



Hawkesbury City Council

supplementary
ordinary
meeting
business
paper

date of meeting: 05 February 2008
location: council chambers
time: 5:00 p.m.

ORDINARY MEETING - Supplementary

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SECTION 4 - Reports for Determination

SUPPLEMENTARY REPORTS

MM - Proposals for Planning Reforms within NSW - (79353)

REPORT:

On Wednesday 20 January 2008, together with the General Manager and Director of City Planning, I attended a Forum called by the Local Government and Shires Association (LGSA) to discuss the NSW Government's proposals for planning reforms in NSW and proposed changes in relation to Section 94 contributions.

The Forum discussed both issues at length and serious concerns were widely expressed in relation to both issues.

While there is little doubt that the NSW Planning system and processes require review, there are a number of proposals that could potentially have significant effects on residents and all councils and should be the subject of a much wider community consultation process.

In addition, and as indicated elsewhere in the Business Paper for this meeting, while the discussion paper has been on exhibition from November 2007 to February 2008 as this covered the Christmas period it is suggested that insufficient community consultation has taken place given the significance of some of the proposals.

Likewise, proposals for changes to the Section 94 contributions regime has potentially serious disadvantages for all councils and should be available for more discussion and consultation.

As a result of the concerns and issues raised at the Forum, the meeting agreed upon the following:

- "1. That the meeting supports the actions of the Presidents and Executives of the Local Government and Shires Associations in mounting a campaign on the NSW Government's proposed planning changes, including both the issue of section 94 developer contributions and the recommendations in the Government's discussion paper, and preparing an alternative reform package as a basis for discussion with the Government, councils, stakeholders and the community.
2. The meeting calls on all NSW councils to refuse to cooperate with the NSW Government if requested to transfer section 94 funds held in trust by councils, to the Government.
3. The meeting supports in principle the proposal that the Associations seek contributions from member councils towards the costs of engaging high level lobbying and media representation to formulate and assist with the implementation of a continuing public campaign."

It is suggested that it would be most appropriate for Council to support the above points. However, it should be noted that if the Government requires, by legislation or regulation, that Section 94 Funds be transferred, then Council would be legally bound to comply with such requirement.

With regard to point 3, in view of the importance of this issue, it is suggested that it would be appropriate for Council to agree to contribute up to \$2,500 to the LGSA to fund a continuing public campaign.

RECOMMENDATION:

That Council:

1. Advise the Local Government and Shires Association (LGSA) that it supports the points detailed in the Association's letter of 30 January 2008 as having risen from the Leader's Forum held on that day in relation to proposals for planning reforms in NSW it being noted in respect of point 2 that should the Government require, by legislation or regulation, that Section 94 Funds are transferred then Council would be legally bound to comply with such requirement.
2. Agree to contribute, if called upon to do so, up to \$2,500 to the Local Government and Shires Association to assist with the implementation of a continuing public campaign in this regard.

ATTACHMENTS:

There are no supporting documents for this report.

oooO END OF MAYORAL MINUTE Oooo

SUPPLEMENTARY CONFIDENTIAL REPORTS

Item: 20 IS - Tender 006/FY08 - Construction of Landfill Cell No.5 and Associated Works -
(82995, 79357) CONFIDENTIAL

Reason for Confidentiality

*This report is **CONFIDENTIAL** in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act, 1993, and the matters dealt with in this report are to be considered while the meeting is closed to the press and the public.*

Specifically, the matter is to be dealt with pursuant to Section 10A(2)(c) of the Act as it relates to details concerning tenders for the supply of goods and/or services to Council and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.

In accordance with the provisions of Section 11(2) & (3) of the Local Government Act, 1993, the reports, correspondence and other relevant documentation relating to this matter are to be withheld from the press and public.

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