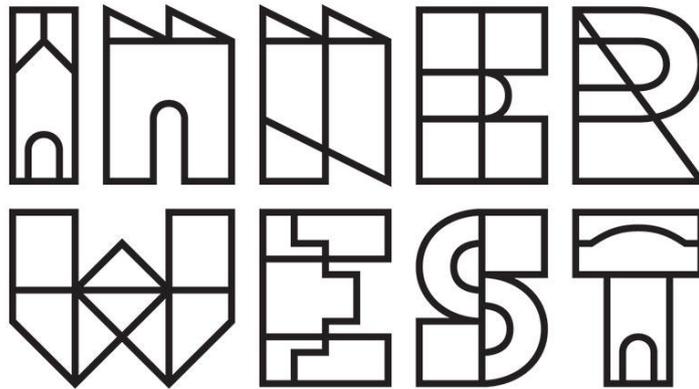


# AGENDA

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**EXTRAORDINARY COUNCIL MEETING**

**MONDAY 24 MAY 2021**

**6.00PM**

## Live Streaming of Council Meeting

In the spirit of open, accessible and transparent government, this meeting of the Inner West Council is being streamed live on Council's website. By speaking at a Council meeting, members of the public agree to being recorded and must ensure their speech to the Council is respectful and use appropriate language. A person who uses defamatory, discriminatory or offensive language may be exposed to liability for which Council takes no responsibility. Any part of this meeting that is held in closed session will not be recorded

## Pre-Registration to Speak at Council Meetings

Members of the public must register by 2pm of the day of the Meeting to speak at Council Meetings. If you wish to register to speak please fill in a [Register to Speak Form](#), available from the Inner West Council website, including:

- your name;
- contact details;
- item on the Agenda you wish to speak to; and
- whether you are for or against the recommendation in the agenda.

### Are there any rules for speaking at a Council Meeting?

The following rules apply when addressing a Council meeting:

- keep your address to the point, the time allowed for each speaker is limited to three minutes. This time limit applies, no matter how many items are addressed by the speaker;
- when addressing the Meeting you must speak to the Chairperson;
- the Chairperson may curtail public participation where the information being presented is considered repetitive or irrelevant; and
- only 3 speakers for and against an Agenda Item are allowed.

### What happens after I submit the form?

Your request will then be added to a list that is shown to the Chairperson on the night of the meeting.

Where Items are deferred, Council reserves the right to defer speakers until that Item is heard on the next occasion.

## Accessibility

Inner West Council is committed to ensuring people with a disability have equal opportunity to take part in Council and Committee Meetings. At the Ashfield Council Chambers there is a hearing loop service available to assist persons with a hearing impairment. If you have any other access or disability related participation needs and wish to know more, call 9392 5657.

**Persons in the public gallery are advised that under the Local Government Act 1993, a person may NOT record a Council meeting without the permission of Council.**

**Any persons found recording without authority will be expelled from the meeting.**

**“Record” includes the use of any form of audio, video and still camera equipment or mobile phone capable of recording speech.**

**An audio recording of this meeting will be taken for the purpose of verifying the accuracy of the minutes.**

## PRECIS

- 1 Acknowledgement of Country**
- 2 Apologies**
- 3 Notice of Webcasting**
- 4 Disclosures of Interest (Section 451 of the Local Government Act and Council’s Code of Conduct)**
- 5 Moment of Quiet Contemplation**
- 6 Public Forum – Hearing from All Registered Speakers**
- 7 Condolence Motions**

Nil at the time of printing.

**8 Mayoral Minutes**

Nil at the time of printing.

**9 Reports with Strategic Implications**

Nil at the time of printing.

**10 Reports for Council Decision**

Nil at the time of printing.

**11 Reports for Noting**

**To Be Provided Late**

C0521(3) Item 2 Officers Comment relevant to Notice Of Motion: Local Government Act Amendment Bill (Demerger)

**12 Notices of Motion**

<b>ITEM</b>	<b>Page</b>
C0521(3) Item 1 Notice of Motion: Local Government Act Amendment Bill (Demerger)	<b>4</b>

**Item No:** C0521(3) Item 1  
**Subject:** NOTICE OF MOTION: LOCAL GOVERNMENT ACT AMENDMENT BILL (DEMERGER)  
**From:** Councillors Deputy Mayor, Victor Macri and John Stamolis

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**MOTION:**

**THAT Council use the opportunity presented by the recent amendments to the LGA Act to investigate de-amalgamation of Inner West Council and to prepare a report for a mid-June Extraordinary Council meeting.**

**Councils' case should include:**

- a) after 5 years of the merger, Councils financial position remains stressed;**
- b) Councils' future financial position remains in deficit for the next 10 years;**
- c) harmonisation is resulting in unfair changes in rates and costs across our community;**
- d) service performance of Council has not improved and has been subject to significant community concern;**
- e) strong community dissatisfaction with the merger remains after 5 years;**
- f) creating communities of interest and community cohesion has not been achieved, the Inner West identity remains elusive after 5 years;**
- g) the dramatic fall in community representation (Councillors/population ratio) has not been good for our people;**
- h) the merged Council has created a huge bias which favours political party control of Council; along with reduced opportunity and greater hurdles for non-political party representation on Council; and**
- i) Council engages in community consultation.**

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**Background**

Amendments to the Local Government Act, last week, are the first real sign that State Government is taking notice that mergers in NSW have not worked. The amendments provide a path for affected Councils to express their concerns and the concerns of their communities.

The amendments outline options for addressing where mergers are not working; as well as funding by State Government. This is a real and rare opportunity for Inner West Council to address concerns with our merger and to take advantage of the amendments to the Local Government Act in the interests of our community.

Our merger clearly has major problems. These problems are not expected to resolve over time. For the benefit of our community and our future, Council must now use this opportunity to engage our community and to get this process started.

Last week, NSW Parliament heard the:

**Local Government Amendment Bill 2021**

Thursday, 13 May 2021

Member with Carriage: Hancock, Shelley (Harwin, Don)

An Act to amend the Local Government Act 1993 to give effect to certain recommendations made by the Independent Pricing and Regulatory Tribunal concerning the local government rating system; to make further provision about local government elections and certain terms of office; to provide for superannuation contributions for councillors; and for related purposes. Amendments 2 and 12 of the Local Government Amendment Bill 2010 open up the issue of de-amalgamation for Councils which were merged.

**The Hon. TARA MORIARTY (17:02):** I move Opposition amendments Nos 2 and 12:

**218CC Proposals for de-amalgamations**

(1)The new council may, within 10 years of the constitution of the new area, submit a written business case to the Minister setting out—

- (a) a proposal for the de-amalgamation of the new area, whether by reconstituting the former areas or constituting different areas, and
- (b) the reasons in support of the proposal.

(2) The Minister must, within 28 days after the business case is submitted, refer the de-amalgamation proposal to the Boundaries Commission with a direction that it conduct an inquiry and report on the proposal.

(3)Without limiting subsection (2) or section 263, the Boundaries Commission may in its report recommend that—

- (a) the de-amalgamation proposal be supported, or
- (b) the de-amalgamation proposal be rejected, or
- (c) a different de-amalgamation proposal be supported.

(4) The Minister must ensure that the report of the Boundaries Commission is publicly released within 48 hours after it is provided to the Minister.

(5) The Minister must, within 28 days after the report is provided to the Minister, provide a written response to the new council setting out—

- (a) whether or not the Minister supports the de-amalgamation proposal or a different de-amalgamation proposal recommended by the Boundaries Commission, and
- (b) the reasons for the Minister's decision, and
- (c) if the Minister supports the de-amalgamation proposal or the different de-amalgamation proposal—the anticipated time frame for giving effect to the proposal.

(6)The Minister is, by making grants under section 620 or using money otherwise appropriated by Parliament for the purpose, to ensure that the cost of any de-amalgamation of the new area resulting from a business case submitted under this section is fully funded.

(7)This section extends to new areas constituted before the commencement of this section.

(8) In this section—

**new area** means the area constituted by the amalgamation of areas (**former areas**) by the relevant proclamation.

**new council** means the council of a new area constituted by section 219.

**relevant proclamation** means the proclamation made pursuant to Chapter 9, Part 1 that amalgamates former areas into the new area and constitutes the new council.

The Hon. Tara Moriarty has moved Opposition amendments Nos 2 and 12 on sheet c2021-013A. The question is that the amendments be agreed to.

**The Committee divided. Ayes 21 Noes 14 = Majority 7 AYES**

AYES

Banasiak Field Moselmane Borsak Graham Pearson Boyd Hurst Primrose Buttigieg  
(teller) Jackson Roberts D'Adam  
(teller) Latham Searle Donnelly Mookhey Sharpe Faehrmann Moriarty Shoebridge

NOES

Amato Harwin Mitchell Cusack Maclaren-Jones  
(teller) Nile Fang Mallard Poulos Farlow Martin Ward Farraway (teller) Mason-Cox

PAIRS

Houssos Taylor Secord Franklin Veitch Tudehope

**Officer's Comments:**

**Comment from General Manager:**

An Officers Comment will be provided as a separate report prior to the meeting.

**ATTACHMENTS**

Nil.