



EXTRAORDINARY MEETING

19 January 2016

MINUTES

MINUTES of EXTRAORDINARY MEETING of Leichhardt Municipal Council held in the Council Chambers Leichhardt Town Hall, Norton Street, Leichhardt on 19 January 2016 at 6:30pm.

Present at the commencement of the meeting: The Mayor, Cr D. Byrne in the chair, Councillors F. Breen, C. Channells, T. Costantino, S. Emsley, V. Hannaford, J. Jobling, L. Kelly, D. Kogoy, M. McKenzie, R. Porteous & J. Stamolis

Staff Present: General Manager, Director Corporate and Information, Services, Director Infrastructure & Service Delivery, Director Environmental & Community Management, Group Manager Community & Cultural Services, Manager Legal Services, Manager Governance & Administration and Governance Officer

Meeting Commenced: 6:34pm

**** ACKNOWLEDGEMENT OF COUNTRY**

I acknowledge the Gadigal and Wangal people of the Eora nation on whose Country we are meeting today, and their elders past and present.

**** APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**** DECLARATION OF PECUNIARY INTERESTS AND NONPECUNIARY INTERESTS**

Nil

**ITEM 1 NSW GOVERNMENT MERGER PROPOSAL ASHFIELD,
LEICHHARDT AND MARRICKVILLE COUNCILS**

C01/16E RESOLVED BYRNE/ EMSLEY

That Council:

1. Requests the General Manager to prepare a draft submission on the proposed merger proposal for the consideration of Council at its Policy meeting of the 9th February 2016 based on the proposed framework details as contained within this report. This framework responds to the factors in s263(3) of the Local Government Act; essentially sets out the case for Leichhardt standing alone ; and provides options for council to make recommendations for interim and new council governance arrangements in the event that amalgamations proceed.
2. Publicly exhibit a Draft Submission once adopted at the 9th February Policy meeting and report back to the 23rd February Ordinary meeting with a final Draft Submission in order to meet the Inquiry deadline of Sunday 28th February 2016.
3. Endorses the proposed public information campaign as detailed in the report, including a double sided A4 DL brochure for distribution to all residents and businesses on the merger proposal and the examination process encouraging their full participation in that process, *advertises in local papers, banners on all public buildings, placards for residents, an enhanced social media campaign and a public meeting. and allocates \$30,000 from available funds to meet these campaign costs.*
4. Conduct a statistically valid phone survey to poll the opinion of local residents on whether or not the Government's merger proposal should proceed, their concerns and expectations for what the merger would mean for them and their priorities for their local council's future policy direction.
5. Notes the various legal implications as detailed within this report and keeps all matters under review.
6. Notes the need for the General Manager to commence essential contingency planning should a new council be formed; and allocates a nominal \$10,000 to assist in preparation of a transition plan to be developed jointly by the 3 councils.
7. Authorises the Mayor, General Manager and appropriate officers to make a presentation to the public inquiry.
8. Make a formal request for all the documentation, methodologies and assumptions made in the preparation of the KPMG report as well as a copy of the full report.
9. Write to the Minister for Planning to request a moratorium be placed on Gateway Decisions proposed by a proponent (planning decisions opposed by a council and subsequently referred to the Planning Minister) for council areas subject to a s218F proposal (amalgamations proposal) until the amalgamation transition

period for councils is over and new councils are politically reconstituted and fully able to represent the interests of their communities.

The vote for and against the above RESOLUTION is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr Daniel Kogoy, Cr Michele McKenzie, Cr John Stamolis, Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen
AGAINST VOTE - Nil
ABSENT. DID NOT VOTE - Nil
PRESENT. DID NOT VOTE - Nil

During consideration of the above item, the following amendments were moved and voted on separately. These are listed below along with the vote for and against each amendment. Those which were carried have been incorporated into the above Primary Motion from Crs Byrne and Emsley.

KELLY / BYRNE

That Council authorises the Mayor, General Manager and appropriate officers to make a presentation to the public inquiry.

The vote for and against the above CARRIED AMENDMENT is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr Daniel Kogoy, Cr Michele McKenzie, Cr John Stamolis, Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen
AGAINST VOTE - Nil
ABSENT. DID NOT VOTE - Nil
PRESENT. DID NOT VOTE - Nil

PORTEOUS / CHANNELLS

That Council

- a) *Conducts a poll of all electors in Leichhardt Municipal Council area on the Government proposed forced council amalgamation. The poll to be conducted as soon as possible on a Saturday and the question put to the electors to be:*

“Do you want Leichhardt Council to be amalgamated with Marrickville Council and Ashfield Council? Yes/No “

- b) *Calls upon the State Government to conduct a poll of the three municipalities. If Council doesn't hear back by 27 January that Council proceeds to conduct the poll of Leichhardt at its own cost.*

c) *encourages both Marrickville and Ashfield councils to conduct similar polls of their electorate.*

The vote for and against the above LOST AMENDMENT is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr Daniel Kogoy, Cr Michele McKenzie, Cr John Stamolis

AGAINST VOTE - Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen

ABSENT. DID NOT VOTE - Nil

PRESENT. DID NOT VOTE - Nil

PORTEOUS / HANNAFORD

That Point 3 of the primary motion be changed to read:

... adverts in local papers, banners on all public buildings, placards for residents, an enhanced social media campaign and a public meeting. and allocates \$30,000 from available funds to meet these campaign costs.

The vote for and against the above CARRIED AMENDMENT is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr Daniel Kogoy, Cr Michele McKenzie, Cr John Stamolis, Cr John Jobling, Cr Vera-Ann Hannaford, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen

AGAINST VOTE - Cr Tony Costantino

ABSENT. DID NOT VOTE - Nil

PRESENT. DID NOT VOTE - Nil

MCKENZIE / STAMOLIS

That Council make a formal request for all the documentation, methodologies and assumptions made in the preparation of the KPMG report as well as a copy of the full report

The vote for and against the above CARRIED AMENDMENT is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr Daniel Kogoy, Cr Michele McKenzie, Cr John Stamolis, Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Nil

PRESENT. DID NOT VOTE - Nil

EMSLEY / BYRNE

That Council write to the Minister for Planning to request a moratorium be placed on Gateway Decisions proposed by a proponent (planning decisions opposed by a council and subsequently referred to the Planning Minister) for council areas subject to a s218F proposal (amalgamations proposal) until the amalgamation transition period for councils is over and new councils are politically reconstituted and fully able to represent the interests of their communities.

The vote for and against the above CARRIED AMENDMENT is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr Daniel Kogoy, Cr Michele McKenzie, Cr John Stamolis, Cr Vera-Ann Hannaford, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen

AGAINST VOTE - Cr John Jobling, Cr Tony Costantino

ABSENT. DID NOT VOTE - Nil

PRESENT. DID NOT VOTE - Nil

During consideration of this Item Crs Stamolis and McKenzie moved the following Amendment. The Mayor, Cr Byrne ruled the amendment out of order as it had already been dealt with in the Primary Motion and the Lost Amendment from Crs Porteous and Channells. The Amendment moved by Crs Stamolis and McKenzie is shown below for the record;

STAMOLIS / MCKENZIE

That Council conduct a poll as well as a statistically valid phone based survey to seek the opinion of local residents on whether or not the Government's merger proposal should proceed.

The meeting closed at 8:23pm.