

**HAWKESBURY CITY COUNCIL
ORDINARY MEETING**

Where People Make the Difference!

SUPPLEMENTARY BUSINESS PAPER

DATE OF MEETING: 13 February 1996

LOCATION: Council Chambers

TIME: 7.30pm

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Mayoral Minutes

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1. FEDERAL ELECTION GG010/001 Pt02

With the forthcoming Federal Election there are a number of matters that I consider would be worthwhile the Council following up with the candidates for the Federal seat of Macquarie and their parties. Both the Australian and NSW Local Government Associations are taking up a number of issues endeavouring to obtain commitments.

At the national level, there are three major issues:

1. Funding for roads
2. Constitutional recognition
3. Local Government's share of Federal income.

In relation to the first matter, the Australian Local Government Association have advised that the Australian Labor Party's Road and Transport Policy has made it clear that there will be little change to the current road policy ie. the Federal Government continues to collect \$10,000 million annually from road users and give \$350 million in return to Councils across Australia that are responsible for 80% of the nation's road system.

They had hoped for a better deal from the Liberal National Party Coalition, but to date there appears to be little encouragement as far as road funding is concerned. They advise that the Coalition has not undertaken to improve local road funding or to review the current funding arrangements.

In terms of constitutional recognition in Australia there are clearly three levels of Government and an increasing role in responsibility for Local Government. At the same time it provides the closest exposure of people to Government and the greater level of accountability. Its recognition as a legitimate level of Government in the Constitution is important in any reforms that may take place. This would then guarantee not only the third tier's existence but also that the people of Australia would need to be consulted before other levels of Government could use Local Government as a political football for a whim that may exist at any time.

In terms of a fair share of taxation, it has been many years since both an Australian Labor Party and a Coalition Government gave due recognition and guaranteed a fixed share of Commonwealth Income Tax in return to Local Government. As a level of Government that provides considerable services to its local communities surely Local Government is in a position to expect and receive some consistency in its funding levels so that proper planning can take place.

At the local level there are two issues that should be taken up with the candidates and they are the future of the Royal Australian Base at Richmond and the possibility of the location of a National Defence Headquarters in the area.

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I would recommend that the Council write to the Federal candidates for Macquarie and seek their position on the national issues of:

1. Road Funding
2. Constitutional Recognition of Local Government
3. Distribution of Federal income to Local Government and
4. their position on the two local issues of the future of the Royal Australian Airforce Base at Richmond and whether they support the location of a National Defence Headquarters in the area.

2. BADGERY'S CREEK AIRPORT GA020/004 PT03

In the lead up to the Federal Election it has been indicated there will be a new Environmental Impact Statement for Badgerys Creek Airport.

I see that there are three initial issues that could impact on the district and its residents. They are:

1. Impact on future of the Royal Australian Air Force Base at Richmond
2. Possible impact of flight paths on residents
3. Water quality and flooding issues associated with discharge of stormwater from the proposed site including that of South Creek

It has been clearly suggested previously that the development of Badgerys Creek Airport would impose restrictions on flying and specifically training from the Richmond Base to the extent that Airforce operations would be affected so that their relocation was encouraged. The Base is one of the most important local facilities providing considerable social and economic development to the area. Without its presence there would be a considerable downturn in the local economy and change in the social demographics including the considerable assistance that the men and women of the Service provide to the area.

I would recommend that the Council initially seek that the new Environmental Impact Statement should include specific consideration of issues of the impact of Badgerys Creek Airport and its flying operations on the existence and future of the Royal Australian Air Force Base at Richmond; possible flight path impact on local area and the impact of water quality and flooding in the catchments from the proposed Airport as they affect the Nepean/Hawkesbury system and its tributaries.

Councillor (Dr) R P Stubbs
Mayor

***** END OF MAYORAL MINUTES *****

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Section 5 Reports for Information

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ITEM: 173 FLOOD LEVEL SIGNS - WINDSOR & DISTRICT CHAMBER OF COMMERCE INC

FILE NUMBER: GT150/002 PT02, GC180/006 PT02/GMA

REPORT:

The following correspondence has been received from the Windsor & District Chamber of Commerce Inc :-

"At the most recent meeting of Chamber members it was a unanimous decision not to support the erection of flood level signs around the City.

The recent SES flood meetings have had a dampening effect on real estate values which it is felt would certainly be exacerbated by the erection of such signs.

We urge with great respect that Councillors reject this costly, futile and damaging sign exercise."

RECOMMENDATION:

That the information be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR213LCX.G23

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GRAHAM PRICE PTY LTD - MUSHROOM COMPOSTING - 100 PITT TOWN ROAD, MCGRATHS HILL (CORNER WOLSELEY ROAD)

FILE NUMBER: P1641/700PT02;LEP015/94/PT01EVD

REPORT:

Council at its meeting on 12 December 1995 resolved in part as follows:-

- "2. That Council and Graham Price Pty Ltd enter into a deed of agreement to the effect that all composting will cease on the property by 3rd February 1997 with a security of \$40,000 (forty thousand dollars) to be paid by 30 September 1996 which would be forfeited in the event that there is not cessation of composting by 3rd February 1997."

Subsequent to this resolution a draft deed of agreement was prepared and submitted to Graham Price Pty Ltd for consideration.

Solicitors for Graham Price Pty Ltd have objected to a number of conditions in the draft deed. In particular they propose that:-

"any agreement between our respective clients is to be subject to and conditional upon the gazettal of the Local Environmental Plan to rezone our client's property to residential, as resolved by your client. Therefore, the Deed should be prepared on the understanding that it will not be executed, or otherwise become binding, until such gazettal, or alternatively, a condition is inserted in the Deed to the said effect."

In negotiations with Graham Price Pty Ltd, it was advised that they would sign the deed binding Graham Price Pty Ltd, provided there was a side agreement that the deed of agreement would not come into effect until gazettal of the LEP. Therefore Graham Price Pty Ltd would still be under an obligation to cease composting by 3 February 1997. Such a proposition was not considered in Council's resolution.

Council's legal position is retained with the proposed side agreement with the potential for contempt action being available up until the agreement comes into effect. At worst, in the very unlikely prospect that the rezoning is not gazetted, Council's position may be delayed by up to 6 months. Other than that there is no compromise to Council's position.

Therefore it is proposed to settle the deed of agreement, with a side agreement that the deed will not come into effect until gazettal of the rezoning.

Recent advice from the Department of Urban Affairs and Planning is that the rezoning is still at least 6 weeks away from being gazetted.

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RECOMMENDATION:

That the information concerning the finalisation of the deed of agreement with Graham Price Pty Ltd be received.

ATTACHMENTS:

There are no supporting documents for this report.

FN:OR213LCX.V22

****** END OF ITEM 174 ******

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Meeting Filename: OR130296.BIL

END OF BUSINESS PAPER