

BLUE MOUNTAINS CITY COUNCIL

MINUTES OF ORDINARY MEETING OF COUNCIL

15 September 2015

INDEX

Minute	File No.	SUBJECT	Page
678		APOLOGIES	3
679		CONFIRMATION OF MINUTES	4
		DECLARATIONS OF INTEREST – ORDINARY MEETING	4
680	15/164465	BMCC ABORIGINAL ADVISORY COUNCIL POSITION ON WESTERN SYDNEY AIRPORT	4
681	15/168632	SYDNEY MORNING HERALD ARTICLE ON NEWCASTLE CITY COUNCIL INVESTMENT POLICY	5
682	15/179099	BLUE MOUNTAINS CITY COUNCIL AS A REFUGEE WELCOME ZONE	5
684	15/35578	ELECTION OF DEPUTY MAYOR AND ALTERNATE DEPUTY MAYOR 2015/2016	7
685	15/159576	FINAL SIX MONTH REPORT AND PRELIMINARY BUDGET RESULTS 2014-2015	8
686	15/161051	PERFORMANCE OF INVESTED MONIES FOR AUGUST 2015	8
687	15/141441	BLUE MOUNTAINS REGIONAL BUSINESS CHAMBER - MEMBERSHIP REVIEW	9
688	15/151944	JOINT REGIONAL PLANNING PANEL (JRPP) NOMINATIONS - CONFIRMATION OF APPOINTMENT PERIOD	9
689	15/156465	REFERRAL OF THE FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2015 FOR EXTERNAL AUDIT	10
690	15/163968	REVIEW OF THE DRAFT CODE OF MEETING PRACTICE	11
691	15/164090	DESTINATION NSW FORUM OUTCOMES	11
692	15/167994	COMMUNITY ASSISTANCE DONATIONS/RECOMMENDATION BY COUNCILLOR	12
693	15/166059	GREEN BINS TENDER	13
694	15/170088	VISY RECYCLING PTY LTD CONTRACT NEGOTIATIONS	14
695	15/157820	KATOOMBA CIVIC CENTRE - KATOOMBA COMMUNITY HALL FUTURE USES	15
696	15/85915	PROGRAMS CURRENTLY IN PLACE TO SUPPORT BLUE MOUNTAINS CITY COUNCIL EMPLOYEES EXPERIENCING DOMESTIC VIOLENCE	15
697	15/120890	PUBLIC MEMORIALS	16
698	15/157987	SPORTS COUNCIL ANNUAL GENERAL MEETING	16
699	15/159853	INTERNATIONAL CHARTER FOR WALKING	17
700	15/162278	PROPOSED COUNCIL LAND SWAP WITH METROPOLE HOTEL 18	
701	15/156287	DEVELOPMENT APPLICATION NO. XM/512/1998/B FOR THE MODIFICATION OF THE APPROVED HOURS OF OPERATION AT SCENIC WORLD WITH THE EXISTING HOURS BEING 9AM TO 5PM AND THE PROPOSED HOURS BEING 8AM TO 9PM AT LOT 2 DP 1025431, 2 VIOLET STREET, KATOOMBA	19
702	15/163450	DEVELOPMENT APPLICATION NO. X/234/2015 FOR A DETACHED CARPORT ON LOT 13 DP 246325, 8 MACKELLER CIRCLE SPRINGWOOD	19
703	15/154763	DEVELOPMENT APPLICATION NO. X/235/2015 FOR DEMOLITION OF EXISTING STRUCTURES, CONSTRUCTION OF FIVE SENIORS LIVING VILLAS AND TREE REMOVAL ON LOT A DP 384211, 88 GREAT WESTERN HIGHWAY, BLAXLAND	20

INDEX Contd

Minute	File No.	SUBJECT	Page
704	15/154667	DEVELOPMENT APPLICATION NO. X/543/2015 FOR SHOP FIT- OUT AND SIGNAGE ON LOT 1 DP 1093426, LOT 2 DP 1093426, LOT 3 DP 1093426, 8-32 KATOOMBA STREET, KATOOMBA	20
705	15/157497	STATE ENVIRONMENTAL PLANNING POLICY NO.1 (SEPP) VARIATIONS	21
706	15/164501	CLASSIFICATION OF LAND	21
707	15/169191	UPDATE ON WARRIMOO OVAL PARKING UPGRADE, RICKARD ROAD ROAD SAFETY UPGRADE AND PEDESTRIAN CROSSING AT BUSH BABIES CHILD CARE CENTRE	22
708	15/169226	NATIONAL STROKE WEEK	22
709	15/166094	PRECIS OF SELECTED CORRESPONDENCE	23
710		PROCEDURAL - MATTER OF URGENCY	23
711		PROCEDURAL - MATTER OF URGENCY	24
712		PROCEDURAL - MATTER OF URGENCY	25
713		PROCEDURAL - MATTER OF URGENCY	25
714	15/170088	VISY RECYCLING PTY LTD CONTRACT NEGOTIATIONS	26
715		PROCEDURAL – QUESTION THAT MEETING CLOSE.....	26

Minutes of the Ordinary Meeting of Council of the City of Blue Mountains, held in the Chambers on Tuesday, 15 September 2015, commencing at 7.30pm.

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There were present:

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

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In attendance:

General Manager; Director City Services; Director City & Community Outcomes; Director Development Health & Customer Services; A/Group Manager, People & Systems, Group Manager Integrated Planning and Finance; Executive Officer; Chief Financial Officer: Manager Environmental Sustainability; Manager Development & Planning Services; Manager Community & Economic; Communications Officer; Executive Principal Planning; Waste and Resource Officer Project Officer; Communications Coordinator; Project Support Officer Governance Publications; 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. 678

Apologies

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

That the Council accept the apologies of Councillor Luchetti for this Ordinary meeting of the Council.

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

For		Against
Councillors		Councillors
	Greenhill	
	Christie	
	Von Schulenburg	
	Fell	
	Myles	
	Bennett	
	Hollywood	
	Van der Kley	
	Begg	
	McGregor	
	Shrubb	

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MINUTE NO. 679**Confirmation of Minutes - Ordinary Meeting - 18 August 2015**

A MOTION was MOVED by Councillors Fell and Von Schulenburg:

That the Minutes of the Ordinary Meeting of 18 August 2015 be confirmed.

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

For		Against
Councillors	Greenhill	Councillors
	Christie	
	Von Schulenburg	
	Fell	
	Myles	
	Bennett	
	Hollywood	
	Van der Kley	
	Begg	
	McGregor	
	Shrubb	

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Declarations of Interest – Ordinary Meeting, 15 September 2015

Councillor Hollywood declared a non-significant, non-pecuniary interest with respect to Item 15:

“I am declaring that my former husband provided professional advice for the use of the former Katoomba Library, therefore will be leaving the Chamber for the debate and the vote.”

Councillor Myles declared a non-significant, non-pecuniary interest with respect to Item 21:

“I am declaring that the applicants are known to me personally, but will be remaining in the Chamber for the debate and the vote.”

Councillor Van der Kley declared a non-significant, non-pecuniary interest with respect to Item 21:

“I am declaring that the applicants are known to me personally, but will be remaining in the Chamber for the debate and the vote.”

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MINUTE NO. 680**MM1. 15/164465. BMCC Aboriginal Advisory Council Position on Western Sydney Airport**

A MOTION was MOVED by Councillors Greenhill and Fell:

- 1. That the Council notes the support of the Blue Mountains City Council Aboriginal Advisory Committee for Council’s call for an independent environmental assessment of the impacts of the proposed Western Sydney Airport, at Badgerys Creek;**

2. That the Council supports the concerns of the Aboriginal Advisory Committee regarding the potential impacts on Aboriginal cultural heritage and Country of the proposed Airport; and
3. That the Council makes a submission which incorporates a review of the cultural impact assessment within the Airport Environmental Impact Statement (EIS).

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

For	Against
Councillors	Councillors
Greenhill	
Christie	
Von Schulenburg	
Fell	
Myles	
Bennett	
Hollywood	
Van der Kley	
Begg	
McGregor	
Shrubb	

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MINUTE NO. 681

MM2. 15/168632. Sydney Morning Herald article on Newcastle City Council Investment Policy

A MOTION was MOVED by Councillors Greenhill and Shrubb:

That the Council investigates the approach to investments taken by Newcastle City Council as reported in the Sydney Morning Herald on 26 August 2015 and briefs the Council on the approach by the end of the Quarter 2 of 2015/2016.

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

For	Against
Councillors	Councillors
Greenhill	Christie
Von Schulenburg	
Fell	
Myles	
Bennett	
Hollywood	
Van der Kley	
Begg	
McGregor	
Shrubb	

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MINUTE NO. 682

MM3. 15/179099. Blue Mountains City Council as a Refugee Welcome Zone

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

That the Council formally resolves to be a Refugee Welcome Zone.

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

For	Against
Councillors	Councillors
Greenhill	
Christie	
Von Schulenburg	
Fell	
Myles	
Bennett	
Hollywood	
Van der Kley	
Begg	
McGregor	
Shrubb	

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MINUTE NO. 683

3. 15/35575. Election of Mayor 2015/2016

A MOTION was MOVED by Councillors Myles and Christie:

- 1. That the Council elects the Mayor in accordance with the Local Government Act 1993 and Schedule 7, Local Government (General) Regulation 2005; and**
- 2. That the Council resolves on the method of voting to be open voting.**

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

For	Against
Councillors	Councillors
Greenhill	
Christie	
Von Schulenburg	
Fell	
Myles	
Bennett	
Hollywood	
Van der Kley	
Begg	
McGregor	
Shrubb	

Nominations were received for the position of Mayor as follows:

Nominee	Mover	Seconder
Mark Greenhill	Fell	McGregor

The Returning Officer announced that one nomination had been submitted for the position of Mayor, that being for Councillor Mark Greenhill. This being the case, she proceeded to declare **Councillor Greenhill elected unopposed as Mayor for the ensuing 12 month period.**

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MINUTE NO. 684**4. 15/35578. Election of Deputy Mayor and Alternate Deputy Mayor 2015/2016**

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

1. **That the Council elects the Deputy Mayor in accordance with the Local Government Act 1993 and Schedule 7, Local Government (General) Regulation 2005;**
2. **That the Council elects to nominate an Alternate Deputy Mayor in accordance with the process set out in Schedule 7, Local Government (General) Regulation 2005; and**
3. **That the Council resolves on the method of voting to be the same as that used in the election of the Mayor.**

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

For	Against
Councillors	Councillors
Greenhill	
Christie	
Von Schulenburg	
Fell	
Myles	
Bennett	
Hollywood	
Van der Kley	
Begg	
McGregor	
Shrubb	

Nominations were received for the position of Deputy Mayor as follows:

Nominee	Mover	Seconder
Chris Van der Kley	Myles	Begg

The Returning Officer announced that one nomination had been submitted for the position of Deputy Mayor, that being for Councillor Chris Van der Kley. This being the case, she proceeded to declare **Councillor Van der Kley elected unopposed as Deputy Mayor for the ensuing 12 month period.**

Nominations were received for the position of Alternate Deputy Mayor as follows:

Nominee	Mover	Seconder
Brendan Luchetti	Greenhill	Shrubb

The Returning Officer announced that one nomination had been submitted for the position of Mayor, that being for Councillor Brendan Luchetti. This being the case, she proceeded to declare **Councillor Luchetti elected unopposed as Alternate Deputy Mayor for the ensuing 12 month period.**

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MINUTE NO. 685**5. 15/159576. Final Six Month Report and Preliminary Budget Results 2014-2015**

A MOTION was MOVED by Councillors Hollywood and Fell:

- 1. That the Council endorses this report together with the enclosure Final Six Month Report 2014-2015; and**
- 2. That the Council endorses the variations of income and expenditure, and carryovers, as identified in the enclosure.**

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

For	Against
Councillors	Councillors
Greenhill	
Christie	
Von Schulenburg	
Fell	
Myles	
Bennett	
Hollywood	
Van der Kley	
Begg	
McGregor	
Shrubb	

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MINUTE NO. 686**6. 15/161051. Performance of Invested Monies for August 2015**

A MOTION was MOVED by Councillors Hollywood and Fell:

- 1. That the Council receives the report on the performance of invested monies for August 2015; and**
- 2. That the Council notes the certificate of the Responsible Accounting Officer.**

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

For	Against
Councillors	Councillors
Greenhill	
Christie	
Von Schulenburg	
Fell	
Myles	
Bennett	
Hollywood	
Van der Kley	
Begg	
McGregor	
Shrubb	

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MINUTE NO. 687**7. 15/141441. Blue Mountains Regional Business Chamber - Membership Review**

The meeting was addressed by: Vent Thomas, Peta Davies

A MOTION was MOVED by Councillors McGregor and Myles:

1. That the Council discontinues its annual membership of the Blue Mountains Regional Business Chamber following expiry of its current 2015/16 membership;
2. That the Council continues to financially support the annual Business Awards, up to and including the 2016 awards as outlined in the report, and that any requests for sponsorship following 2016 will be considered annually during the budget process;
3. That the Council continues to financially support the annual Business Expo, up to and including 2016 as outlined in the report, and that any requests for sponsorship following 2016 be considered annually during the budget process;
4. That the Council continues to provide rental accommodation, at a subsidised rate to be determined by the General Manager, in the Council cottage to the rear of the HQ building in Katoomba and that this support for rental accommodation be reviewed annually; and
5. That the Council receives a report with the view to initiating an information forum within six months with interested stakeholders as the first stage of Council developing its Economic Strategy for the City.

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

For		Against
Councillors	Greenhill Christie Von Schulenburg Fell Myles Bennett Hollywood Van der Kley Begg McGregor Shrubb	Councillors

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MINUTE NO. 688**8. 15/151944. Joint Regional Planning Panel (JRPP) nominations - confirmation of appointment period**

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

That the Council nominates Councillors Fell and Van der Kley and Councillor Hollywood as alternate members to the Sydney West Region Joint Regional Planning

Panel and advise the NSW Department of Planning and Environment of its nominations.

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

For	Against
Councillors	Councillors
Greenhill	
Christie	
Von Schulenburg	
Fell	
Myles	
Bennett	
Hollywood	
Van der Kley	
Begg	
McGregor	
Shrubb	

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MINUTE NO. 689

9. 15/156465. Referral of the Financial Reports for the year ended 30 June 2015 for External Audit

A MOTION was MOVED by Councillors Hollywood and Fell:

1. That the Council confirms its opinion that:
 - (a) The Annual Financial Reports and Special Purpose Financial Reports for the financial year ended 30 June 2015 have been prepared in accordance with:
 - i. the Local Government Act 1993 (as amended) and Regulations made hereunder;
 - ii. the Local Government Code of Accounting Practice and Financial Reporting; and
 - iii. the Australian Accounting Standards and Professional Pronouncements;
 - (b) The Annual Financial Reports and Special Purpose Financial Reports present fairly the Council financial position and operating result for the year;
 - (c) The Annual Financial Reports and Special Purpose Financial Reports accord with the Council accounting and other records; and
 - (d) There are no circumstances known that would make the Annual Financial Reports or Special Purpose Financial Reports false or misleading in any way;
2. That the Council endorses the attached Statements by Councillors and Management be made and signed on behalf of the Council by the Mayor, one other Councillor, the General Manager and the Responsible Accounting Officer; and
3. That the Council notes the 2014/2015 General Purpose and Special Purpose Financial Reports attached, be forwarded to the Council external auditor.

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

For	Against
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Councillors	Greenhill Christie Von Schulenburg Fell Myles Bennett Hollywood Van der Kley Begg McGregor Shrubb	Councillors
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MINUTE NO. 690**10. 15/163968. Review of the draft Code of Meeting Practice**

A MOTION was MOVED by Councillors Hollywood and Fell:

1. That the Council endorses the draft Code of Meeting Practice for the purpose of public exhibition for 28 days, with a public submission period of a total 42 days; and
2. That the Council receives a further report on the completion of the public exhibition period and consolidation of submissions received.

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

For Councillors	Greenhill Christie Von Schulenburg Fell Myles Bennett Hollywood Van der Kley Begg McGregor Shrubb	Against Councillors
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MINUTE NO. 691**11. 15/164090. Destination NSW Forum Outcomes**

A MOTION was MOVED by Councillors Hollywood and Fell:

1. That the Council notes this report as an update following the forum undertaken by Destination NSW to review the Regional Tourism Organisation (RTO) model for the Blue Mountains and thanks Destination NSW for commencing the review process;
2. That the Council provides a submission to the Destination NSW RTO Review Panel expressing concern regarding any proposal to fund RTOs through a special rate

levy on local businesses and/or residents (noting the Council's recent decisions in support of tourism related investment) and requesting that Destination NSW work with industry to ensure that destination marketing is funded for regions such as the Blue Mountains which provide significant economic benefit for NSW from tourism;

3. That the Council writes to Lithgow and Oberon Councils, and meet with Strategic Alliance Partners Hawkesbury and Penrith, seeking feedback on the outcomes of the Tourism Forum and to initiate discussions at a strategic level regarding future regional tourism cooperation;
4. That the Council writes to Blue Mountains Accommodation & Tourism Association (BMATA) requesting a meeting to seek feedback on the outcomes of the Tourism Forum and initiate discussions at a strategic level regarding future regional tourism cooperation; and
5. That the Council writes to the NSW Minister for Trade, Tourism and Major Events, requesting that priority be given to resolution of destination marketing models and funding for the Blue Mountains ahead of the redesign of state-wide models for RTOs.

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

For	Against
Councillors	Councillors
Greenhill	
Christie	
Von Schulenburg	
Fell	
Myles	
Bennett	
Hollywood	
Van der Kley	
Begg	
McGregor	
Shrubb	

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MINUTE NO. 692

12. 15/167994. Community Assistance Donations/Recommendation by Councillor

A MOTION was MOVED by Councillors Hollywood and Fell:

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

Organisation	Amount
Blackheath Rhododendron Festival	\$550.00
Mid Mountains Neighbourhood Centre	\$300.00
Mountains Outreach Community Service	\$650.00
Society of Mountains Artist	\$300.00
Crop and Swap	\$200.00
Blue Mountains Women's Health & Resource Centre	\$100.00
Hazelbrook Football Club	\$100.00
Lawson Amateur Swimming Club	\$100.00

Springwood Neighbourhood Centre	\$100.00
Friends of the Mechanics Institute of Lawson	\$200.00

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

For	Against
Councillors	Councillors
Greenhill	
Christie	
Von Schulenburg	
Fell	
Myles	
Bennett	
Hollywood	
Van der Kley	
Begg	
McGregor	
Shrubb	

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MINUTE NO. 693

13. 15/166059. Green Bins Tender

A MOTION was MOVED by Councillors Greenhill and Hollywood:

1. That the Council notes this report and in particular the results, and the majority support, from the community consultation process about the possible introduction of a green bin service;
2. That the Council, after consideration of the community consultation process, introduces from 1 July 2016:
 - a) a fortnightly household garden organics 240 litre 'green bin' collection service;
 - b) a weekly 140 litre bin household garbage service; and
 - c) a fortnightly 240 litre bin household recycling service.
3. That the Council, in response to community feedback, makes available a 360 litre recycling bin on request on a user pays basis, currently \$30 per bin per annum;
4. That the Council makes available a weekly 240 litre bin household garbage service, on request, to ratepayers on a full cost recovery basis;
5. That the Council, in response to community feedback, retains the kerbside chipping service in its current form;
6. That the Council accepts the JJ Richards and Sons Pty Ltd tender for a fortnightly garden organics collection service, delivered to Council's Katoomba Resource Recovery and Waste Management Facility, for a 10 year term commencing on 1 July 2016 with options to extend for 2 further 1 year periods (at Council's discretion);
7. That the Council accepts the Australian Native Landscapes Pty Ltd tender for the receipt and processing of organics (garden only) for a 10 year term commencing on 1 July 2016 with options to extend for 2 further 1 year periods (at Council's discretion);
8. That the Council delegates authority to the Mayor and the General Manager to negotiate and execute the contracts;

9. That the Council approves that the seal of the Council be affixed to the contract with JJ Richards and Sons Pty Ltd in accordance with clause 400 of the Local Government (General) Regulation 2005; and

10. That the Council approves that the seal of the Council be affixed to the contract with Australian Native Landscapes Pty Ltd in accordance with clause 400 of the Local Government (General) Regulation 2005.

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

For	Against
Councillors	Councillors
Greenhill	
Christie	
Von Schulenburg	
Fell	
Myles	
Bennett	
Hollywood	
Van der Kley	
Begg	
McGregor	
Shrubb	

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MINUTE NO. 694

14. 15/170088. Confidential Business Paper - Visy Recycling Pty Ltd Contract Negotiations

A MOTION was MOVED by Councillors Hollywood and Fell:

- 1. That Item 14 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 Item14 in the Confidential Business Paper 'Visy Recycling Pty Ltd Contract Negotiations' 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	Councillors
Greenhill	
Christie	
Von Schulenburg	
Fell	
Myles	
Bennett	
Hollywood	
Van der Kley	
Begg	
McGregor	
Shrubb	

MINUTE NO. 695**15. 15/157820. Katoomba Civic Centre - Katoomba Community Hall Future Uses**

A MOTION was MOVED by Councillors McGregor and Shrubbs:

1. That the Council undertakes a comprehensive review of Katoomba Civic Centre, including all community and commercial uses within the facility, to ensure that the future use of the facility addresses the needs of the community and stakeholders and contribution to the Katoomba town centre, prior to considering whether to proceed with any tender or EoI process for the Katoomba Community Hall;
2. That the Council notes that this review will be completed in the 2015-16 financial year with a report back to Council seeking endorsement of a final strategy for the Katoomba Civic Centre by June 2016;
3. That the Council seeks formal advice from Blue Mountains Economic Enterprise (BMEE) regarding the opportunities for the facility to contribute to the economic development of Katoomba;
4. That the Council notes that this comprehensive review approach, in regards to determining the future use of the Katoomba Community Hall, is consistent with discussion of this matter by the Premises Review Panel; and
5. That the Council notes that the Katoomba Community Hall continues to operate as a multipurpose bookable space, managed and monitored by the Council.

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

For	Against
Councillors	Councillors
Greenhill	
Christie	
Von Schulenburg	
Fell	
Myles	
Bennett	
Van der Kley	
Begg	
McGregor	
Shrubbs	

With Councillor Hollywood out of the chamber

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MINUTE NO. 696**16. 15/85915. Programs Currently in place to support Blue Mountains City Council Employees experiencing Domestic Violence**

A MOTION was MOVED by Councillors Hollywood and Fell:

That the Council notes this report.

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

For	Against
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Councillors	Greenhill Christie Von Schulenburg Fell Myles Bennett Hollywood Van der Kley Begg McGregor Shrubb	Councillors
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MINUTE NO. 697**17. 15/120890. Public Memorials**

A MOTION was MOVED by Councillors Hollywood and Fell:

1. That the Council endorses, in accordance with the Public Memorials Policy 2012, the installation of a memorial plaque for Mr Peter Carroll in Somers Street, Lawson;
2. That the Council endorses, in accordance with the Public Memorials Policy 2012, the installation of a plaque commemorating the work of the Rotary Club of Lower Blue Mountains on the BBQ gazebo at Glenbrook Park; and
3. That the Council delegates the authority to the General Manager, in consultation with the Mayor, to approve other small plaques proposed by the Rotary Club of the Lower Blue Mountains, which are to be installed on the BBQ gazebo at Glenbrook Park.

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

For Councillors	Greenhill Christie Von Schulenburg Fell Myles Bennett Hollywood Van der Kley Begg McGregor Shrubb	Against Councillors
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MINUTE NO. 698**18. 15/157987. Sports Council Annual General Meeting**

A MOTION was MOVED by Councillors Myles and Christie:

1. That the Council approves the proposed membership of the Blue Mountains Sports Council for 2015-16;

2. That the Council appoints at Councillor Myles, Von Schulenburg, Shrubbs, Christie and Van der Kley to the Blue Mountains Sports Council for the 2015-16 year and appoints from within the nominated, Councillor Myles as the chairperson of the Sports Council;
3. That the Council notes the additional projects endorsed for inclusion to the expenditure plan for the Sports Fees for the 2015-2016 financial year as described in this report; and
4. That the Council notes the projects selected by the Sports Council for funding under the Sports Council Minor Capital Works.

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

For	Against
Councillors	Councillors
Greenhill	
Christie	
Von Schulenburg	
Fell	
Myles	
Bennett	
Hollywood	
Van der Kley	
Begg	
McGregor	
Shrubbs	

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MINUTE NO. 699

19. 15/159853. International Charter for Walking

A MOTION was MOVED by Councillors Hollywood and Bennett:

1. That the Council notes the report and the objectives of the International Charter for Walking;
2. That the Council endorses the Mayor to sign the International Charter for walking on behalf of the Council; and
3. That the Council highlights (in the section provided at the end of the charter):
 - a) That we are developing our Pedestrian Access and Mobility Plan, in consultation with the community, to identify and seek funding for projects to improve the walkability of our towns, villages and local streets; and
 - b) That we welcome that Charter's proposal to improve pedestrian safety by lowering the speed limits on local roads and seek the support of the Premier's Council for Active Living to advocate to the RMS for greater flexibility in its criteria for 40km zones on local roads which are shared between cars and pedestrians due to the absence of footpaths.

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

For	Against
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Councillors	Greenhill Christie Von Schulenburg Fell Myles Bennett Hollywood Van der Kley Begg McGregor Shrubb	Councillors
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MINUTE NO. 700

20. 15/162278. Proposed Council Land Swap with Metropole Hotel

The meeting was addressed by: Margi Fallon

A MOTION was MOVED by Councillors McGregor and Shrubb:

1. That the Council endorses the proposed land swap between Council and the Metropole Hotel;
2. That the Council notes that the Metropole Hotel have agreed to pay all costs associated with the land swap;
3. That the Council endorses that the land transferred to the Council be dedicated as public road reserve;
4. That the Council executes all relevant documents, as required, for the proposed land swap; and
5. That the Council delegates to the General Manager the authority to negotiate and finalise any outstanding matters relating to the subject lands.

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

For Councillors	Greenhill Christie Von Schulenburg Fell Myles Bennett Hollywood Van der Kley Begg McGregor Shrubb	Against Councillors
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MINUTE NO. 701**21. 15/156287. Development Application No. XM/512/1998/B for the modification of the approved hours of operation at Scenic World with the existing hours being 9am to 5pm and the proposed hours being 8am to 9pm at Lot 2 DP 1025431, 2 Violet Street, Katoomba**

The meeting was addressed by: Tony Hinchon, John Cooper, Paul Wynn, Jacqueline Brinkman, Anthea Hammon

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

That the Development Application No. XM/512/1998/B for the modification of the approved Hours of Operation at Scenic World with the existing hours being 9am to 5pm and the proposed hours being 8am to 9pm each day at Lot 2 DP 1025431, 2 Violet Street, Katoomba be determined pursuant to S.96 of the Environmental Planning and Assessment Act 1979 by the partial modification of the consent subject to amended conditions shown in Attachment 1 to this report.

The proposed hours extension of hours from 6:00pm to 9:00pm period during weekdays (Monday to Thursday) be refused for the following reasons:

- 1) that the permanent extension of hours has the potential to adversely impact on residential amenity, and
- 2) the submitted Noise Assessment does not demonstrate that operation during these hours will avoid inappropriate noise impact during the sensitive Evening or Night periods under the NSW Industrial Noise Policy.

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

For	Against
Councillors	Councillors
Greenhill	McGregor
Christie	
Von Schulenburg	
Fell	
Myles	
Bennett	
Hollywood	
Van der Kley	
Begg	
Shrubb	

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MINUTE NO. 702**22. 15/163450. Development Application No. X/234/2015 for a detached carport on Lot 13 DP 246325, 8 MacKellar Circle Springwood**

A MOTION was MOVED by Councillors Hollywood and Fell:

hat the Development Application No. X/234/2015 for a detached carport on Lot 13 DP 246325, 8 MacKellar Circle, Springwood 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	Greenhill Christie Von Schulenburg Fell Myles Bennett Hollywood Van der Kley Begg McGregor Shrubb	Councillors

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MINUTE NO. 703

23. 15/154763. Development Application No. X/235/2015 for demolition of existing structures, construction of five seniors living villas and tree removal on Lot A DP 384211, 88 Great Western Highway, Blaxland

The meeting was addressed by: Belinda Gibson

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

1. That the Development Application No. X/235/2015 for demolition of existing structures, construction of five Seniors Living Villas and tree removal on Lot A DP 384211, 88 Great Western Highway, Blaxland be determined pursuant to S.80(3) of the Environmental Planning and Assessment Act 1979 by the granting “deferred commencement” consent subject to conditions shown in Attachment 1 to this report; and
2. That the General Manager be given delegated authority to issue the Operational Development Consent upon resolution of the deferred matters.

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

For		Against
Councillors	Fell Myles Bennett Hollywood Van der Kley Begg McGregor Shrubb	Councillors Greenhill Christie Von Schulenburg

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MINUTE NO. 704

24. 15/154667. Development Application No. X/543/2015 for shop fit-out and signage on Lot 1 DP 1093426, Lot 2 DP 1093426, Lot 3 DP 1093426, 8-32 Katoomba Street, Katoomba

A MOTION was MOVED by Councillors Hollywood and Fell:

hat the Development Application No. X/543/2015 for shop fit-out and signage on Lot 1 DP 1093426, L 2 DP 1093426, L 3 DP 1093426, 8-32 Katoomba Street, Katoomba 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
Greenhill	
Christie	
Von Schulenburg	
Fell	
Myles	
Bennett	
Hollywood	
Van der Kley	
Begg	
McGregor	
Shrubb	

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MINUTE NO. 705

25. 15/157497. State Environmental Planning Policy No.1 (SEPP) Variations

A MOTION was MOVED by Councillors Hollywood and Fell:

That the Council notes this report.

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

For	Against
Councillors	Councillors
Greenhill	
Christie	
Von Schulenburg	
Fell	
Myles	
Bennett	
Hollywood	
Van der Kley	
Begg	
McGregor	
Shrubb	

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MINUTE NO. 706

26. 15/164501. Classification of Land

A MOTION was MOVED by Councillors Hollywood and Fell:

That the Council approves the classification of 410 Great Western Highway, Katoomba, (being Lot 68 in DP 10148) and Part 128-128A Great Western Highway Medlow Bath (being part Lots 21 & 22 in DP 396777) as Operational Land under the Local Government Act 1993.

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

For	Against
Councillors	Councillors
Greenhill	
Christie	
Von Schulenburg	
Fell	
Myles	
Bennett	
Hollywood	
Van der Kley	
Begg	
McGregor	
Shrubb	

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MINUTE NO. 707

27. 15/169191. Update on Warrimoo Oval Parking Upgrade, Rickard Road - Road Safety Upgrade and Pedestrian Crossing at Bush Babies Child Care Centre

A MOTION was MOVED by Councillors Christie and Von Schulenburg

That the Council receives a briefing on the status of the Warrimoo Oval Parking Upgrade, Rickard Road Warrimoo Road Safety Upgrade and Pedestrian Crossing at Bush Babies Child Care Centre projects at the next available briefing.

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

For	Against
Councillors	Councillors
Greenhill	
Christie	
Von Schulenburg	
Fell	
Myles	
Bennett	
Hollywood	
Van der Kley	
Begg	
McGregor	
Shrubb	

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MINUTE NO. 708

28. 15/169226. National Stroke Week

A MOTION was MOVED by Councillors Christie and Von Schulenburg:

- 1. That the Council recognises that 14 - 20 September is National Stroke Week and shows its support for this awareness campaign throughout this week; and**
- 2. That, as part of the Fight Stroke campaign, the Council writes to Macquarie MP,**

Louise Markus, advocating for increased federal funding to developing a national stroke strategy.

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

For		Against
Councillors	Greenhill Christie Von Schulenburg Fell Myles Bennett Hollywood Van der Kley Begg McGregor Shrubb	Councillors

* * * * *

MINUTE NO. 709

29. 15/166094. Precis of Selected Correspondence

A MOTION was MOVED by Councillors Hollywood 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 Christie Von Schulenburg Fell Myles Bennett Hollywood Van der Kley Begg McGregor Shrubb	Councillors

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Matter of Urgency

That the Council now considers a matter arising in relation to Traffic and Parking at Lapstone Oval Precinct that has been ruled by the Deputy Mayor to be a matter of great urgency.

MINUTE NO. 710

Procedural - Matter of Urgency

A MOTION was MOVED by Councillors Greenhill and Christie:

That the Council calls for a report requesting a traffic and parking precinct plan supported by traffic studies to be carried out at Lapstone oval this financial year so that the Council is positioned subject to funding to include the project or stages of it into next year’s 2016/17 Delivery Program and enable the Council to be positioned to apply for State and/or Federal grant funding or matching funding should it come available.

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

For		Against
Councillors	Greenhill Christie Von Schulenburg Fell Myles Bennett Hollywood Van der Kley Begg McGregor Shrubb	Councillors

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Matter of Urgency

That the Council now considers a matter arising in relation to Traffic and Parking at Warrimoo Oval Precinct, that has been ruled by the Deputy Mayor to be a matter of great urgency.

MINUTE NO. 711

Procedural - Matter of Urgency

A MOTION was MOVED by Councillors Greenhill and Christie:

That the Council calls for an update report on traffic and parking conditions at Warrimoo Oval and that the report include options for seeking State and/or Federal funding for a parking area upgrade.

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

For		Against
Councillors	Greenhill Christie Von Schulenburg Fell Myles Bennett Hollywood Van der Kley Begg McGregor Shrubb	Councillors

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Matter of Urgency

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

MINUTE NO. 712**Procedural - Matter of Urgency**

A MOTION was MOVED by Councillors Fell and Myles:

1. That, as part of the celebration of the Cooee March in 1915, the Council installs a plaque commemorating the re-enactment and original March, in a location to be determined in Springwood; and

2. That the Council approves the details on the plaque in consultation with the RSL and other bodies involved in the re-enactment.

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

For	Against
Councillors	Councillors
Greenhill	
Christie	
Von Schulenburg	
Fell	
Myles	
Bennett	
Hollywood	
Van der Kley	
Begg	
McGregor	
Shrubb	

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Matter of Urgency

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

MINUTE NO. 713**Procedural - Matter of Urgency**

A MOTION was MOVED by Councillors Myles and Christie:

That, at the completion of this Council term, the Council makes an application to the Local Government Association to bestow upon the Mayor, Councillor Greenhill, the Emeritus Mayor Award for his service to this Council.

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

For	Against
Councillors	Councillors
Christie	
Von Schulenburg	
Fell	
Myles	
Bennett	

Hollywood
 Van der Kley
 Begg
 McGregor
 Shrubb

With Councillor Greenhill out of the chambers

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MINUTE NO. 714

14. 15/170088. Confidential Business Paper - Visy Recycling Pty Ltd Contract Negotiations

A MOTION was MOVED by Councillors Myles and Fell:

1. That the Council notes the resolutions of the Ordinary Meeting of 9 December, 2014 regarding the outcomes of the Netwaste Joint Tender;
2. That Council endorses the recommended variation to the tender, as identified in this report, and delegates to the General Manager authority to finalise the tender;
3. That the Council delegates the authority be given to the General Manager to negotiate the final content of, and execute the Deed of Parent Company Guarantee with VISY Industries Australia Pty Ltd; and
4. That the Council approves that the seal of the Council be affixed to the contract with VISY Industries Australia PTY LTD in accordance with clause 400 of the Local Government (General) Regulation 2005.

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

For		Against
Councillors		Councillors
	Greenhill	
	Christie	
	Von Schulenburg	
	Fell	
	Myles	
	Bennett	
	Hollywood	
	Van der Kley	
	Begg	
	McGregor	
	Shrubb	

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MINUTE NO. 715

Procedural – Question that Meeting Close

A MOTION was MOVED by Councillors McGregor and Shrubb:

That as there was no further business before the Ordinary Meeting of Tuesday, 15 September 2015, the meeting closed at 10:00pm.

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

For		Against
Councillors	Greenhill	Councillors
	Christie	
	Von Schulenburg	
	Fell	
	Myles	
	Bennett	
	Hollywood	
	Van der Kley	
	Begg	
	McGregor	
	Shrubb	

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I confirm that these minutes, consisting of this page 27 and the previous 26 pages, were confirmed at the Ordinary Meeting of the Council on 13 October 2015.

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