MINUTES: 3675th EXTRAORDINARY MEETING OF THE NORTH SYDNEY COUNCIL HELD ON WEDNESDAY, 10 FEBRUARY 2016 AT 6.00 PM.

PRESENT

The Mayor, Jilly Gibson, in the Chair, and Councillors Baker, Barbour, Beregi, Bevan, Carr, Clare, Morris and Reymond.

Leave of Absence: Councillor Marchandeau

At the commencement of business (6.05 pm) those present were:
The Mayor, and Councillors Baker, Barbour, Beregi, Bevan, Carr, Clare, Morris and Reymond.

Councillor Clare read the Acknowledgement of Country.

The meeting was opened by the Mayor.

1. Minutes

The Minutes of the previous 3674th Council Meeting held on Monday, 7 December 2015, copies of which had been previously circulated, were taken as read and confirmed.

The Motion was moved by Councillor Baker and seconded by Councillor Bevan.

2. Leave of Absence

Councillor Marchandeau has indicated her inability to attend the Council meeting on 10 February 2016.

It is therefore recommended that Council grant leave of absence to Councillor Marchandeau for the meeting of 10 February 2016

A Motion was moved by Councillor Baker and seconded by Councillor Beregi

Voting was as follows: For/Against 9/0
RESOLVED:
THAT leave of absence be granted.

3. Declarations of Interest
Nil

REPORTS
General Manager’s Office

4. G01: Submission in respect of the Minister’s proposal to merge North Sydney and Willoughby Councils

Report of Martin Ellis, Acting General Manager
On 27 January 2016, Councillors Baker and Reymond wrote to the Mayor requesting that an Extraordinary Meeting be called to consider Council’s submission in respect of the Minister’s proposal to merge North Sydney and Willoughby Councils.

Recommendings:
1. THAT the report be received.

A Motion was moved by Councillor Baker and seconded by Councillor Beregi

1. THAT Council prepare and submit a submission in response to the merger proposal vigorously opposing the proposal, consistent with Council’s long term policy reflecting community opposition and expectations.
2. THAT a poll be conducted online to seek community sentiment regarding the proposed merger, and that this information be used to inform Council’s submission; and that a flyer be distributed to all households informing of the poll and the call for submissions on the merger proposal and Council’s policy position.
3. THAT Council write to the Minister’s delegate requesting that he immediately release the full KPMG report referred to in the Minister’s proposal and that he exercise his delegation to require that a plebiscite be held to allow the two communities to participate fully in the process.
5. THAT Council make all and any relevant GIPA applications to support its submission and any future legal challenge including applications in respect of any meetings held between Ministers, Premier, Department of Premier and Cabinet, Office of Local Government, local MP’s and local elected representatives in relation to amalgamation of NSC with any other Council.

An Amendment was moved by Councillor Gibson, seconded by Councillor Bevan
1. **THAT** Council prepare and submit a submission in response to the merger proposal vigorously opposing the proposal, consistent with Council’s long term policy reflecting community opposition and expectations.

2. **THAT** a poll be conducted online to seek community sentiment regarding the proposed merger, and that this information be used to inform Council’s submission; and that a flyer be distributed to all households informing of the poll and the call for submissions on the merger proposal and Council’s policy position.

3. **THAT** Council write to the Minister’s delegate requesting that he immediately release the full KPMG report referred to in the Minister’s proposal and that he exercise his delegation to require that a plebiscite be held to allow the two communities to participate fully in the process.

4. **THAT** Council make all and any relevant GIPA applications to support its submission and any future legal challenge including applications in respect of any meetings held between Ministers, Premier, Department of Premier and Cabinet, Office of Local Government, local MP’s and local elected representatives in relation to amalgamation of NSC with any other Council.

The Amendment was put and **lost**

Voting was as follows:  

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The Motion was put and **carried**

Voting was as follows:  

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**RESOLVED:**

1. **THAT** Council prepare and submit a submission in response to the merger proposal vigorously opposing the proposal, consistent with Council’s long term policy reflecting community opposition and expectations.

2. **THAT** a poll be conducted online to seek community sentiment regarding the proposed merger, and that this information be used to inform Council’s submission; and that a flyer be distributed to all households informing of the poll and the call for submissions on the merger proposal and Council’s policy position.

3. **THAT** Council write to the Minister’s delegate requesting that he immediately release the full KPMG report referred to in the Minister’s proposal and that he exercise his delegation to require that a plebiscite be held to allow the two communities to participate fully in the process.

4. **THAT** Council seek legal advice in relation to the status and legality of the Guidelines issued under s.23 of the Local Government Act in December 2015.
5. **THAT** Council make all and any relevant GIPA applications to support its submission and any future legal challenge including applications in respect of any meetings held between Ministers, Premier, Department of Premier and Cabinet, Office of Local Government, local MP’s and local elected representatives in relation to amalgamation of NSC with any other Council.

### MATTER OF URGENCY

The Mayor advised she would raise a Matter of Urgency.

Cr Clare raised a Point of Order that Matters of Urgency cannot be raised at an Extraordinary Council meeting.

The Mayor advised that she could move a Matter of Urgency at any time and called Cr Clare to Order.

Cr Baker requested that the Mayor rule on Cr Clare’s Point of Order

The Mayor ruled against the Point of Order.

Cr Baker moved a Motion of Dissent from the Mayor’s ruling, seconded by Cr Morris.

Voting was as follows:  For/Against 6/3

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5. **Article in the Daily Telegraph**

The Mayor raised a Matter of Urgency regarding an article in the Daily Telegraph dated 5 February 2016.

1. **THAT** Council resolve to engage an external investigator to undertake a thorough investigation to examine the circumstances surrounding the leaking of confidential information, pertaining to various matters, to Mr Andrew Carswell from the Daily Telegraph.

2. **THAT** Council write to the Minister and the Office of Local Government advising of this motion.

An Amendment was moved by Cr Baker, seconded by Cr Morris

1. **THAT** the article published in the Daily Telegraph on 5 February 2016 titled ‘Difficult Mayor Kept on Short Leash’ be referred to the Public Inquiry to be undertaken by Mr Tom Howard, SC.

The Amendment was put and carried and became the Motion

Voting was as follows:  For/Against 6/3
The Motion was put and carried

Voting was as follows: For/Against 8/1

The Meeting concluded at 6.26pm

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CHAIRPERSON       GENERAL MANAGER