

NOTICE OF COUNCIL MEETING

PUBLIC SUPPLEMENTARY

AGENDA -A

An Ordinary Meeting of City of Parramatta Council will be held in the Cloister Function Rooms, St Patrick's Cathedral, 1 Marist Place, Parramatta on Monday, 26 April 2021 at 6.30pm.

Brett Newman
CHIEF EXECUTIVE OFFICER

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***After the conclusion of the Council Meeting, and if time permits, Councillors
will be provided an opportunity to ask questions of staff***

NOTICE OF MOTION

ITEM NUMBER	18.1
SUBJECT	NOTICE OF MOTION: World Falun Dafa Day
REFERENCE	F2021/00521 - D07997138
FROM	Councillor Wilson

MOTION

That Council extend its best wishes to the local Falun Dafa community for World Falun Dafa Day on 13 May 2021.

BACKGROUND

1. May 13 marks World Falun Dafa Day – a tradition that started in 2000 to commemorate the introduction of Falun Dafa by Mr Li Hongzhi to the public in May 1992.
2. Falun Dafa is a traditional qigong (Chinese meditation) practice that cultivates the body, mind and spirit.
3. World Falun Dafa Day is a day 100 million practitioners around the world celebrate the beauty of this peaceful practice, which is based on the universal principles of Truthfulness-Compassion-Forbearance.
4. City of Parramatta is home to a vibrant and active Falun Dafa community, who regularly hold events throughout the City.

Andrew Wilson
Councillor Wilson

ACTING EXECUTIVE DIRECTOR CITY ENGAGEMENT & EXPERIENCE RESPONSE

5. It is recommended that a letter from the Lord Mayor be sent to The Falun Dafa Association of Australia, detailing Council's recognition of and best wishes for World Falun Dafa Day.
6. Council have in the past, provided a letter to the association. This includes a 2019 letter signed by then Lord Mayor, Councillor Andrew Wilson.
7. It is to be noted that Falun Dafa practitioners have in the past held events and peaceful assembly in Parramatta, particularly in Centenary Square, and currently undertake weekly meditation in Centenary Square each Friday.

FINANCIAL AND RESOURCE IMPLICATIONS

8. There are no financial or resource implications associated with the implementation of the motion.

	FY 20/21	FY 21/22	FY 22/23	FY 23/24
Operating Result				
External Costs				
Internal Costs				

Depreciation				
Other				
Total Operating Result				
Funding Source				
CAPEX				
CAPEX				
External				
Internal				
Other				
Total CAPEX				
Funding Source	Approved Project Budgets	Approved Project Budgets	Approved Project Budgets	Approved Project Budgets

Andrew Wilson
Councillor Wilson

Tamara Hitchcock
Acting Executive Director, City Engagement and Experience

Paul Perrett
Chief Financial Officer

Brett Newman
Chief Executive Officer

ATTACHMENTS:

There are no attachments for this report.

NOTICE OF MOTION

ITEM NUMBER	18.2
SUBJECT	NOTICE OF MOTION: Constitutional Referendum: Popularly Elected Lord Mayor
REFERENCE	F2021/00521 - D07999834
FROM	Councillor Dwyer

MOTION

That Council hold a constitutional referendum at the 4 September 2021 Local Government Elections to canvass voters on introducing a popularly elected Lord Mayor from September 2024.

BACKGROUND

1. No background information was provided.

Bob Dwyer
Lord Mayor

EXECUTIVE DIRECTOR, CORPORATE SERVICES RESPONSE

2. NSW councils have the option of having their mayors popularly elected. However, to activate this option they must follow a defined process via a constitutional referendum as per Sections 15 – 17 of the Local Government Act 1993. Also, Section 228 (1-2) of the Act states:
 - (1) *It may be decided at a constitutional referendum that the mayor be elected by the electors.*
 - (2) *A decision that the mayor be elected by the electors takes effect in relation to the next ordinary election after the decision is made.*
3. Currently 33 councils within NSW have popularly elected mayors with another three joining this group as of the September 2021 elections. This means that approximately 1 in 3 NSW councils have a popularly elected mayor.
4. If Council resolves to commence the development of a constitutional referendum the CEO is obliged to notify the NSW Electoral Commission within 21 days of resolving such (LG Regulation 2005 Schedule 10(4a)). Schedule 11 of the Local Government Regulation in Form 16 sets out the poll format which councils must use in such a referendum. The referendum can only ask a question where the voter must write 'Yes' or 'No' in a vacant box opposite the question.
5. When making the decision to move towards a popularly elected mayor, councils need to take into consideration two questions consisting of:
 - I. Will the popularly elected mayor be an additional councillor position so that the Council will in effect need to increase its number of councillors by one?
 - II. If the position of popularly elected mayor is to be drawn from within the existing complement of councillors how will this be managed?

6. If Question i. is implemented, then the Council is obliged to make this clear in the referendum question to be presented to the community that it is proposing to not only have a directly elected mayor but also increase its number by an additional councillor to cover the position of mayor.
7. It is important to note that in the City of Parramatta's case this option is not possible. Section 224 (1) of the Act states, '*A council must have at least 5 and **not more than** 15 councillors (one of whom is the mayor)*'.
8. The question of a popularly elected Lord Mayor will require Council to make key policy decisions around a number of questions:
 - i. If Council chooses to keep 5 Wards & 15 Councillors (one as the popularly elected Lord Mayor) the Council will need to determine which ward would reduce to 2 Councillors? Council currently has five wards of three (3) councillors each. With a popularly elected Lord Mayor one of the wards would need to give up a councillor for the position of Mayor and have only two councillors representing it.
 - ii. If Council took the position that each Ward must have equal Councillor representation plus a popularly elected Mayor, then it would require a review of its ward structure. Options for this could include:

Option A	1 ward with 14 Councillors representing the whole LGA plus a Mayor (total of 15 councillors);
Option B	2 wards of 7 Councillors plus a Mayor (total of 15 councillors);
Option C	4 wards with 3 Councillors plus a Mayor (total of 13 councillors resulting in a reduction of 2 Councillor positions);
Option D	3 wards of 4 Councillors plus a Mayor (total 13 Councillors resulting in a reduction of 2 Councillor positions).
 - iii. Implementing Option A would trigger Section 210B of the LG Act which would require a resolution of Council to make an application to the Minister to abolish all wards. A 42 day public notice period is also required to receive submissions on such a proposal prior to forwarding the application to the Minister.
 - iv. Options B, C or D would trigger Section 210A of the Act which would require consulting the Electoral Commissioner and the Australian statistician to ensure the proposed new ward boundaries correspond to appropriate electoral and census districts and that they would comply with the requirements of S210 (7) – (not having a population variation of more than 10% for electors in each ward). In addition, the proposed changes would need to be developed into a Ward Boundary Plan that must be placed on public exhibition for not less than 42 days.

- v. Options C and D would be seeking a reduction in the number of councillors by 2 each. These options would trigger the provisions of S224A that would require a formal resolution to reduce the number of Councillors and an application to the Minister to approve the decrease. This also would require an extended public exhibition period of at least 42 days to seek community feedback.
 - vi. It is important to note that S224A(9) of the Act restricts the ability of Councils that already have existing wards to seek a decrease to their total number of councillors which would result '*in the number of councillors for each ward being fewer than 3*'. This effectively means that Council could not propose an option to have wards of 2 or less Councillors.
9. Council will need to carefully consider and review how it would implement the option of a popularly elected Lord Mayor and the impact it would have on the number of Wards.
10. The NSWEC has requested that councils undertaking constitutional referendums must have the required council resolutions received by mid-May 2021 and have the final wording of the referendum sent to them by 28 June 2021.
11. The constitutional referendum question will need to provide information that includes that a popularly elected Lord Mayor will require a change in the number of Wards. If the referendum succeeds, then the ward review could be undertaken within 12 months of the 2028 election allowing Council to move towards a popularly elected mayor within the legislative timeline as specified in Section 228 (2) of the Act.

FINANCIAL AND RESOURCE IMPLICATIONS

12. Council has set aside budget of \$1.4M to cover the costs of running the 2021 election.
13. However, running a constitutional referendum would add an additional cost to this budget item. The NSWEC estimates that a constitutional referendum would add an additional 10% to the election cost (approx. \$120K).
14. Additional collateral in terms of information pamphlets and other information required to inform the community would likely add between \$50K-\$100K (depending on options) to the above budget.

Michael Tzimoulas
Executive Director, Corporate Services

Paul Perrett
Chief Financial Officer

Brett Newman
Chief Executive Officer

ATTACHMENTS:

There are no attachments for this report.

NOTICE OF MOTION

ITEM NUMBER	18.3
SUBJECT	NOTICE OF MOTION: Methods of Financing the Infrastructure Capital Works Program
REFERENCE	F2021/00521 - D08002336
FROM	Councillor Davis

MOTION

That a report be prepared and returned to Council within six (6) months on:

- (1) alternative medium and long term methods of financing the Council's infrastructure capital works program (and not limited to external debt, "borrowing" section 7.11 contributions funds (in accordance with the Ministerial Direction));
- (2) risks and benefits of each proposed option.

BACKGROUND

1. The City of Parramatta is experiencing a significant period of growth as it transforms in size and influence as the second city of Greater Sydney and the economic "hothouse" of Western Sydney. This employment and population growth comes hand in hand with responsibility for the delivery of quality community facilities across the LGA. These facilities will benefit residents, ratepayers, workers and visitors to the City of Parramatta as well as attracting investment.
2. In this term of Council, City of Parramatta has completed a significant number of capital works projects, completed planning and consultation for future capital works as well as developing master plans, in consultation with the community, for many of our key community parklands.
3. To complete capital works, including works proposed in comprehensive local master plans (e.g. Heart of Play, Belmore Park, Epping Pool/Dence Park, F.S Garside Park, Granville Town Centre, and Carlingford Library) the Council will apply for State and Federal grant funding. However, this will never provide sufficient funds to complete all the works across the LGA.
4. This motion is seeking a report that outlines Council's options for financing future capital works. The intention is that this report will be produced for presentation in the next Council term to assist with decision-making and strategic planning.

Donna Davis
Councillor Davis

EXECUTIVE DIRECTOR, CORPORATE SERVICES RESPONSE

5. It is recommended that a funding report that addresses this issue be provided to the Finance Committee as part of the Long-Term Financial Plan. A final report will then be tabled with the Council.
6. Any funding report would need to consider the principles of sound financial management under section 8B of the Local Government Act 1993, which includes:
 - Council spending should be responsible and sustainable, aligning general revenue and expenses
 - Councils should have regard to achieving intergenerational equity, including ensuring the following:
 - policy decisions are made after considering their financial effects on future generations
 - the current generation funds the cost of its services.
7. Long-term borrowing money to invest in revenue generating assets can be considered and supported on its own financial merits, however borrowing money to invest in non-revenue generating assets would need to consider how the interest expense, maintenance costs and depreciation will be funded, by:
 - reducing the unrestricted cash reserves (increased unrestricted cash deficits)
 - increased rates, fees and/or charges
 - increased efficiency of operations
 - reduced services
 - other income

FINANCIAL AND RESOURCE IMPLICATIONS

8. There are no increased costs associated with this NOM.

Paul Perrett
Chief Financial Officer

Michael Tzimoulas
Executive Director, Corporate Services

Brett Newman
Chief Executive Officer

ATTACHMENTS:

There are no attachments for this report.