedural – Move into Confidential Session**

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

1. That the Meeting move into a Confidential Session;
2. That pursuant to the provisions of Section 10A(2) (c) (g) 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; and
 - (d ii) Commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council.
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	Councillors
Myles	
Christie	
Greenhill	
Von Schulenburg	
Fell	
Luchetti	
Hollywood	
Van der Kley	
Williamson	
Begg	
McGregor	
Stock	

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MINUTE NO. 516**17. 12/160018. Confidential Business Paper - Sale of Land by Private Treaty**

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

1. That the Council approves the sale of Lots 1-90 in DP 16440 at 244-318 Hat Hill Road, Blackheath by private treaty or public auction; and
2. That the General Manager or his nominee be authorised to set the sale price in respect of each Lot based on independent valuations and advice from the selling agent.

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

For	Against
Councillors	Councillors
Myles	Williamson
Christie	
Greenhill	
Von Schulenburg	
Fell	
Luchetti	
Hollywood	
Van der Kley	
McGregor	
Stock	

With Councillor Begg declaring a perceived pecuniary interest and being out of the Chamber for the debate and vote.

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MINUTE NO. 517

Procedural – Return to Public Meeting

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

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	Councillors
Myles	
Christie	
Greenhill	
Von Schulenburg	
Fell	
Luchetti	
Hollywood	
Van der Kley	
Williamson	
McGregor	
Stock	

With Councillor Begg out of the chamber.

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MINUTE NO. 518

Procedural – Question that Meeting Close

A MOTION was MOVED by Councillors Greenhill and Christie:

That as there was no further business before the Ordinary Meeting of Tuesday, 6 November 2012, the meeting closed at 9:48pm.

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

For	Against
Councillors	Councillors
Myles	

Christie
Greenhill
Von Schulenburg
Fell
Luchetti
Hollywood
Van der Kley
Williamson
Begg
McGregor
Stock

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