

BLUE MOUNTAINS CITY COUNCIL

MINUTES OF ORDINARY MEETING OF COUNCIL

26 February 2019

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Minutes of the Ordinary Meeting of Council of the City of Blue Mountains, held in the Chambers on Tuesday, 26 February 2019, commencing at 7.30pm.

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There were present:

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

* * * * *

In attendance:

General Manager; A/Director Service Delivery; A/Director City & Community Outcomes; Director Development & Customer Services; A/Group Manager, People & Systems, A/Group Manager Integrated Planning and Finance; Chief Safety Officer; Executive Officer; Manager Environmental Sustainability; Manager Development & Planning Services; Manager Community & Economic; Manager Infrastructure & Strategic Assets; Program Leader Corporate Communications & Marketing; Program Leader Civil and Traffic; Program Leader Natural Areas Management; Policy and Compliance Officer; Meeting & Councillor Support Officer; Trainee (TBC); 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

A MOTION was MOVED by Councillors

Nil

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MINUTE NO. 37

Confirmation of Minutes - Ordinary Meeting - 29 January 2019

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

That the Minutes of the Ordinary Meeting of 29 January 2019 be confirmed.

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

For		Against
Councillors	Greenhill	Councillors
	Christie	
	Fell	
	Myles	

Hollywood
 Van der Kley
 McGregor
 Bowling
 Brown
 Foenander
 Hoare
 Schreiber

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Declarations of Interest – Ordinary Meeting, 26 February 2019

Councillor Hoare declared a significant, non-pecuniary interest with respect to Item 11 of the meeting held 29 January 2019:

"I wish to provide a full declaration for clarification in relation to the declaration that I made at the Council meeting held on 29 January 2019 in relation to Item 11. I intended to declare a significant, non-pecuniary interest with respect to Item 11 to avoid perceptions that may potentially arise in relation to the possibility that I could be influenced due to the common membership and office-holding positions of a certain political party I share with persons named in the report, and I left the chamber for the debate and vote."

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Procedural - Question Without Notice

A QUESTION Without Notice Councillors Brown:

Is it the case that political membership is relevant, so everyone whether they are in the same party or different party to either other Councillors or members of the public, is that really relevant?

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MINUTE NO. 38

MM1. 19/37593. Blue Mountains Local Recover & Resilience Sub Committee

A MOTION was MOVED by Councillors Greenhill and Foenander:

1. That the Council formally requests the Blue Mountains Local Emergency Management Committee to invite Councillor Foenander to attend meetings of its Local Recovery and Resilience Sub Committee (LR&RSC), during the duration of her term;
2. That the Council notes that the nomination of Councillor Foenander to the LR&RSC is a one off arrangement for the duration of the current term in acknowledgement of the specific Councillor's interest and expertise in this area, and does not establish an on-going Councillor position on the LR&RSC;
3. That, also in recognition of Councillor Foenander's interest and expertise in this area, the Council endorses the participation of Councillor Foenander in the Office of Emergency Management (OEM) Community Resilience Networks project, including her attendance at the Community Resilience Network Workshop to be

held in Katoomba on 28 February 2019.

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

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

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MINUTE NO. 39

MM2. 19/42513. Yellow Ribbon National Road Safety Week Campaign

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

1. **That the Council acknowledges the ongoing work of the SARAH group and SARAH group President Mr Peter Frazer for “Yellow Ribbon National Road Safety Week”; and**
2. **That the Council continues to actively demonstrate its support for this initiative.**

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

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

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MINUTE NO. 40

1. 19/5170. Report on Cities Power Partnerships Summit

A MOTION was MOVED by Councillors Hoare and Hollywood:

That the Council receives the following report on participation at the inaugural Cities Power Partnership National Summit, an initiative of the Climate Council and 100 local councils from across Australia.

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

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

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MINUTE NO. 41

2. 19/24792. Monthly Progress Report on Improvement Plans Adopted in Response to Investigation Reports

A MOTION was MOVED by Councillors Fell and Foenander:

1. That the Council notes the ongoing progress being made by the organisation to improve its governance and systems to ensure safety is at the centre of the Council's operations and culture;
2. That the Council notes and endorses the progress made by the organisation against each of the Council's adopted Consolidated Improvement Plan for Asbestos Management (at Enclosure 1) and the Council's adopted Improvement Plan for Staff Recruitment and Appointment (at Enclosure 2);
3. That, as part of its governance arrangements for the PIO, the Council receives the management report prepared by Centium into "High level PIO Improvement Plan Compliance – February 2019", which is provided at Attachment 1, noting that a copy of the management report be provided to the Minister for Local Government;
4. That the Council delegates to the General Manager (or her nominee) authority to continue to update the progress reporting in Recommendation 3 up to and including 1 March 2019 for the purpose of ensuring compliance review for the upcoming month is based on all available information at the time of the review;
5. That the Council endorses this report as fulfilling the requirement under the PIO (Action Item 2.c.) that the General Manager report in writing to each monthly meeting of the Council on progress against the Council's adopted Improvement Plans; and
6. That subject to Recommendation 7, that the Council notes that the General Manager will continue to provide monthly reports of progress against the

- Improvement Plans actions as required by the PIO until all actions of the Improvement Plans are completed to the satisfaction of the Council; and
7. That the Council, having completed the Improvement Plan for Staff Recruitment & Appointment, as confirmed by the Centium compliance review, will no longer report on this aspect of the PIO.

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

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

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MINUTE NO. 42

3. 18/288357. Six Month Delivery Program Progress Report and Quarter 2 Budget Review Statement 2018-2019

A MOTION was MOVED by Councillors Schreiber and Christie:

1. That the Council endorses this report together with the enclosure Quarter 2 Report 2018-2019; and
2. That the Council approves the variations to the working capital be in a range of \$1.3M to \$1.7M, as identified in the Enclosure.

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

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

MINUTE NO. 43

A MOTION was MOVED by Councillors Hollywood and Fell:

1. **That the Council endorses this report together with the enclosure Quarter 2 Report 2018-2019; and**
2. **That the Council approves the variations of income and expenditure, as identified in the Enclosure.**

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

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

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MINUTE NO. 44

4. 19/26313. Performance of Investments January 2019

A MOTION was MOVED by Councillors Fell and Foenander:

That the Council notes the performance of invested monies for January 2019, including;

- **That as at 31 January 2019 funds held in investments total \$23.3 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	Councillors
Greenhill	
Christie	
Fell	
Myles	
Hollywood	
Van der Kley	
McGregor	
Bowling	
Brown	
Foenander	
Hoare	
Schreiber	

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MINUTE NO. 45**5. 19/27690. Draft Code of Meeting Practice for Public Exhibition**

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

1. That the Council endorses the draft Code of Meeting Practice for the purposes of public exhibition, with exhibition occurring for a period of 28 days and public submissions received up to 42 days; and
2. That the Council receives a further report on the completion of the public exhibition period.

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

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

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MINUTE NO. 46**6. 19/32853. Submission of amended return of interest**

A MOTION was MOVED by Councillors Fell and Foenander:

That the Council notes the tabling of an amended Return to be added to the Register of Pecuniary Interest Returns, disclosing the interests of Councillors and designated persons for the period 1 July 2017 to 30 June 2018.

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

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

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MINUTE NO. 47**7. 19/36891. Community Assistance Donations Recommendation by Councillor**

A MOTION was MOVED by Councillors Fell and Foenander:

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

Organisation	Amount
Mt Riverview Public School	\$500.00
Rotary Club Katoomba	\$200.00
BENTart	\$100.00
Zonta Club Blue Mountains	\$200.00

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

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

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MINUTE NO. 48**8. 19/9619. Supply and delivery of Two Domestic Waste Cab Chassis and Compactor Units**

A MOTION was MOVED by Councillors Fell and Foenander:

- 1. That the Council accepts the tender submitted by Bucher Municipal Pty Ltd (MacDonald Johnston) for two (2) x Volvo FE 320 Euro 6 6x4 Cab Chassis fitted with 22m3 side loading compaction bodies at a total cost of \$819553.04 excluding GST; and**
- 2. That the Council notes that the two replaced domestic vehicles be disposed of by public auction.**

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

For	Against
Councillors	Councillors
Greenhill	
Christie	
Fell	
Myles	

Hollywood
 Van der Kley
 McGregor
 Bowling
 Brown
 Foenander
 Hoare
 Schreiber

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MINUTE NO. 49

9. 18/286484. Little Switzerland Drive, Wentworth Falls - Restriction of Traffic and Improved Visitor Facilities

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

1. That the Council notes the outcomes of the public exhibition and the proposed restriction of traffic and management of visitors at Lincolns Rock and Little Switzerland Drive, Wentworth Falls;
2. That the Council, as the Roads Authority under the NSW Roads Act 1993, approves the restriction of traffic on part of Little Switzerland Drive, Wentworth Falls;
3. That the Council endorses the proposed infrastructure improvements at Lincolns Rock and Little Switzerland Drive, Wentworth Falls, as set out in Option 2;
4. That the Council notes that the management measures taken to date and proposed at Lincolns Rock, have been informed by best practice enterprise risk assessment; and
5. That the Council notes that NSW Police have agreed in principle to notify Council regarding incidents that require rescue effort to assist it managing enterprise risk on Council-managed land, and that both organisations are collaborating to work out the details of the process.

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 Christie and Schreiber out of the chamber.

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MINUTE NO. 50**10. 19/17365. Establishment of a Panel of Occupational Hygienists (Asbestos) Consultants**

A MOTION was MOVED by Councillors Fell and Foenander:

1. That the Council notes that it received nineteen (19) Expression of Interest for the establishment of a Panel of Occupational Hygienists (Asbestos) Consultants; and
2. That the Council approves the below panel of Occupational Hygienists (Asbestos) Consultants for a period of three (3) years;
 - Coffey Services Australia Pty Ltd;
 - Hibbs & Associates Pty Ltd;
 - JMB Environmental Consulting Pty Ltd;
 - Regional Envirosience Pty Ltd;
 - Progressive Risk Management Pty Ltd;
 - SLR Consulting Australia Pty Ltd;
 - Trinitas Group Pty Ltd; and
 - WSP Australia Pty Ltd.

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

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

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MINUTE NO. 51**11. 19/17889. Establishment of Panel of Licenced Asbestos Removalists**

A MOTION was MOVED by Councillors Fell and Foenander:

1. That the Council notes that it received twelve (12) Expressions of Interest for the establishment of a Panel of Licenced Asbestos Removalists; and
2. That the Council approves the panel of licenced asbestos removalists for a period of three (3) years;
 - Empire Contracting Pty Ltd,
 - P&D Envirotech,
 - Beasy Pty Ltd,
 - Aztech Services Australia Pty Ltd,
 - McMahan Services Australia Pty Ltd,

- **Murphys Remedial Builders Pty Ltd,**
- **RMA Contracting Pty Ltd; and**
- **SLH Industries.**

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

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

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MINUTE NO. 52

12. 19/19155. Acquisition of LEP Land - 26 Clydebank Road, Leura

A MOTION was MOVED by Councillors Fell and Foenander:

1. **That the Council approves, subject to successful negotiations with the property owner, the purchase of the property identified in this report, being property that is identified in LEP 2015 as appropriate for acquisition by the Council;**
2. **That the Council delegates to the General Manager (or her delegate), authority to negotiate the purchase price for that land; and**
3. **That the Council notes that the land will be classified as Community Land upon purchase.**

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

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

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MINUTE NO. 53**13. 19/29051. Update in response to Councillor Notice of Motion - Burragorang Valley Aboriginal Place Nomination**

A MOTION was MOVED by Councillors Fell and Foenander:

1. That the Council receives and notes the information in this report as a briefing on the matter; and
2. That the Council writes to the NSW Minister for the Environment expressing its support for the protection and preservation of tangible and in-tangible Aboriginal Cultural Values within the Warragamba Dam Catchment, as detailed in the Aboriginal Place nomination.

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

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

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MINUTE NO. 54**14. 19/19988. Tender Report - Pedestrian Infrastructure Construction and Renewal Works across the Local Government Area**

A MOTION was MOVED by Councillors Hollywood and Foenander:

1. That the Council notes the tenders submitted by API Commercial, Bowdex Services Pty Ltd, Civotek Pty Ltd, North Shore Paving Company Pty Ltd, Planet Civil Pty Ltd, R Line Civil & Concreting Pty Ltd, South Syd Concrete Pty Ltd, Trimcon Civil Contracts and Workfield Investments;
2. That the Council accepts the tender submitted by Planet Civil Pty Ltd for the Pedestrian Infrastructure Construction and Renewal Works across Blue Mountains City Council LGA for the sum of \$588,817.40 exclusive of GST; and
3. That the Council delegates to the General Manager (or her delegate) the authority to execute and sign documents relating to the contract for the Pedestrian Infrastructure Construction and Renewal Works across Blue Mountains City Council LGA.

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

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

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Procedural - Question Without Notice

A QUESTION Without Notice by Councillors Brown:

Whether the \$588,817.40 (in the resolution of Item 14) includes the Katoomba High School refuge island works as identified in the LTC minutes at Item 18.

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MINUTE NO. 55

15. 18/315734. Post-exhibition Planning Proposal - Amendment 11 to LEP 2015

A MOTION was MOVED by Councillors Fell and Foenander:

1. That the Council notes the public exhibition was conducted in accordance with legislative requirements of the Gateway Determination (Attachment 1) and three submissions were received from the community;
2. That the Council adopts the updated draft Planning Proposal for Amendment 11 to LEP 2015 (Housekeeping Amendment – various clauses) in Enclosure 1;
3. That the Council submits the updated draft Planning Proposal to the NSW Parliamentary Counsel's Office to be made exercising the functions delegated in the Gateway Determination under section 3.36 of the Planning and Assessment Act 1979;
4. That the Council delegates to the General Manager (or their nominee) the authority to make minor amendments to the updated draft Planning Proposal that may arise after the formal adoption of this planning proposal, subject to such amendments maintaining the policy intent of the draft Amendment; and
5. That the Council receives a report on any changes made by NSW Parliamentary Counsel's Office which change the policy intent of the updated draft Planning Proposal.

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

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

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MINUTE NO. 56

16. 18/185789. Draft Lawson Crown Lands Masterplan

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

1. That the enclosed draft Lawson Crown Lands Masterplan is exhibited for twenty-eight days and that Council receive comments on the draft for forty-two (42) days from the commencement of the advertising period;
2. That the Council delegates authority to the General Manager to make minor amendments to the draft Lawson Crown Lands Masterplan prior to the start of the public exhibition period, providing it is consistent with the masterplan intent;
3. That the Council receives a further report following the public exhibition period; and
4. That the Council notes that facilities in Stage 1 of the draft masterplan are proposed to be delivered by the City Deal Liveability funding and that those facilities received a significant positive response during the previous consultations.
- 5.

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

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

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MINUTE NO. 57**17. 18/319011. Draft Parking Precinct Plans and Permit Parking Policy - Public Exhibition**

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

1. That the Council endorses the Draft Parking Precinct Plans and Draft Permit Parking Policy for the purpose of public exhibition for a period of not less than forty-two (42) days;
2. That the Council receives a further report following the public exhibition period, summarising the submissions received, together with any amendments to the Draft Parking Precinct Plans and Draft Permit Parking Policy by June 2019, prior to adoption of a final Parking Precinct Plans and Permit Parking Policy for implementation; and
3. That the Blackheath Alliance, Blackheath Chamber of Commerce, Katoomba Chamber of Commerce & Community and Wentworth Falls Chamber of Commerce & Community are added to the list of key stakeholders for Community Engagement.

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

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

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MINUTE NO. 58**18. 19/4673. Local Traffic Committee**

The meeting was addressed by: Jennifer Boyall, Michael Skeggs, Catriona Paterson

A MOTION was MOVED by Councillors McGregor and Brown:

1. That the Council receives the Minutes for the Local Traffic Committee;
2. That the Council approves the recommendations from the LTC meeting minutes of 11 December 2018, with the exception of 2018.13, as stated:
 - a) 2018.13 Martin Street, Katoomba - That the Council defers the installation of a Pedestrian Refuge in Martin Street at its intersection with Kurrawan Road, for the

- purposes of further consultation with stakeholders at Katoomba High School;
- b) 2018.14 Bourne Street, Wentworth Falls - That the Council approves the implementation of 10m statutory 'No Stopping' zones in Railway Parade, Wentworth Falls, at its intersection with Bourne Street as shown on Attachment 2;
 - c) 2018.15 Intersection of Glossop Road and Tollgate Drive, Linden - That the Council approves the installation of 'Stop' signage in Glossop Road at Tollgate Drive, Linden, as per Attachment 3, with additional 'Stop' signage on the opposite side of the road;
 - d) 2018.16 Little Switzerland Drive, Wentworth Falls - That the Council approves implementation of parking restrictions in Little Switzerland Drive and Hordern Road, Wentworth Falls as shown on Attachment 4 with the following additions and changes:
 - No Stopping signage to be placed in the cul-de-sac at the end of Little Switzerland;
 - No Parking signage at the intersection of Hordern Road be changed to No Stopping.
 - e) 2018.17 Macquarie Road, Springwood - That the Council approves the removal of 'No Parking' signage in Macquarie Road as per Attachment 5;
 - f) 2018.18 Macquarie Road, Springwood - That the Council approves the extension of the operational hours of the bus zones in Macquarie Road, adjacent to the Westpac Bank and adjacent to Telstra Park to 5am to 10pm Monday to Friday and 7am to 9pm Saturday & Sunday as shown on Attachment 6;
 - g) 2018.19 Hawkesbury Road Lookout, Springwood – That the Council approves the extension of a '1P 6:00am-10:00pm, No Parking 10:00pm-6:00am' restriction area on the Council reserve on the opposite side of the Hawkesbury Heights Lookout situated on the north-west side of Hawkesbury Road as shown on Attachment 7, with the following changes:
 - The committee recommends the removal of the "Every day" wording and removal of the arrows.
 - Recommends the installation of end restricted Parking area signage
 - h) 2018.20 Peel Street, Glenbrook – That the Council approves the implementation of an additional 'No Stopping' zone up to the school gate along the access to the Glenbrook Public School in Peel Street with appropriate signage as shown on Attachment 8;
 - i) 2018.21 Great Western Highway (Service Road), Blaxland - That the Council approves the implementation of raised pedestrian crossing with appropriate signage upgrade along the GWH Service Road, Blaxland as shown on Attachment 9; and
3. That the approval and implementation of 2018.16 Little Switzerland Drive, Wentworth Falls is subject to the adoption of the Item within this Business Paper, Little Switzerland Drive, Wentworth Falls – Restriction of traffic and Improved Visitor Facilities.

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

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

Brown
Foenander
Hoare
Schreiber

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MINUTE NO. 59

19. 19/33163. Climate Emergency Declaration

A MOTION was MOVED by Councillors Hoare and Hollywood:

1. That the Council recognises that:

- **We are in a state of climate emergency that requires urgent action by all levels of government, including local councils;**
- **Human induced climate change stands in the first rank of threats to humans, civilisation and other species;**
- **It is still possible to restore a safe climate and prevent most of the anticipated long-term climate impacts – but only if societies across the world adopt an emergency mode of action that can enable the restructuring of the physical economy at the necessary scale and speed; and**

2. That the Council calls for a briefing on how our Community Strategic Plan addresses the climate emergency, and outlines the options available to Council to operationalise this declaration during the life of the Community Strategic Plan.

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

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

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MINUTE NO. 60

20. 19/33167. Warragamba Dam Alliance

A MOTION was MOVED by Councillors Hoare and Bowling:

That Council writes on Mayoral Letterhead to Hawkesbury City Council, Penrith City Council, Wollondilly City Council, Liverpool City Council, Camden City Council, Lithgow City Council, Oberon City Council and Wingecarribee City Council to:

- a) **Note the recent letter to neighbouring councils conveying the opposition of Blue Mountains City Council to the NSW Government's proposal to raise the dam wall, as outlined in the Mayoral Minute at Item 5 in the Business Paper of**

29 January 2019;

- b) Request each council to consider passing a similar motion opposing the raising of the Warragamba Dam wall;
- c) Invite each Council to consider joining Blue Mountains City Council in the establishment of a regional alliance of councils opposed to the raising of the Warragamba Dam wall; and
- d) Request a response from councils in time to permit an announcement of the regional alliance prior to the 23 March NSW Election.

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

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

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MINUTE NO. 61

21. 19/35683. Maintenance of Heritage Items

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

1. That the Council writes to the Heritage Division of the Office of Environment and Heritage seeking amendments to the heritage framework to enable councils to require property owners to maintain local heritage items to minimum standards, as is required in the case of State listed heritage items;
2. That the Council requests information from Office of Environment and Heritage on ways to require owners to undertake maintenance works, particularly related to basic maintenance, painting of facades and the like;
3. That the Council prepares a motion for the 2019 Local Government NSW conference highlighting the need to strengthen heritage provisions, and in particular, provide stronger powers to state government and local government agencies to ensure privately owned heritage-listed properties are maintained and protected; and
4. That the Council consults the National Trust on the protection and maintenance of heritage items.

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

For	Against
Councillors	Councillors
Greenhill	
Christie	
Fell	
Myles	

Hollywood
 Van der Kley
 McGregor
 Bowling
 Brown
 Foenander
 Hoare
 Schreiber

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MINUTE NO. 62

22. 19/37483. Annual Code of Conduct Report

A MOTION was MOVED by Councillors Brown and Schreiber:

1. That the Council receive the Complaints Coordinator's annual report for complaints in relation to Councillors and the General Manager during the period 1 Sept 2017 to 31 Aug 2018 as required under Part 12.1 of the Council's Code of Conduct:

"12.1 The complaints coordinator must arrange for the following statistics to be reported to the council within 3 months of the end of September of each year:

- a) the total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September,
- b) the number of code of conduct complaints referred to a conduct reviewer,
- c) the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage and the outcome of those complaints,
- d) the number of code of conduct complaints investigated by a conduct reviewer,
- e) the number of code of conduct complaints investigated by a conduct review committee,
- f) without identifying particular matters, the outcome of code of conduct complaints investigated by a conduct reviewer or conduct review committee under these procedures,
- g) the number of matter reviewed by the Division and, without identifying particular matters, the outcome of the reviews, and
- h) The total cost of dealing with code of conduct complaints made about councillors and the general manager in the year to September, including staff costs.

2. That the Code of Conduct report is submitted to the Office of Local Government in accordance with part 12.2 of Council's Administration of the Code of Conduct:

"12.2 The council is to provide the Division with a report containing the statistics referred to in clause 12.1 within 3 months of the end of September of each year."

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

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

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MINUTE NO. 63**23. 19/37717. Great Western Highway - Falconbridge safety upgrade**

A MOTION was MOVED by Councillors Hoare and Hollywood:

1. That the Council notes the numerous steps this Council has taken over the last four years to highlight the ongoing safety issues on the state-owned Great Western Highway between Falconbridge and Linden. These steps include:
 - a Mayoral Minute on 13 October 2015 calling on the Roads and Maritime Services (RMS) to take urgent action to undertake a road safety audit/review and propose suitable safety upgrade works to the Great Western Highway
 - the response from the RMS dated 16 December 2015 that they will not be prioritising a road safety audit at this time
 - the Council decision to fund a road safety audit in 2016, which revealed multiple safety concerns on the State Government's highway between Falconbridge and Linden
 - further advocacy from our Council, based on the findings of the road safety audit, to the Minister for Roads, the State Member for the Blue Mountains and the Shadow Minister for Roads calling for safety improvements to be implemented between Falconbridge and Linden;
2. That the Council notes the ongoing engagement and support from the Member for the Blue Mountains Trish Doyle MP and the Shadow Minister for Roads Jodi McKay MP to call on the NSW Government to improve the Great Western Highway between Falconbridge and Linden; and
3. That the Council writes on Mayoral letterhead to the NSW Minister for Transport and Infrastructure Andrew Constance, the Minister for Roads, Maritime and Freight, Melinda Pavey, Shadow Minister Jodi McKay, the Member for the Blue Mountains Trish Doyle and candidate Owen Laffin to:
 - Highlight the Council's concern about the lack of compliance with road safety standards and unsafe condition of the Great Western Highway between Weemala Avenue and Bellevue Road, Falconbridge; and
 - Request a public commitment to ensure that necessary road safety upgrade works are undertaken as a matter of urgency early in the next term of the NSW State government.

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

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

With Councillor Christie out of the chamber.

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MINUTE NO. 64**24. 19/36010. Precis of Selected Correspondence**

A MOTION was MOVED by Councillors Fell and Foenander:

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

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Matter of Urgency

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

MINUTE NO. 65**Procedural - Matter of Urgency**

A MOTION was MOVED by Councillors Foenander and Fell:

That the Council approves the enrolment of Cr. Foenander to undertake the Emergency Management Overview Course and the Introduction to Emergency Management Course by the Department of Justice, Office of Emergency Management (OEM), noting that enrolment for these courses needs to be endorsed by the organisation for which the applicant belongs to and is due 4 March 2019.

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

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

Bowling
Brown
Foenander
Hoare
Schreiber

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MINUTE NO. 66

25. 19/18110. Grants referring to Springwood Country Club

A MOTION was MOVED by Councillors Fell and Foenander:

That the Council notes the response provided to the question without notice.

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

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

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MINUTE NO. 67

26. 19/18126. Grants referring to Lapstone Sewer System Upgrade

A MOTION was MOVED by Councillors Fell and Foenander:

That the Council notes the response provided to the question without notice.

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

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

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MINUTE NO. 68

Procedural – Question that Meeting Close

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

That as there was no further business before the Ordinary Meeting of Tuesday, 26 February 2019, the meeting closed at 10:16pm.

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

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

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I confirm that these minutes, consisting of this page 25 and the previous 24 pages, were confirmed at the Ordinary Meeting of the Council on 26 March 2019.

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