

**Minutes of Extraordinary Council Meeting
held at Ashfield Service Centre on Tuesday 5 July 2016****Meeting commenced at 7.16pm****Present:**

Richard Pearson	Administrator (Chairperson)
Darryl Watkins	Strategic Advisor
Vanessa Chan	Interim General Manager
Nellette Kettle	Director Innovation and Strategy
Simone Schwarz	Director Service Delivery
Matthew Phillips	Director Corporate Services
Phil Sarin	Director Planning and Environment
Cathy Edwards-Davis	Director Public Works
Peter Gainsford	Director Major Projects and Engineering
Judy Clark	Manager Development Assessment, Marrickville
Popy Mourgelas	Manager Corporate Governance, Ashfield
Tanya Whitmarsh	Manager Governance and Risk, Marrickville
Rad Miladinovic	Coordinator Governance and Administration, Marrickville (Minute Taker)
Helen Tola	Manager Customer Service and Corporate Planning, Leichhardt
David Murray	Manager Financial Services, Leichhardt
Pav Kuzmanovski	Chief Financial Officer, Marrickville

Public speakers: see last two pages of these minutes.**Apologies:** Nil**1. Acknowledgement of Country by Chairperson:**

We meet tonight on the traditional land of the Cadigal people of the Eora nation. I acknowledge the terrible wrongs committed against the Aboriginal peoples of this country and their care of the land over many generations. I celebrate their ongoing survival and achievements in today's society.

2. Disclosures of Interests: Nil**3. Tabling of Pecuniary Interest Return:**

The Administrator determined that Council receive and note the Pecuniary Interest Disclosure tabled by the Administrator, Richard Pearson, for lodgement in accordance with requirements of the Local Government Act 1993.

4. Confirmation of Minutes:

The Administrator determined that the Minutes of the Extraordinary Council Meetings held on 24 May and 30 June 2016 be confirmed.

5. Minutes of Committee Meetings:**C0716 Item 1 MINUTES OF IMPLEMENTATION ADVISORY GROUP**

The Administrator determined that the Minutes of the Implementation Advisory Group held in June 2016 be received and the recommendations be adopted.

C0716 Item 2 MINUTES OF LOCAL REPRESENTATION ADVISORY COMMITTEE MEETINGS HELD IN JUNE 2016

The Administrator determined that the Minutes of the Ashfield, Leichhardt and Marrickville Local Representation Advisory Committees held in June 2016 be received and that the recommendations be adopted, except for the recommendation from the Ashfield LRAC that all members be remunerated equally.

6. Administrator's Minutes:**C0716 Item 3 ADMINISTRATOR'S MINUTE: RATIFYING COUNCIL'S POSITION ON WESTCONNEX**

The Administrator determined that:

1. Inner West Council formally adopts a position of continued opposition in the strongest terms to the WestConnex project, both approved and future stages, consistent with the positions of the former councils of Ashfield, Leichhardt and Marrickville;
2. Council establishes a central WestConnex Response Unit to coordinate Council responses to resident concerns regarding impacts associated with the construction of approved stages of WestConnex, as well as submissions and representations on future stages;
3. Council continues to press the immediate need for the Department of Planning and Environment to fund and establish a dedicated WestConnex compliance officer in the local area to respond promptly to resident issues;
4. Council establish a regular monthly forum chaired by the Administrator with representatives of all the inner west WestConnex resident action groups and key community members to discuss concerns with the project and opportunities for their resolution;
5. a report from staff be brought forward to the next meeting of Council outlining a community engagement plan to elicit views of the broader community with regards to ways the Council can assist them with concerns regarding WestConnex;
6. a report from staff be brought forward to the next meeting of Council which summarises the outstanding resolutions of the previous Ashfield, Leichhardt and Marrickville Councils regarding WestConnex and action being taken to implement;
7. Council has engaged Tim Robertson SC to advise on prospects of legal challenge to the WestConnex project across the new LGA and that advice will be sought at utmost urgency, including an injunction on the current demolition works;
8. Council notes that the Inner West Council Local Representation Advisory Committees (LRACs) will further discuss Inner West Council's position on WestConnex at a future joint meeting; and
9. Council supplement the previous short term funding provided to No WestConnex Public Transport for a part time community organiser position, to provide sufficient funding to enable the community organiser to be employed full-time for 2016/17.

C0716 Item 4 ADMINISTRATOR'S MINUTE: CONDOLENCE MOTION - DR STEFANIA SIEDLECKY AM

The Administrator determined that Council writes to the family of Dr Stefania Siedlecky AM, expressing our condolences and sadness for their loss.

7. Staff Reports:**C0716 ITEM 5 EVALUATION AND PROPOSED OUTCOMES OF TRIAL OFF LEASH AREAS AT LAXTON RESERVE, PETERSHAM PARK AND SYDENHAM GREEN**

The Administrator determined that:

1. the report be received and noted;
2. the trial dog off leash areas at Petersham Park, Petersham and Sydenham Green, Sydenham are made permanent under the same conditions used during the trial period;
3. Council ceases the off leash trial at Laxton Reserve, Dulwich Hill;
4. Council implements a trial off leash area at Johnson Park, Dulwich Hill subject to the following time restrictions:
 - 6am to 9am, 6pm to 8pm during daylight saving, and 5pm to 7pm during non-daylight saving time;
5. Council implements a trial off leash area at Morton Park, Lewisham; and
6. all residents who have provided feedback during the trial and evaluation process are notified of Council's decision.

C0716 Item 6 DEVELOPMENT APPLICATION - 412-416 LIVERPOOL ROAD, CROYDON

The Administrator determined that:

1. Council as the consent authority pursuant to Clause 80(3) of the Environmental Planning and Assessment Act 1979 (as amended) grant deferred commencement consent to Development Application No. 10.2015.264.1 for demolition of existing structures and construction of a 3 storey residential flat building comprising 22 dwellings above 2 levels of basement car parking on Lot 100, DP 1124619, known as 412-416 Liverpool Road, Ashfield, subject to conditions appearing on pages 130-156 of the business paper; and
2. the deferred commencement plans shall be publicly notified to local residents for comment prior to approval of the plans and release of the operational consent.

C0716 Item 7 DEVELOPMENT APPLICATION - 132 CHURCH STREET, CROYDON (CENTENARY PARK)

The Administrator determined that Development application No. 10.2014.94.1 for the demolition of the existing amenities building, erection of new amenities building at 132 Church Street, Croydon be modified in accordance with section 96(1a) of the Environmental Planning and Assessment Act 1979, subject to conditions appearing on pages 226-227 of the business paper.

C0716 Item 8 DEVELOPMENT APPLICATION - 76 ALT STREET, ASHFIELD

The Administrator determined that Council as the consent authority pursuant to Clause 80(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended) approve Development Application No. 10.2015.188, subject to conditions appearing on pages 273-288 of the business paper.

The meeting was adjourned at 10.41pm for a short period of recess.

The meeting resumed at 10.48pm.

**C0716 Item 9 DEVELOPMENT APPLICATION - 30 LLEWELLYN STREET,
MARRICKVILLE**

The Administrator determined that the development application No. 201600053 to carry out alterations and additions to an existing mixed use building to construct an additional first floor dwelling be APPROVED subject to conditions appearing on pages 330-341-of the business paper.

C0716 Item 10 DEVELOPMENT APPLICATION - 575 KING STREET, NEWTOWN

The Administrator determined that the development application No. 201500750 to demolish existing structures and construct a 3 storey mixed use development comprising a retail tenancy on the ground floor and 7 dwellings above, with associated car parking be APPROVED subject to conditions appearing on pages 359-378 of the business paper.

C0716 Item 11 DRAFT OPERATIONAL PLAN AND BUDGET 2016-17

The Administrator determined that Council:

1. adopts the exhibition copy of the Inner West Council Draft Operational Plan 2016/17, as its adopted Operational Plan 2016/17, subject to the minor amendments detailed in this report;
2. makes and levy the Rates for 2016/17 as contained in this report for each former Local Government Area, having given public notice of its Draft Operational Plan in accordance with section 405 of the *Local Government Act 1993*;
3. adopts the Business Rate - Airport lands as the basis for determining equivalent rate payments (for the former Marrickville LGA);
4. adopts the rate of 8% as the interest rate to apply on outstanding rates, in accordance with section 566(3) of the *Local Government Act 1993*; and
5. adopts the Schedule of Fees and Charges, annexed to the Operational Plan 2016/17 as amended in terms of this report, as Council's Fees and Charges for 2016/2017 for each of the former Council areas of Ashfield, Leichhardt and Marrickville.

The Administrator moved an extension of time to continue the meeting until midnight.

C0716 Item 12 EXPENSES AND FACILITIES POLICY FOR ADMINISTRATOR

The Administrator determined that:

1. the Expenses and Facilities Policy for the Administrator as shown attached to the report, be placed on public exhibition in accordance with Section 252 of the Local Government Act; and
2. after the conclusion of the public exhibition period, Council receive a further report on submissions received during the public exhibition period.

**C0716 Item 13 EXPENSES AND FACILITIES POLICY FOR LRAC AND IAG
COMMITTEE MEMBERS**

The Administrator determined that the item be deferred pending review at the next joint LRAC Meeting to be held on 12 July 2016.

C0716 Item 14 DELEGATIONS TO THE INTERIM GENERAL MANAGER

The Administrator determined that:

1. the Council delegates to the Interim General Manager all functions that by virtue of section 377 of the Local Government Act 1993 may be so delegated; and
2. the Administrator signs the Instrument of Delegation provided at Attachment 2.

**C0716 Item 15 DELEGATION OF AUTHORITY TO THE GENERAL MANAGER FOR
DETERMINATION OF COUNCILLOR LEGAL COSTS**

The Administrator determined that the Administrator delegates his powers to determine this request for reimbursement to the General Manager.

C0716 Item 16 PROPOSED SCHEDULE OF COUNCIL MEETINGS 2016

The Administrator determined that:

THAT the schedule of Ordinary Council meetings for 2016 is as follows:

Date - Time 6.30pm	Meeting	Location
26 July 2016	Ordinary Council	260 Liverpool Road Ashfield
23 August 2016	Ordinary Council	260 Liverpool Road Ashfield
27 September 2016	Ordinary Council	260 Liverpool Road Ashfield
25 October 2016	Ordinary Council	7-15 Wetherill Street Leichhardt
22 November 2016	Ordinary Council	7-15 Wetherill Street Leichhardt
13 December 2016	Ordinary Council	7-15 Wetherill Street Leichhardt

The Administrator moved into closed session at 11.52pm to consider items of business containing confidential information.

The Administrator returned to open session at 11.58pm to resolve as follows in relation to Items 17, 18, 19, 20, 21 and 22.

8. Reports with Confidential Information**C0716 Item 17 INTERIM EXECUTIVE STRUCTURE**

The Administrator determined that:

1. information contained in Confidential Attachment 1 of this report be classified as confidential under the provisions of Section 10A (2) (a) of the Local Government Act 1993 for the following reason:
 - a. personnel matters concerning particular individuals (other than councillors);
2. in accordance with Section 333 of the Local Government Act 1993, Council's Organisational Structure be re-determined, as contained in the business paper report; and
3. Council authorise the Interim General Manager to commence progressive implementation of the new structure.

C0716 Item 18 HABERFIELD BAY RUN SHARED WALK/CYCLEWAY UPGRADE - PROJECT UPDATE

The Administrator determined that:

1. the information contained in Confidential Attachment 1 of this report be classified as confidential under the provisions of Section 10A (2) (c) and (d) of the Local Government Act 1993 for the following reasons:
 - c. information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business;
 - d (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it;
 - d (ii) commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the council;
 - d (iii) commercial information of a confidential nature that would, if disclosed reveal a trade secret;
2. pursuant to section 55(3)(i) of the *Local Government Act 1993*, tenders not be required for a contract to complete the Project due to extenuating circumstances (namely, the voluntary administration of the preferred tenderer, Hargraves, and the fact that the tender was only recently completed) which would mean a satisfactory result would not be achieved by inviting new tenders; and
3. the Interim General Manager be authorised to enter into a contract with an alternate contractor.

C0716 Item 19 TENDER FOR MAINSTREET IMPROVEMENT WORKS AT THE INTERSECTION OF JOHNSTON STREET AND BOOTH STREET, ANNANDALE, OUTSIDE THE VILLAGE CHURCH

The Administrator determined that:

1. Confidential Attachment 1 to the report be treated as confidential in accordance with the Local Government Act 1993 – Sect 55 (3) as they relate to a matter specified in Section 10A (2)(d) of the Local Government Act 1993; and

2. the tender submitted by Civil Works (NSW) be accepted for the Mainstreet Improvement Works at the Intersection of Johnston Street and Booth Street, Annandale, outside the Village Church.

C0716 Item 20 TENDER 4/16 ST PETERS TOWN HALL ROOF RENEWAL AND IMPROVEMENTS

The Administrator determined that:

1. the report be received and noted; and
2. Council accepts the lump sum tender from Murphy's Group Pty Ltd of \$449,380.80 (excluding GST) for the St Peters Town Hall Roof Renewal and Improvements T4/16.

C0716 Item 21 SSROC TENDER FOR THE SUPPLY & DELIVERY OF SODIUM HYPOCHLORITE (BULK LIQUID CHLORINE)

The Administrator determined that:

1. Council resolves that Confidential Attachment 1 to the report be treated as confidential in accordance with Section 10A (4) of the Local Government Act 1993, as they relate to a matter specified in Section 10A(2)(c) and 10A(2)D(i) of the Local Government Act 1993; and
2. Council enters into a supply contract with Ixom Operations Pty Ltd to supply Sodium Hypochlorite to Council Pools for 3 years with an option to extend for a further 2 x 1 years.

C0716 Item 22 SSROC TENDER FOR THE PROVISION OF AGRICULTURAL PRODUCTS

The Administrator determined that:

1. Council resolves that Confidential Attachment 1 to the report be treated as confidential in accordance with Section 10A (4) of the Local Government Act 1993, as they relate to a matter specified in Section 10A(2)(c) and 10A(2)D(i) of the Local Government Act 1993; and
2. Council enters into a supply contract with Globe Australia Pty Ltd to supply Agricultural Products for 3 years with an option to extend for a further 2 x 1 years.

Meeting closed at 12.04am.

CHAIRPERSON

Public speakers:

Items 1 and 2:	Lucille McKenna, Ashfield LRAC Darcy Byrne, Leichhardt LRAC Victor Macri, Marrickville LRAC Rochelle Porteous Linda Kelly, Leichhardt LRAC Frank Breen, Leichhardt LRAC Ted Cassidy, Ashfield LRAC John Stamolis, Leichhardt LRAC Paul Green	Ashfield Leichhardt Balmore Balmain Leichhardt Balmain Haberfield Balmain Leichhardt
Item 3:	Darcy Byrne, Leichhardt LRAC Frank Breen, Leichhardt LRAC Jo Haylen Gabrielle Brown John Hyde Russell Hermann Vincent Crow Adrienne Shilling Rhea Liebmann Rick Williams Rob Davidson Therese-Ann O’Leary Jo Alley John Lozano	Leichhardt Balmain Marrickville Ashfield Ashfield Leichhardt Haberfield Petersham Marrickville St Peters Leichhardt Leichhardt Ashfield Haberfield
Item 4:	Linda Kelly, Leichhardt LRAC	Leichhardt
Item 5:	Carl Broockmann Gillian Thomas Joanna Mendelssohn Rachel Thomas Jo Haylen	Petersham Dulwich Hill Dulwich Hill Ashfield Marrickville
Item 6:	Peter Nube Vanessa Nube Lucinda and Claudia (children) Madeleine Thomas Katherine Ruschen David Clarke Elizabeth McMullen Linda Kelly, Leichhardt LRAC Mark Drury, Ashfield LRAC Georgina Fernandez Morris Mansour, Ashfield LRAC Omar Abdul-Rahman	Croydon Croydon Croydon Croydon Croydon Croydon Croydon Leichhardt Croydon Croydon Ashfield Croydon

Item 7:	Rene Holmes Leon Cieitella Mark Drury, Ashfield LRAC	Ashfield Ashfield Croydon
Item 8:	Anna Panagakos Monica Wangman, Ashfield LRAC	Ashfield Ashfield
Item 11:	Michelle McKenzie, Leichhardt LRAC Linda Kelly, Leichhardt LRAC Mark Drury, Ashfield LRAC Ted Cassidy, Ashfield LRAC Darcy Byrne, Leichhardt LRAC Simon Emsley, Leichhardt LRAC John Stamolis, Leichhardt LRAC	Lillyfield Leichhardt Croydon Haberfield Leichhardt Leichhardt Balmain
Item 13:	Linda Kelly, Leichhardt LRAC	Leichhardt
Item 14:	Darcy Byrne, Leichhardt LRAC Mark Drury, Ashfield LRAC Ted Cassidy, Ashfield LRAC	Leichhardt Croydon Haberfield
Item 17:	Simon Emsley, Leichhardt LRAC	Leichhardt