

MINUTES OF EXTRAORDINARY MEETING OF COUNCIL HELD ON TUESDAY, 13 JULY 2010

Present: The Deputy Mayor, Councillor J Anderson (Chairperson) (Roseville Ward)
Councillor E Malicki (Comenarra Ward)
Councillors E Keays & C Szatow (Gordon Ward)
Councillor R Duncombe (Roseville Ward)
Councillors T Hall & C Hardwick (St Ives Ward)
Councillor D McDonald (Wahroonga Ward)

Staff Present: General Manager (John McKee)
Director Corporate (John Clark)
Director Development & Regulation (Michael Miocic)
Director Operations (Greg Piconi)
Director Strategy & Environment (Andrew Watson)
Director Community (Janice Bevan)
Team Leader Urban Planning (Craig Wyse)
Infrastructure Co-ordinator (Kate Paterson)

The Meeting commenced at 6.10pm

EMC3 **APOLOGIES**

File: S02194

The Mayor, Councillor I Cross tendered an apology for non-attendance [leave] and requested leave of absence.

Councillor S Holland tendered an apology for non-attendance [family commitments] and requested leave of absence.

Resolved:

(Moved: Councillors Keays/Szatow)

- A. That the apology by the Mayor, Councillor I Cross for non-attendance be accepted and leave of absence be granted.
- B. That the apology by Councillor S Holland for non-attendance be accepted and leave of absence be granted.

CARRIED UNANIMOUSLY

DECLARATIONS OF INTEREST

The Deputy Mayor adverted to the necessity for Councillors and staff to declare a Pecuniary Interest/Conflict of Interest in any item on the Business Paper.

No Interest was declared.

DOCUMENTS CIRCULATED TO COUNCILLORS

The Deputy Mayor adverted to the documents circulated in the Councillors' papers and advised that the following matters would be dealt with at the appropriate time during the meeting:

Memorandums: Refer GB.1 - Development Contributions Cap – Local Government & Shires Association Campaign – Insert for Rates Notice - Memorandum by Director Strategy & Environment dated 6 July 2010 with a coloured Attachment A of the report. Also copies were placed in Business Papers for Public & Press.

Refer GB.1 - Development Contributions Cap – Local Government & Shires Association Campaign – Insert for Rates Notice - Memorandum by Director Strategy & Environment dated 12 July 2010 with a revised Attachment A of the report circulated to Councillors & Directors.

MINUTES FROM THE MAYOR

Standing Orders were suspended in order that the following item could be dealt with after a Motion moved by Councillors Keays & Szatow to have the matter dealt with at the meeting and the Chairperson ruled urgency

For the Motion: Councillors Keays, Szatow, Anderson, Hall & Hardwick

Against the Motion: Councillors Malicki, Duncombe & McDonald

EMC4 **Local Government & Shires Association Campaign - Development Contributions Cap**

File: S06785

This evening's Business Papers provide information on the Local Government and Shires Association campaign outlining the adverse impact of the State Government's decision to cap development contributions.

Whilst the circumstances of each of the affected councils are unique, there is common impact. In the case of Ku-ring-gai, the Ku-ring-gai Planning Panel (KPP) endorsed the draft planning instrument providing for new development in the town centres ultimately gazetted by the Minister for Planning on 25 May 2010 as Ku-ring-gai Local Environmental Plan (Town Centres) 2010. The KPP is on the public record during the process of preparing this LEP as arguing that this new development, along

with the new infrastructure that it brings, will revitalise the town centres. The impact of the Government's recent decision is to separate development from a funding stream that would allow new infrastructure to be provided. The Minister for Planning gazetted the LEP just ten days before limiting Ku-ring-gai's capacity to actually achieve the infrastructure essential to this revitalisation in the form of new roads, pedestrian improvements, new parks and town squares and extended community facilities. The new roads and new parks were zoned for these purposes on 25 May 2010 leaving the residents who own these properties in limbo.

The LGSA President met yesterday with the NSW Leader of the Opposition, Barry O'Farrell and the NSW Shadow Planning Minister, Brad Hazzard, to discuss the Association's concerns. It would seem timely for Ku-ring-gai Council to request a meeting with Mr. O'Farrell and Mr. Hazzard to emphasise the potential impact of these changes upon Ku-ring-gai residents.

The LGSA is aware that a number of councils have already taken independent legal advice on these changes. Currently, the LGSA is in the process of seeking permission from those councils to distribute those legal advices to assist councils and the LGSA in the consideration of future action.

Councils will be kept informed by the LGSA when further information becomes available. I have requested Council officers arrange a briefing for councillors relating to these issues, which is scheduled for 17 August 2010.

Resolved:

That the Mayoral Minute be adopted, as printed, and that Council proceed in the terms outlined above.

For the Resolution: Councillors Keays, Szatow, Anderson, Hall & Hardwick

Against the Resolution: Councillors Malicki, Duncombe & McDonald

The above Resolution was subject to an Amendment which was LOST. The Lost Amendment was:

(Moved: Councillors Malicki/Duncombe)

That the Mayoral Minute stand deferred until the Mayor, Councillor I Cross returns from leave.

GENERAL BUSINESS**EMC5 Development Contributions Cap – Local Government & Shires Association Campaign – Insert for Rates Notice**

File: S06785

To advise Council of the campaign by the Local Government and Shires Association involving the twenty councils who were successful in obtaining an exemption to the \$20,000 cap on development contributions in 2009. It is proposed to include material outlining the adverse impact on all ratepayers of the reintroduction of the \$20,000 cap by way of a DL flyer to be included with rate notices.

Resolved:

(Moved: Councillors Malicki/Keays)

That Council approves the flyer at Attachment A informing residents of the potential impacts of the NSW State Government capping contribution rates arising from new development and that this flyer be included as an insert with the Rates Notices due out to residents later this month.

CARRIED UNANIMOUSLY

The Meeting closed at 7.04pm

The Minutes of the Extraordinary Meeting of Council held on 13 July 2010 (Pages 1 - 4) were confirmed as a full and accurate record of proceedings on 20 July 2010.

General Manager

Mayor / Chairperson