

# **SUPPLEMENTARY AGENDA 1**

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## **INNER WEST COUNCIL**

**COUNCIL MEETING**

**TUESDAY 12 DECEMBER 2017**

**6.30pm**

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Location: Ashfield Service Centre, 260 Liverpool Road, Ashfield

## **MEETING AGENDA – PRECIS SUPPLEMENTARY ITEMS**

The following report/s appear as late item/s with Mayoral approval as information required for the preparation of the report/s was not available at the time of distribution of the Business Paper.

### **1 Mayoral Minutes**

<b>ITEM</b>		<b>Page</b>
<b>C1217 Item 27</b>	Mayoral Minute: Letter of Condolence to the Family of Lester Bostock	3
<b>C1217 Item 28</b>	Mayoral Minute: Letter of Condolence to the Family of Gail Clifford	4
<b>C1217 Item 29</b>	Mayoral Minute: Recreation and Wellbeing Opportunities for Welcome Centre Clients	6
<b>C1217 Item 30</b>	Mayoral Minute: Endorsement of Bike Share Guidelines	7
<b>C1217 Item 31</b>	Mayoral Minute: Confirmation of 100 Days Waiver of Fee Hire for Same Sex Marriage	13

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**Item No:** C1217 Item 27  
**Subject:** MAYORAL MINUTE: LETTER OF CONDOLENCE TO THE FAMILY OF LESTER BOSTOCK  
**From:** The Mayor, Councillor Darcy Byrne

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**MOTION:**

**THAT Council writes a letter of condolence to the family of Lester Bostock, expressing our sadness at his passing and commending the contribution he made to the inner west community and the Australian Aboriginal community.**

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**Background**

On 23 November Australia lost a trailblazing activist and artist when Lester Bostock passed away.

Uncle Lester paved the way for many Aboriginal journalists and filmmakers. He was a founding member of Black Theatre and Metro Screen, and later Radio Redfern – now Koori Radio. He was the first Aboriginal voice heard on SBS radio and a scholarship for Aboriginal filmmakers is named in his honor.

Lester was a key figure in the Aboriginal disability rights movements. He introduced the concept of double disadvantage and how it relates to Aboriginal people with a disability in the early 1990s.

He was also a central figure in the Aboriginal and Torres Strait Islander rights movements in the 1960s and 1970s.

Uncle Lester received the Centenary Medal and the NSW Law and Justice Foundation Award for Aboriginal justice. He was the 2010 NAIDOC Elder of the Year and was made a Member of the Order of Australia in 2011. In 2016 he was awarded an honorary doctorate of Arts from the Australian Film, Television and Radio School.

Lester Bostock was born on an Aboriginal reserve in New South Wales in 1934 under the then Aboriginal Protection Act. After moving to Brisbane at the age of 14 he later suffered an accident that left him with an above the knee amputation. This incident changed his life and led to a lifelong dedication to the rights of people with a disability.

He represented Australia as a member of the National Commission to the United Nations Educational Scientific and Cultural Organisation (UNESCO).

Uncle Lester's niece Tracey Bostock is a Council employee. His sister Euphemia Bostock was a key member of the Marrickville Aboriginal Consultative Committee and has performed welcome to country for Council for many years.

**ATTACHMENTS**

Nil.

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**Item No:** C1217 Item 28  
**Subject:** MAYORAL MINUTE: LETTER OF CONDOLENCE TO THE FAMILY OF GAIL CLIFFORD  
**From:** The Mayor, Councillor Darcy Byrne

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**MOTION:**

**THAT COUNCIL write a letter of condolence to the family of Gail Clifford, expressing our sadness at her passing and commending the contribution she made to the Friends of Maliana support activities in Timor Leste and to Leichhardt Council**

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**Background**

I was saddened this week to learn of the passing of Gail Clifford.

Gail was a founding member of the Friends of Maliana, Leichhardt Council's friendship agreement with the village of Mailaina in Timor Leste.

Council was approached by Abel Guterres from Maliana soon after the vote for independence and agreed to set up a community relationship.

As a staff member in Leichhardt Council's community services at the time, Gail was one of the key figures in setting up the program, in partnership with a local Maliana community group. Over time this evolved into the Friends of Maliana support group.

The group, headed by staff including Gail, supports rebuilding work in Maliana. Gail was instrumental in helping secure United Nations funding for the refurbishing of a building to provide a community centre and library near the centre of Maliana, which still serves the local community today.

After Gail left Leichhardt Council to work in the Blue Mountains, she remained in close contact and continued to travel frequently to Timor Leste to help in projects supporting youth, young artists, establishing kindergartens, and supporting the Library.

In 2010 she took up an eighteen month position in Maliana to help train and support staff for the Library. She continued to fund raise while she was there, raising money to purchase books and dictionaries for the library and learning centre.

It was during this time in Timor Leste that Gail first fell ill. While she fought her illness on multiple occasions, she always downplayed it to those that knew her, and continued to carry out short visits to Maliana and work on support projects there and elsewhere.

The now Ambassador from Timor Leste to Australia, Abel Guterres, is writing to express his gratitude for the work that Gail has carried out in rebuilding his country. Gail was an exceptional woman, a credit to the former Leichhardt Council and a credit to the entire Australian community.

The following correspondence from the Timor Leste Ambassador to Australia, Abel Guterres was forwarded to former Leichhardt Council Mayor Maire Sheehan.

I thank Maire for providing it to Council.

Dear Maire,

Greetings and I am sorry that I was not able to attend Gail's funeral service last Friday, however, I write this email with sadness that we mourn the loss and also celebrate the life of a great human being a very good friend to all and especially the people of Maliana where Gail Clifford dedicated a portion of her life in supporting starting with Leichardt and Maliana friendship.

I met Gail together with you Maire and Friends of Maliana group in early 2000 at the time of establishing the Friendship.

Timor-Leste is today a successful democracy is because of the support of many friends in Australia like Gail who have given their time and efforts nurturing this success.

If I can remember well Gail spent 18 months in Maliana sharing her knowledge and skills with the locals setting up the first local Library (Biblioteca).

Her presence in Maliana and her interaction was like a mother and a sister and a close friend to those who learnt and worked with her and others who came to know her. We cherish the memories of her generosity and her greatness.

On behalf of the President, the Government and People of Timor-Leste I want to convey our sincere condolences to her family and friends.

May she rest in Peace.

Please convey also our appreciation to Leichardt City Council the Mayor and Councillors past and present for their continued support to Timor-Leste through the Friendship Program "Friends of Maliana".

Kind regards

Abel

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Abel Guterres

Embaixador

Embaixada da Republica Democratica de Timor-Leste

## **ATTACHMENTS**

Nil.

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**Item No:** C1217 Item 29  
**Subject:** MAYORAL MINUTE: RECREATION AND WELLBEING OPPORTUNITIES FOR WELCOME CENTRE CLIENTS  
**From:** The Mayor, Councillor Darcy Byrne

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**MOTION:**

**THAT Council:**

- 1. Dedicate free places within the learn to swim programs at Leichhardt Park Aquatic Centre to 0-5 year olds attending Callan Park Refugee Welcome Centre, with numbers to be determined after confirming interest from Welcome Centre clients;**
  - 2. Provide water safety support and advice to parents attending the lessons with their children; and**
  - 3. Investigate provision of additional health and recreation programs to attendees through Council's recreation partners and networks.**
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**Background**

I recently met with representatives from Settlement Services International and staff from the Callan Park Welcome Centre about ways that Council can further support the Centre.

Since March 2017 more than 1000 newly arrived people have used the Centre on Mondays and Fridays between 10am and 3pm for information session, service provider contact and health and wellbeing activities.

The Centre is very popular with refugees who want to visit and appreciate the opportunity to travel out of the areas of Western Sydney in which they have been settled.

Centre operators have identified a need for more activities for their clients and opportunity for them to interact with people out of their settlement area.

Callan Park is ideally located to offer some of those activities. It also has the benefit of being located next to the Leichhardt Park Aquatic Centre.

The Centre offers opportunities for learn to swim and wellness classes for the refugees attending the Wellness Centre, both of which not only increase their health and wellbeing, but allow for interaction and integration with people in the inner west.

The Annette Kellerman Aquatic Centre has previously run a very successful outreach program for refugees from the Asylum Seekers Centre.

Council should extend the principles of this program to the Leichhardt Park Aquatic Centre to allow 0-5s the opportunity to take places in Learn to Swim classes on Mondays and Fridays, and places within the summer holiday swim program.

Parents should also be supported with water safety lessons and access to health and wellness programs such as Yoga, Pilates and gentle exercise and walking groups offered by Council's recreation facilities and partners.

**ATTACHMENTS**

Nil.

**Item No:** C1217 Item 30  
**Subject:** MAYORAL MINUTE: ENDORSEMENT OF BIKE SHARE GUIDELINES  
**From:** The Mayor, Councillor Darcy Byrne

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**MOTION:**

**THAT COUNCIL:**

- 1. Approve the draft bike share guidelines, noting minor revisions may occur subject to liaison with operators and neighboring councils;**
  - 2. Approve an initial short term review period of three months to evaluate how well the operators have adhered to the guidelines;**
  - 3. Write to all bike share businesses currently operating in the inner west local government areas to confirm the guidelines and the review period;**
  - 4. Note that there is potential for the guidelines to develop into a more formal arrangement should the initial review period indicate such an approach is required;**
  - 5. In partnership with the Inner City councils investigate the potential for a fee or levy system whereby operators contribute to bike infrastructure;**
  - 6. Request that the Group Manager Legal to report back to Council following discussion with City of Sydney, Randwick, Waverly, Woollahra and Canada Bay Councils to clarify the legal framework under which bike share companies operate, and the legal powers available to councils with regards to regulating bike share companies and their operations; and**
  - 7. Write to the State Government to request that it agrees to implement the guidelines on state land and to give further consideration to a state-wide approach.**
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**Background**

On Tuesday 28 November I met with Mayors, Councillors and Senior Staff from City of Sydney, Randwick, Waverly, Woollahra and Canada Bay councils.

At that meeting attendees gave in principle agreement to a draft set of guidelines to ensure the safety and success of bike sharing in Sydney. We also agreed on an initial three month review timetable to ensure that operators were adhering to the guidelines, at which time a more formal approach could be considered if necessary.

All attendees agreed that they wanted mass bike sharing to work and that it was important that one simple set of rules was established to ensure the viability of bike share schemes as well as protecting pedestrian safety and amenity.

The six councils gave in principle agreement that:

- 1. Councils would provide agreed-upon guidelines to bike share operators to be implemented as soon as possible;**
- 2. There would be a short term review period of three months to evaluate how well the operators have adhered to the guidelines;**
- 3. Data sharing is to be a key part of successful implementation, so that councils can gain a clearer picture of demand and where bike journeys are taking place;**

4. There is potential for the guidelines to develop into a more formal arrangement should the initial review period indicate such an approach is necessary;
5. We would investigate the potential for a fee or levy system whereby operators contribute to bike infrastructure;
6. Legal representatives would discuss and clarify the legal framework under which bike share companies operate; and
7. Councils would request that the State Government implement the guidelines on state land and to give further consideration to a state-wide approach.

**Attachment**

1. Draft Guidelines for Dockless Bike Share Operators



DRAFT

## **Guidelines for Dockless Bike Share Operators**

Bike share has an important role to play in Sydney's transport future.

Councils, public landholders and bike share operators are committed to working together to establish a balanced position that achieves transport, environment, health and other related goals and the fair use of public space.

These guidelines set out minimum standards and expectations for dockless bike share operations in Sydney.

Councils and relevant authorities will review operations every three months.

### **1. Customer safety and conduct**

- a. Operators must inform their customers through their apps about correct bike parking, bike safety checks and responsible riding.
- b. All operators and their customers must obey NSW road rules and consider the safety and comfort of other people on the road and footpaths.
- c. Operators must promote legal and responsible riding when customers join, and regularly afterwards. Riders are to be made aware that they can incur heavy penalties for offences such as not wearing helmets, unauthorised riding on footpaths, reckless riding and riding through red lights.
- d. Bicycles must have bells or other warning devices, helmets, front and rear lights, and a rear reflector as per Australian Standards. All bicycles must also have sturdy kickstands
- e. Operators must encourage customers to reposition poorly located bikes..

### **2. Safe bike placement**

- a. Bikes must be parked in an upright position and not placed on footpaths that are narrow, or where they could pose a safety hazard.
- b. Bike placement must not interfere with pedestrian amenity. Bikes should be placed kerbside away from the building. Operators will educate customers on the impacts of bike placement to mobility and vision impaired.
- c. Bikes may be placed near public bike racks but rack space should be left free for regular bicycles that need to be locked to a fixed point.
- d. Operators must liaise with councils and other public landholders regarding bike deployment and preferred parking areas on an area by area basis. Councils and public landholders may nominate preferred parking areas in high demand locations.

- e. Operators must have geo-fencing capability for preferred parking and exclusion zones in high traffic areas, such as sections of waterfront or for large events where public safety is an issue.

### **3. Distribution and redistribution of bikes**

- a. All bikes should be equipped with GPS tracking. Operators must monitor the location of bikes at least daily, and be proactive in the redistribution of bikes to avoid build-up in an area and maintain an even spread of bikes.

### **4. Faulty, damaged or misplaced bikes**

- a. Faulty or damaged bikes must be removed or repaired within the timeframe set out below.
- b. Operators must enable easy reporting of faulty or damaged bikes, missing helmets or bikes parked in inappropriate locations, through their app, website, email and a fully serviced phone number available 24/7.
- c. Operators must provide customers with a reference number and a response time consistent with the timeframe set out below. Customers must be able to site the reference number for follow up on the phone, in email and in app.
- d. Contact information must be clearly displayed and fixed on all bikes.
- e. Bikes must be easily identifiable at all times.
- f. Operators must provide a central point of contact to councils and other public landholders.

### **5. Legal and insurance**

- a. Operators must have public liability insurance which names and indemnifies councils and other public landholders.
- b. Operators must seek legal advice with regard to ensuring their business complies with road rules, consumer protection (including privacy), insurance and road safety.
- c. Operators must advise customers of risks and insurances applicable to users.

### **6. Data sharing**

- a. Operators are obliged to share data monthly with councils and public landholders for the purposes of transport and urban planning.

- b. This data will be confidentially held unless authorised for public release by the bike share operator.
  
- c. The commercial-in-confidence information should include:
  - i. The number of registered users
  - ii. The total number of trips
  - iii. Trip origins and destinations, and trip duration (time and distance)
  - iv. The number of bicycles deployed and deployment locations
  - v. Bike redistribution numbers and patterns
  - vi. Data regarding damaged or lost bikes, and helmets replaced
  
- d. This non-identifiable information may be aggregated for external promotion of bike share by landholders.
  
- e. Operators will work with councils and/or public landholders to survey customers about share bike usage. The results will be used to promote bike share and inform transport planning.
  
- f. Operators will work towards live data portals to facilitate information sharing with public landholders.

## **7. Council staff access to bikes**

- a. When requested, operators must provide access to bikes for council/landholder staff to unlock and move bikes (for example for park maintenance or event management).

## **8. Fees**

- a. Councils and public landholders reserve the right to evaluate whether a fee or levy structure may be implemented so that operators make a financial contribution toward bicycle infrastructure.

## **9. Collection and relocation of unused, faulty or damaged bikes**

If a member of the public or public landholder reports damaged, faulty, abandoned or inappropriately parked bikes the following timeframes apply.

Incident	Timeframe	Action
a. Dangerously placed	2 hours	Where a bike is causing an unreasonable hazard (i.e. parked across a road, carriageway etc.) the operator will relocate the bike within two hours.  Council/public landholder may remove and impound the bike at any time.
b. Bike reported as unsafe or significantly damaged	Immediate	Operator will immediately deactivate an unsafe bike.
	4 hours	Operator will check for safety/damage/faults and remove the bike from the public area.
c. Inappropriate bike density	1-24 hours	Operator will redistribute bicycles where there is build up in one location. Where council or public landholder reports excessive numbers of bikes in one place the operator must take action within 12 hours. (A single operator may not have excessive numbers but the cumulative impact may warrant action.)
d. Illegally parked	1-24 hours	Dependent on location of bike. (For eg. private property, motorcycle or disabled parking)

## 10. Unused bikes

The following timeframes will help keep bikes moving and not left in one location for too long.

Timeframe	Action
1-7 days	No action. It is expected that bikes may not be used for a period of up to 7 days, particularly bikes left in quiet streets.
7-10 Days	The operator must relocate the bike or offer customer incentives to ride the bike to another destination.
11-14 days	If the bike has not been moved at the end of 11 days, a council/public landholder may instruct the operator to relocate the bike.
15+ days	The bike may be retrieved and impounded by council/public landholder. A fee may be payable for the release of the bike.
28 days after impoundment	The bike may be recycled by the local council.

## 11. Ceasing of operations

In the event that a dockless bike share operator ceases trading, the operator is obliged to remove all of their bikes from public places within 15 days.

## 12. Review of Guidelines

Councils and public landholders reserve the right to amend, expand and or alter these guidelines provided they give operators 14 days' notice prior to implementing the change(s).

**Item No:** C1217 Item 31  
**Subject:** MAYORAL MINUTE: CONFIRMATION OF 100 DAYS WAIVER OF FEE HIRE FOR SAME SEX MARRIAGE  
**From:** The Mayor, Councillor Darcy Byrne

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**MOTION:**

**THAT COUNCIL:**

- 1. Congratulate LGBTIQ Australians on attaining a historic achievement through the legislating of marriage equality;**
  - 2. Note that the federal electorate of Grayndler, encompassing most of the Inner West Council local government area, achieved the highest turn out of any electorate in NSW in the postal survey on same sex marriage;**
  - 3. Note the significant advance the passing of this legislation represents for human rights and inclusivity in Australia and recommit ourselves to upholding the principles of freedom from discrimination and respectful treatment of all Australians regardless of their sexual preference, gender, ethnicity or social background;**
  - 4. Write to the Prime Minister and the Leader of the Opposition, Government Leader in the Senate George Brandis and Leader of the Opposition in the Senate Penny Wong and other relevant party leaders, congratulating them on the successful enactment of the Same Sex Marriage Bill; and**
  - 5. As per previous resolutions, make Council facilities available, free of hire fees for 100 days to all same sex weddings and extend this offer to couples previously married overseas who wish to hold a recommitment ceremony. The period of the fee waiver is to begin from 9 January 2018, the earliest date on which same sex marriages can take place.**
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**Background**

Thursday 7 December was a historic day in the struggle for civil rights in Australia, when the Australian Parliament enacted legislation to allow same sex marriages in Australia.

Inner West Council was the first local government in Australia to offer its halls, community centres and parks free of charge for 100 days to same sex couples wishing to marry. With the legislation passed, Council has now opened bookings for couples wanting to hold their wedding ceremony in one of our facilities.

This offer should be extended to same sex couples wishing to hold recommitment ceremonies. This is an important gesture of support, solidarity, and recognition of our LGBTIQ community. Couples wishing to marry are required to provide one month's calendar notice of their intention to marry to their authorised celebrant.

The first couples lodged their intention to marry on Saturday 9 December, meaning they will be able to marry from 9 January 2018.

Therefore, Council facilities should be made available for 100 days beginning 9 January.

**ATTACHMENTS**

Nil.