

Minutes of Extraordinary Council Meeting held on 3 October 2017**Meeting commenced at 5.34 pm****Present:**

Darcy Byrne	Mayor
Julie Passas	Deputy Mayor
Marghanita Da Cruz	Councillor
Mark Drury	Councillor
Colin Hesse	Councillor
Sam Iskandar	Councillor
Tom Kiat	Councillor
Pauline Lockie	Councillor
Victor Macri	Councillor
Lucille McKenna OAM	Councillor
Rochelle Porteous	Councillor
Vittoria Raciti	Councillor
John Stamolis	Councillor
Louise Steer	Councillor
Anna York	Councillor
Peter Gainsford	Deputy General Manager Assets and Environment
Michael Tzimoulas	Deputy General Manager Chief Financial and Administration Officer
John Warburton	Deputy General Manager Community and Engagement
Tanya Whitmarsh	Group Manager Governance
Ian Naylor	Manager Civic and Executive Support
Kendall Banfield	Manager WestConnex Unit
Ken Welsh	Transport Planner
Katherine Paixao	Business Paper Coordinator (Minute Taker)

Public Speakers: See last page of these minutes.**1. Acknowledgement of Country by Chairperson**

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

2. Notice of Live Streaming of Council Meeting

The General Manager advised that the Council meeting was being streamed live on Council's website and members of the public must ensure their speech to the Council is respectful and use appropriate language.

DISCLOSURES OF INTERESTS :

Councillor Porteous declared a non-significant non pecuniary interest in Items 1 – 6 as she is a member of No WestConnex Public Transport Inc.

C1017 Item 1 Mayoral Minute: Opposition to WestConnex**Motion of Dissent (Hesse/Porteous)**

That a Mayoral Minute can be considered as the first item on the agenda for an Extraordinary Council Meeting.

Motion Lost**For Motion:** Crs Da Cruz, Hesse, Kiat, Porteous and Steer

Against Motion: Crs Byrne, Drury, Iskandar, Lockie, Macri, McKenna OAM, Passas,

Mayoral Minute (Byrne)

THAT:

Inner West Council formally adopts a position of continued opposition in the strongest terms to the WestConnex project, both approved and future stages including stage 3, consistent with the opposition of the former councils of Ashfield, Leichhardt and Marrickville.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Porteous, Raciti, Stamolis, Steer and York

Against Motion: Cr Passas

C1017 Item 2 Mayoral Minute: Council Actions in Response to WestConnex

Mayoral Minute (Byrne)

THAT Council:

1. Note that consultant reports, costing in excess of \$450 000, on the traffic impacts of each stage of the WestConnex project as well as an assessment of the Environmental Impact Statement for Stage 3 of the project, are due to be completed imminently. These studies include assessments of tunnel engineering, traffic modelling, air pollution, active and public transport and construction impacts. Council Officers and consultants have identified the following preliminary concerns about impacts in the Inner West Council area:
 - a. **Air quality impacts** from emissions from unfiltered ventilation stacks proposed for Haberfield, Rozelle and St Peters. The stack on Victoria Road, Rozelle near Terry Street raises particular concern due its proximity to densely developed residential areas and schools. Council is also concerned about emissions from all surface roads near interchanges that have additional traffic from WestConnex;
 - b. **Construction impacts** including noise, vibration, dust, truck traffic and employee parking demand from a number of construction sites in Haberfield, Ashfield, Leichhardt, Lilyfield, Rozelle, Annandale/Camperdown and St Peters. Stage 3 would prolong the terrible impacts residents have already endured from Stages 1 and 2. More stringent conditions of approval, stronger enforcement of compliance and improved management of cumulative impacts are all needed to ensure residents affected by Stage 3 are not subject to the same intolerable impacts as those affected by Stages 1 and 2;
 - c. **Operational traffic impacts** when each stage of WestConnex opens. Council is not only concerned about the broad impact of extra traffic attracted by the motorway (induced traffic), it is also concerned about extra traffic (rat-running) on residential streets around the Haberfield, St Peters and Rozelle interchanges. For Stage 3, Council is particularly concerned about extra traffic on streets including The Crescent and Johnston Street at Annandale, Frederick, Alt, Bland, Waratah and Dalhousie Streets at Haberfield and Ashfield and Canal Road at St Peters;

- d. **The need to protect local streets** that may be affected, by all stages of the project, by additional traffic (rat-running), by implementing traffic calming on those streets, fully funded by the NSW Government;
- e. **Need to reclaim road space** to implement public transport, active transport and streetscape improvements wherever traffic is reduced by WestConnex, with these improvements fully funded by the NSW Government. In particular, these kinds of improvements are sought for Victoria Road, Rozelle and Parramatta Road for its entire length through the Inner West Council area;
- f. **Need for quality design and full delivery of Rozelle Rail Yards recreation area.** Council acknowledges that further detailed design work for the Rozelle Rail Yards (RRY) recreation area would be undertaken later. At this stage however, Council has concerns about impacts on the RRY recreation area from WestConnex service areas (ventilation stacks, transformers, water treatment area) and believes pedestrian and cycle connectivity across and to the site could be improved. Council would also like to see an early commitment from the NSW Government to deliver the RRY recreation area to Council or other appropriate body fully constructed for public use at the earliest opportunity;
- g. **Need to ensure the project does not sever future public transport corridors, in particular that the use of the Rozelle Rail Yards site for WestConnex must not sever rights-of-way for future public transport projects such as light rail to White Bay in Balmain and Sydney Metro West heavy rail; and**
- h. **Overall lack of transparency, oversight and accountability by the NSW State Government agencies** - In the planning, design and construction of the toll road system, resulting in a desperate lack of clear communication, certainty and / or remedy by residents in the community impacted by this project. This has been exacerbated with the forced amalgamation of the affected Marrickville, Leichhardt & Ashfield Councillors and the sacking of elected local representatives. During this period local residents and groups have had to take on the work of elected representatives in the area, and should be acknowledged for their effort and impact during this period.

2. Further note that the cost this year of the operation of the WestConnex Unit is projected at \$860 000 and to exceed \$1.5 million, in total, by 2019/20.

	2016-17 (part)	2017-18	2018-19	2019-20 (part)	TOTAL
Salaries (rounded)	\$ 200,000	\$ 320,000	\$ 320,000	\$ 120,000	\$ 960,000
General expenses	\$ 20,000	\$ 40,000	\$ 30,000	\$ 10,000	\$ 100,000
Stage 3 assessment	-	\$ 250,000	-	-	\$ 250,000
Modelling study	-	\$ 250,000	-	-	\$ 250,000
	\$ 220,000	\$ 860,000	\$ 350,000	\$ 130,000	\$ 1,560,000

The expenditure spent by the former Councils on WestConnex is shown below:

Leichhardt Council \$319,063

Ashfield Council	\$243,531
<u>Marrickville Council</u>	<u>\$198,950</u>
<u>Total</u>	<u>\$761,544</u>

3. Convene a series of on-site meetings for residents and business owners in the immediate vicinity of the construction and dive sites proposed in the Stage 3 EIS to provide location specific, factual information to them about Council's assessment of the impacts, including air quality, traffic and construction impacts. This should include meetings to be held at Haberfield, Leichhardt, Rozelle, Camperdown and St Peters;
4. Write to the Minister for WestConnex:
 - a. Urgently seeking a meeting to discuss the ongoing and unacceptable impacts on residents in Haberfield and St Peters from utility companies associated with the project conducting night works and the ongoing failure of vehicle operators to adhere to the project's conditions of consent and traffic management plans;
 - b. To demand assumptions and scenarios underlying the traffic modelling, contain in the Stage 3 EIS, not just model output;
 - c. Seeking full funding from the NSW Government of all traffic calming and amelioration expenditure required as a result of WestConnex;
 - d. Seeking the delivery of all legacy lands to Council or an appropriate body for public use at the earliest possible time.
 - e. Seek a guaranteed funding commitment contained in the Stage 3 EIS conditions of consent for SMC to fund improvements to residual lands in accordance with council's requirements; and
 - f. Requesting that the Preferred Infrastructure Report for Stage 3 be publicly released prior to any assessment or approval.
5. Produce a report investigating the potential to initiate a dilapidation and structural assessment service for home and business owners impacted by tunnelling for the WestConnex project. The report should detail how the service could be provided on a cost recovery basis. Internal legal advice will be sought when drafting this report to determine if there are legal and/or administrative barriers to Council's involvement in the dilapidation reporting process.
6. Commit to ongoing coordination of and support for the work of the WestConnex Community Liaison Committee in order to allow for the transparent flow of information between Council and the various WestConnex community groups.
7. State its preference for advocacy regarding WestConnex not to be outsourced to advertising agencies or external contractors and instead be conducted through Council's WestConnex Unit;
8. Commit to always undertaking interrogation and analysis of SMC traffic modelling to fully understand impacts of traffic flows on surface emissions and stack emissions in the Inner West Council area ;
9. Complete Independent traffic modelling in affected areas to understand potential air quality impacts of induced traffic at interchanges and potential rat runs throughout the Council area, noting that some of this work is already underway;
10. Wherever possible, identify specific impacts and issues, relating to the construction phase, and suggest improvements that could strengthen approval conditions and

enforcement actions to address these long term, cumulative impacts. These should be articulated in Council's EIS response, drawing from lessons learned in the design, approval and construction of Stages 1 and 2;

11. Establish within Council of a log of complaints register and a process whereby residents within the Council area can log a copy of complaints made to SMC and state agencies in response to construction conditions, so that Council may make additional representation on behalf of residents to relevant state agencies and ministers. This should include dedicated contact numbers made available to residents to easily log complaints;
12. Produce a report for consideration by Councillors about how the existing plans for WestConnex detrimentally impact on potential public transport options, such as the White Bay Light Rail extension and the Sydney Metro West and major transport arteries such as Parramatta Road and Victoria Road. The report should also assess alternative proposals including the City of Sydney's alternative plans.
13. Oppose, in principle, the City of Sydney's proposal for 13 000 units to be built at the site of the St Peters interchange, noting that this would be a greater increase in residential density than is proposed in total for the Inner West Council area through the Government's Sydneyham to Bankstown rezoning proposals.
14. Dedicate an officer within the WestConnex Unit to:
 - a. Support and assist the work of the various action groups, acknowledging the proliferation and complexity of issues associated with the WestConnex project and the need for dedicated local support within the IWC area to focus on issues specific to the M4-M5 link and interchanges; and
 - b. The responsibilities of this position should include support and facilitation of community responses to planning and design documents, facilitation of log of complaints by residents, and support for Council's advocacy on behalf of the Inner West community to relevant state agencies and Ministers.

ADJOURNMENT

7.31pm - The Mayor Clr Byrne called for a 3 minutes adjournment.

7.34pm – The Mayor Clr Byrne resumed the meeting.

ADJOURNMENT

8.19pm - The Mayor Clr Byrne called for a 8 minutes adjournment.

8.27pm – The Mayor Clr Byrne resumed the meeting.

ADJOURNMENT

8.37pm - The Mayor Clr Byrne called for a 7 minutes adjournment.

8.44pm – The Mayor Clr Byrne resumed the meeting.

Motion: (Porteous/Stamolís)

That points 3, 7 and 14 in Item 2 be dealt with Ad Seriatim

Motion Lost

For Motion:

Against Motion:

Crs Da Cruz, Hesse, Kiat, Lockie, Porteous, Stamolís and Steer

Crs Byrne, Drury, Iskandar, Macri, McKenna OAM, Passas, Raciti and York

Motion Carried Unanimously

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Raciti, Stamolis, Steer and York

Against Motion: Nil

ADJOURNMENT

9.11pm - The Mayor Clr Byrne called for a 5 minutes adjournment.

9.16pm – The Mayor Clr Byrne resumed the meeting.

C1017 Item 3 WestConnex Stage 3 M4-M5 EIS

Motion: (Porteous/Da Cruz)

1. That council directs the General Manager to immediately appoint additional relevant consultants with the specialist expertise required to ensure that all aspects of the WestConnex Stage 3 M4-M5 Link proposal are fully assessed by council;
2. These consultants to be appointed urgently by council. The areas identified as requiring additional specialist expertise beyond what is currently planned for the submission are: consultants in traffic modelling able to test the traffic modelling provided in the EIS; consultants in tunnel engineering; consultants in all health, mental health and community well-being matters arising from the WestConnex project; consultants to address all the safety aspects of the project; a noise expert to particularly assess the cumulative impacts of noise not addressed in the EIS and consultants to assess the updated (with the inclusion of Stage 3 and changes to Stage 1 and 2) financial case and cost-benefit analysis;
3. That Council ensure that the air pollution consultant appointed by council will fully cover all issues relating to air pollution and that the environmental, heritage, biodiversity and planning impacts are fully assessed either by consultants or by staff with relevant specialist expertise. The submission must include a full assessment of the impacts on the community of the construction phase, including changes to Bus Stop, Pedestrian and Cycle Routes. The key focus of the submission needs to be on providing the evidence and the detailed reasons that council opposes the WestConnex project; and
4. Where there is a shortfall in funding allocated to this work, the additional funding should be identified in the next quarterly review.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Porteous, Raciti, Stamolis, Steer and York

Against Motion: Cr Passas

C1017 Item 4 WestConnex Taskforce

Motion: (Steer/Da Cruz)

1. That Council immediately establishes a council taskforce to oversee a communications campaign aimed at stopping WestConnex from proceeding;
2. That the membership of this taskforce is all interested Councillors, relevant council

- staff (Communications) and representatives from all the local groups campaigning against WestConnex; and
3. That an initial amount of \$50,000 be allocated to appoint a communications firm to run the campaign to stop WestConnex from proceeding.

Motion Lost

For Motion: Crs Da Cruz, Hesse, Kiat, Lockie, Porteous, Stamolis and Steer
Against Motion: Crs Byrne, Drury, Iskandar, Macri, McKenna OAM, Passas, Raciti and York

C1017 Item 5 Report to Council on WestConnex Stage 3 M4-M5 EIS**Motion: (Kiat/Byrne)**

That council bring that draft council submission on WestConnex Stage 3 M4-M5 Link to an open council meeting for consideration by the councillors with contribution from the community on the submission sought at the meeting before it is finalised and submitted.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Raciti, Stamolis, Steer and York
Against Motion: Nil

C1017 Item 6 Community Organiser to Campaign Against WestConnex**Motion: (Porteous/Hesse)**

That Council commits to urgently match fund with the City of Sydney Council for \$50,000 (deferred for determination to the new council) required to cover half the costs of employment (with related costs) of a full time community organiser to work under no WestConnex Public Transport Inc supervision to support and capacity build local No WestConnex groups.

Motion Lost

For Motion: Crs Da Cruz, Hesse, Kiat, Lockie, Porteous, Stamolis and Steer
Against Motion: Crs Byrne, Drury, Iskandar, Macri, McKenna OAM, Passas, Raciti and York

Meeting closed at 10.39 pm.

PUBLIC SPEAKERS:

Item #	Speaker	Suburb
Item 1:	Catherine Gemmell Richard Dudlly-Smith Rhea Liebmann	Leichhardt Annandale Marrickville
Item 2:	Lyall Kennedy Rhea Liebmann Catherine Gemmell Emelina Wallace Meryllyn Fairskye Anne Picot Nathan English David McDonald	Haberfield Marrickville Leichhardt Erskineville Newtown St Peters Balmain North Sydney (Parramatta Road Business Owner)
Item 3:	Catherine Gemmell Janet Dandy-Ward Rhea Liebmann Nathan English Christina Valentine	Leichhardt WestConnex Action Group Marrickville Balmain North Leichhardt
Item 4:	Janet Dandy-Ward Lesley Treleaven	WestConnex Action Group Annandale
Item 5:		
Item 6:	Catherine Gemmell Rhea Liebmann Christina Valentine Nathan English	Leichhardt Marrickville North Leichhardt Balmain