

**Minutes of Extraordinary Council Meeting held remotely and livestreamed on
Council's website on 23 February 2021**

Meeting commenced at 6.32pm

Present:

Darcy Byrne	Mayor
Victor Macri	Deputy Mayor
Marghanita Da Cruz	Councillor
Mark Drury	Councillor
Lucille McKenna OAM	Councillor
Colin Hesse	Councillor
Sam Iskandar	Councillor (6:46pm)
Tom Kiat	Councillor (6:37pm)
Pauline Lockie	Councillor
Julie Passas	Councillor
Rochelle Porteous	Councillor
Vittoria Raciti	Councillor
John Stamolis	Councillor
Louise Steer	Councillor
Anna York	Councillor
Brian Barrett	Acting General Manager
Elizabeth Richardson	Chief Operating Officer, Director Development and Recreation
Cathy Edwards-Davis	Director Infrastructure
Katherine Paixao	Acting Governance Manager

APOLOGIES: Nil

DISCLOSURES OF INTERESTS: Nil

Councillor Kiat entered the meeting at 6:37pm

Procedural Motion: (Passas)

THAT the Mayor voluntarily stand down from Council and this Extraordinary Council meeting until such issues regarding his potential suspension are addressed and the deputy Mayor resume the chair.

The Mayor ruled this motion Out of Order as it breaches the Code of Conduct and is a more serious breach than the charges brought against the Mayor by the Office of Local Government.

The Mayor issued a warning at 6:40pm to Cllr Passas for her repeated interjections.

The Mayor issued a second warning at 6:42pm to Cllr Passas for her repeated interjections.

Councillor Passas left the Meeting at 6:42 pm.

Councillor Passas returned to the Meeting at 6:46 pm.

Councillor Iskandar entered the Meeting at 6:46 pm.

The Mayor, Councillor Byrne left the meeting and vacated the chair at 7:27pm and the Deputy Mayor, Councillor Macri assumed the chair.

The Mayor, Councillor Byrne returned to the Meeting at 7:44pm. The Deputy Mayor, Councillor Macri vacated the chair and the Mayor, Councillor Byrne assumed the chair.

C0221(2) Item 1 Harmonisation of Rates

Motion: (Byrne/York)

THAT Council:

1. **Notes that the Independent Pricing and Regulatory Tribunal (IPART) statutory process for processing an application for a minimum rate requires 28 days public exhibition and 3 weeks community consultation and that the March 1 date for submission of applications is not a statutory requirement;**
2. **Writes to the Premier, Treasurer, the Minister for Local Government and the Independent Pricing and Regulatory Tribunal (IPART) informing them that Council is not able to implement their directive to implement their new rates system at this time as:**
 - a) **The *Local Government Amendment (Rating) Bill 2021* has yet to be tabled by the NSW Government or passed by the Parliament and due diligence requires Council be informed of the legislation prior to harmonising rates;**
 - b) **The Premier and relevant Ministers have failed to respond to representations from Council regarding the fact that Council was improperly prevented from applying for the NSW Government’s Stronger Communities Fund - Tied Grants program; and**
 - c) **Council requires a response and a hearing about what avenues are available for us to access funding for community infrastructure, noting that the \$24 million we would have received had the \$252 million fund been distributed fairly to amalgamated Councils on a per capita basis, constitutes an enormous budgetary impact.**
3. **Include in the correspondence to IPART a request for an extension to allow Council to submit the application after the Government’s Bill is tabled in the Parliament, the Council’s community engagement report on rates harmonisation as well as our indicative preference for the minimum rates tabled in point 3 of the Council officers’ recommendation, should the rates harmonisation proceed. Further, that Council request from IPART and the Local Government Minister a specific timeline for when the legislative changes to the rating system will be tabled in the Parliament;**

4. Notes that the NSW Government is yet to adopt key recommendations of a 2016 IPART Local Government Rating System report which put forward a detailed review of the local government rating system and how to make the system fairer and more efficient;
5. Responds in writing to everyone who made a submission to Council about to proposed changes to the rating structure, advising them of this resolution;
6. Ensures all future communications to residents about rates harmonisation include reference to Council's opposition to the NSW Government's council rate harmonisation process and our campaign to get access to the Stronger Communities fund for community infrastructure; and
7. Receive an update at the March 9 Ordinary meeting on the response from the NSW Government to Council's correspondence and the status of the *Local Government Amendment (Rating) Bill 2021*.

Motion Lost

For Motion: Crs Byrne, Drury, Iskandar, Kiat, Lockie, McKenna OAM and York
Against Motion: Crs Da Cruz, Hesse, Macri, Passas, Porteous, Raciti, Stamolis and Steer

Foreshadowed Motion (Porteous/Hesse)**THAT Council:**

1. Notes the significant community opposition to the proposal for rates "harmonisation";
2. Notes that Community Consultation overwhelmingly rejects the minimum rates tabled in point 3 of the Council officer's recommendation (Minimum rates \$850 residential/\$820 business);
3. Recognises that the inherent unfairness of this "rates harmonization" process which results in the benefit of lower rates to some residents being at the cost of higher rates to others;
4. Notes that the only fair way to proceed is to remove winners and losers in this rates recalculation process and retain the existing rate structures of the three councils : Ashfield, Marrickville and Leichhardt Councils;
5. Therefore immediately writes to the NSW Minister for Local Government seeking permanent retention of the pre-amalgamation rating structures for the three councils;
6. Recognises that the "rates harmonisation" is the direct result of the forced amalgamation of the three councils: Ashfield, Marrickville and Leichhardt;
7. Therefore immediately writes to the NSW Minister for Local Government to request that a referendum be authorised at the forthcoming local government elections set for September 2021 to answer the question "do you wish Inner West Council to revert to its previous local government areas of Ashfield, Leichhardt and Marrickville
8. Writes to the Premier, Treasurer, Minister for Local Government and the Independence Pricing and Regulatory Tribunal (IPART) informing them that

Council is not able to implement their directive to implement the new rating system due to its inherent unfairness to the citizens and businesses of the Inner West.

Motion Lost

For Motion: Crs Da Cruz, Hesse, Porteous and Steer

Against Motion: Crs Byrne, Drury, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Raciti, Stamolis and York

Foreshadowed Motion (Stamolis)

THAT Council immediately commence demerger discussions with State Government. These discussions will cover the lack of financial benefits and outcomes for our community, reduced service standards from the merger, much worse representation of residents and ongoing financial stress.

This Foreshadowed Motion lapsed for want of Secunder.

Councillor Iskandar retired from the Meeting at 8:25 pm.

Foreshadowed Motion (Macri/Raciti)

THAT Council request a deferral from IPART until mid-March 2021.

Motion Tied

For Motion: Crs Drury, Lockie, Macri, McKenna OAM, Passas, Raciti and York

Against Motion: Crs Byrne, Da Cruz, Hesse, Kiat, Porteous, Stamolis and Steer

The Chairperson used his Casting Vote against the **MOTION** and the **MOTION** was lost.

Meeting closed at 8.27 pm.

The Minutes of the Extraordinary Meeting of Council held on the 23rd day of February, 2021 were confirmed as a correct record on this 9th day of March, 2021.

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CHAIRPERSON