

Minutes of Ordinary Council Meeting held on 25 September 2018**Meeting commenced at 6.38 pm****Present:**

Darcy Byrne	Mayor
Victor Macri	Deputy Mayor
Marghanita Da Cruz	Councillor
Mark Drury	Councillor
Lucille McKenna OAM	Councillor
Colin Hesse	Councillor
Sam Iskandar	Councillor
Tom Kiat	Councillor
Pauline Lockie	Councillor
Julie Passas	Councillor
Rochelle Porteous	Councillor
Vittoria Raciti	Councillor
John Stamolis	Councillor
Anna York	Councillor
Rik Hart	General Manager
Elizabeth Richardson	Deputy General Manager Assets and Environment
Michael Tzimoulas	Deputy General Manager Chief Financial and Administration Officer
John Warburton	Deputy General Manager Community and Engagement
Nellette Kettle	Group Manager Civic and Executive Support, Integration, Customer Service and Business Excellence
Gwilym Griffiths	A/Group Manager Trees, Parks and Sports Fields
Annette Morgan	Group Manager Children and Family Services
Jan Orton	Group Manager Environment and Sustainability
Jon Stiebel	Urban Sustainability Manager
Simon Watts	Social and Cultural Planning Manager
Wal Petschler	Group Manager Roads and Stormwater
Joe Strati	Group Manager Legal Services
Brooke Martin	Group Manager Properties, Major Building Projects and Facilities
Adam Vine	Executive Manager, Enterprise Risk, Policy and Risk Services
Ian Naylor	Manager Civic and Executive Support
Katherine Paixao	Business Paper Coordinator

APOLOGIES:**Motion: (Hesse/Porteous)**

THAT leave of absence be granted for Clr Steer.

Motion Carried**For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Raciti, Stamolis and York**Against Motion:** Nil**DISCLOSURES OF INTERESTS:** Nil**CONFIRMATION OF MINUTES****Motion: (York/McKenna OAM)**

THAT the Minutes of the Council Meeting held on Tuesday, 11 September 2018 be confirmed as a correct record.

Motion Carried

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

Against Motion: Nil

C0918(2) Item 1 Condolence Motion Faye Carroll

Motion: (Byrne/Drury)

THAT Council write a letter of condolence to the family of Faye Carroll.

Motion Carried

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

Against Motion: Nil

Matter Arising Newtown Jets and Leichhardt Tigers

Motion: (Macri/Passas)

THAT Council send letters of congratulations to the Newtown Jets and Leichhardt Tigers for their successful seasons and the work they do in the local community.

Motion Carried

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

Against Motion: Nil

Suspension of Standing Orders

Motion : (Byrne/McKenna OAM)

THAT Council Suspend Standing Orders to hear from the registered speakers at this time.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Iskandar, Kiat, Macri, McKenna OAM, Passas, Raciti and York

Against Motion: Crs Hesse, Lockie, Porteous and Stamolis

Suspension of Standing Orders

Motion: (Macri/York)

THAT Council further Suspend Standing Orders to deal with the items that had registered speakers.

Motion Carried

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

Against Motion: Nil

Councillor Drury left the Meeting at 7:38 pm.

Councillor Drury returned to the Meeting at 7:40 pm.

C0918(2) Item 2 Tree DCP Harmonisation - Discussion Paper**Motion: (Passas/Hesse)****THAT:**

1. The Development Control Plan amendments on tree management be developed having regard to the principles of:
 - Public safety
 - Protection of property
 - Equity/ financial burden
 - Increased urban canopy
2. Council prepare the draft Tree DCP taking into consideration the options within the Discussion Paper, and the feedback received from the community consultation;
3. The draft Tree DCP be reported to Council prior to being placed on public exhibition;
4. Council liaise with the Architectural School and Institute for Sustainable Futures at the University of Technology about any advice or assistance or partnership they can offer to assist Council in expanding and measuring tree canopy and green infrastructure;
5. A report be prepared about ways the Tree Management Grant System could be funded;
6. The Establishment of a Significant Tree Register be considered in the 2019/20 Budget Development Process; and
7. The level of Tree Canopy for the LGA against the Greater Sydney Commission's target of 40% be reported on the Website.

Motion Carried**For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Raciti, Stamolis and York**Against Motion:** Nil**Amendment (Da Cruz/Hesse)****THAT:**

1. The Establishment of a Significant Tree Register be considered in the 2019/20 Budget Development Process; and

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

As the Amendment was carried it was incorporated into the Primary Motion.

2. The level of Tree Canopy for the LGA against the Greater Sydney Commission's target of 40% be reported on the Website.

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

As the Amendment was carried it was incorporated into the Primary Motion.

Councillor Passas left the Meeting at 7:48 pm.
Councillor Passas returned to the Meeting at 8:01 pm.

C0918(2) Item 4 Children and Family Services**Motion: (Byrne/York)****THAT:**

1. **Leichhardt Children's Centre begins enrolment process for 2019 and continues to operate as a Long Day Care service, with a review of enrolment patterns for both Leichhardt Park and Leichhardt Children's Centers, six to eight months into 2019;**
2. **Council officers further investigate how After School Care for kindergarten children might be able to be catered for within the service approval for the premises of Leichhardt Children's Centre; and**
3. **Council write again to the Minister for Education strongly opposing the closure of Globe Preschool and request alternative locations for the preschool.**

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

Councillor Passas left the Meeting at 8:08 pm.

C0918(2) Item 9 Draft Complaints Handling Policy**Motion: (Kiat/Drury)****THAT:**

1. **The draft Complaints Handling Policy be placed on public exhibition for a period of 28 days; and**
2. **Council receive, with the draft policy's post-exhibition report, a recommendation regarding the regular reporting of complaint statistics to Council.**

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

Councillor Passas returned to the Meeting at 8:10 pm.

C0918(2) Item 14 Notice of Motion: Solar Schools**Motion: (Byrne/Passas)****THAT:**

- 1. Officers produce a report on how Council can support the Sydney Student Leaders Coalition in their solar panel initiative, to support their aim of creating solar schools across the Inner West local government area; and**
- 2. Write to the NSW Education Minister to notify him of this program.**

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

8.14pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

8.26pm– The Mayor, Clr Byrne resumed the meeting.

Resumption of Standing Orders**Motion: (Drury/York)****THAT Standing Orders be resumed.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, Porteous, Stamolis and York**Against Motion:** Nil**Absent:** Crs McKenna OAM, Passas and Raciti**Suspension of Standing Orders****Motion: (Drury/Stamolis)****THAT Standing Orders be suspended to allow speakers that tried to register to speak to Item 13 - Notice of Motion: Waterfront Drive Cricket Nets.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, Porteous, Stamolis and York**Against Motion:** Nil**Absent:** Crs McKenna OAM, Passas and Raciti.

Councillor McKenna OAM returned to the meeting at 8.28pm

Councillors Passas and Raciti returned to the Meeting at 8:38 pm.

C0918(2) Item 13 Notice of Motion: Waterfront Drive Cricket Nets**Motion: (Byrne/Macri)****THAT Council:**

1. Note the concerns regarding safety and use of the cricket nets in their current and proposed location;
2. Note that discussions are currently ongoing between the Balmain District Football Club, Balmain South Sydney Cricket Club and the Office of Environment and Health (OEH) regarding an appropriate location for the cricket nets at Waterfront Oval;
3. Consult with the Friends of Callan Park on the location for the cricket nets; and
4. Receives a report back regarding:
 - a. the relocation of the cricket nets pending completion of discussions between the Balmain District Football Club, Balmain South Sydney Cricket Club and OEH;
 - b. the proposal to realign the fence on the north-western side of the sporting ground to improve functionality of the grounds; and
 - c. the process to submit a 4.55 (2) modification application.

Motion Carried**For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Raciti, Stamolis and York**Against Motion:** Nil**Resumption of Standing Orders****Motion: (York/McKenna OAM)****That Standing Orders be resumed.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Raciti, Stamolis and York**Against Motion:** Nil**C0918(2) Item 3 Climate & Renewables Strategy****Motion: (York/Byrne)****THAT Council:**

1. Note the draft *Pathway to a Carbon Neutral Council* outlined in this report;
2. Note the proposal to include feasible energy efficiency and rooftop solar projects for Council assets in the annual budget development process, renewal and capital works programme with 'shovel ready' projects that have been scoped and costed to be brought to Council for earlier consideration;
3. Commission the University of New South Wales to undertake a peer review of the draft *Pathway to a Carbon Neutral Council* and supporting technical

reports;

4. Endorse staff to proceed with the assessment of options for converting the “residual load” to renewable power. This assessment should include identification of potential renewable energy procurement such as a PPA in addition to the existing SSROC buyers group, with a view to accelerating the conversion to renewable power as soon as possible;
5. Receive a further report on the final *Pathway to a Carbon Neutral Council* in November 2018. That this report include information on potential target dates for inclusion in the draft Climate and Renewables Strategy to achieve:
 - a. 100% carbon neutrality (across all corporate emissions); and
 - b. 100% renewable energy (across energy consumption).
6. Receive a report on the full Climate & Renewables strategy and also include information on what capabilities and resourcing may be required within Council’s Office of Renewable Energy Innovation to oversee the urgent rollout of the strategy, including any strategic capability to manage the overall rollout, as well as operational capability to oversee particular elements of the strategy (such as, for example the roll out of a ‘solar schools’ component).

Motion Carried

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

Against Motion: Nil

C0918(2) Item 5 Inner West Council Stronger Communities Fund Grants Program 2018/19

Motion: (Byrne/Drury)

THAT Council approve the funding recommendations for the Stronger Communities Grant Program 2018/19 contained in Attachment 1.

Motion Carried

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

Against Motion: Crs Passas and Raciti

C0918(2) Item 6 Report on the Council Review of the Organisation Structure

Motion: (Porteous/Stamolis)

THAT:

1. Council approve the current four positions of the organisation structure;
2. The General Manager be requested to provide the Council with the current and any proposed organisation structures for the Inner West Council;
3. The General Manager be requested to consult with Council on the organisation structure of the Inner West Council; and
4. A report be brought to Councillors about current Councils Enterprise Bargaining Agreement and any recent action in this area.

Motion Carried

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

Against Motion: Crs Passas and Raciti

Amendment (Stamolis)

THAT as Council is launching the biggest pools program in the history of the Inner West (\$60 Million), which will take place over several years, that councillors are provided with a report as to why the Group Manager Aquatics and Recreation role has been made redundant. The report should address why Councillors were not consulted about this decision.

The Mayor ruled this amendment Out of Order as it is inappropriate for Councillors to discuss operational staff matters.

Foreshadowed Motion (Passas/Raciti)

THAT Council approve the current organisation structure.

This Foreshadowed Motion lapsed.

Dissent in the Chairperson's ruling

Motion: (Stamolis)

THAT dissent be raised in the Chairperson's ruling.

This Motion lapsed for want of seconder.

Councillor Macri left the Meeting at 9:37 pm.

Councillor Macri returned to the Meeting at 9:40 pm.

C0918(2) Item 7 Local Traffic Committee Meeting held on 4 September 2018

Motion: (Lockie/Stamolis)

THAT the Minutes of the Local Traffic Committee Meeting held on 4 September 2018 be received and the recommendations be adopted, subject to the following change:

- **Delete point 1a in Item 21 - Eliza Street, Newtown – Temporary Road Closure For The Newtown Good Food Fair 2018 – Sunday 14 October 2018 (Stanmore Ward/Newtown Electorate/Inner West LAC) so as to waive the fee for the road closure.**

Motion Carried

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

Against Motion: Crs Kiat, Passas and Raciti

Councillor York left the Meeting at 9:43 pm.

Councillor Passas left the Meeting at 9:45 pm.

C0918(2) Item 8 Flood Risk Management Plans - Cost of Flood Mitigation Measures**Motion: (Drury/Hesse)****THAT:**

1. The report be received and noted; and
2. Council receive a report on how to develop a *Strategy for a Water Sensitive Inner West* that integrates flood mitigation and adaptation measures with water quality and supply issues.

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

Councillor York returned to the Meeting at 9:54 pm.

C0918(2) Item 10 Councillor Representation on Committees**Motion: (Byrne/McKenna OAM)****THAT:**

1. Council adopt the existing representatives on Council and External Committees for a further 12 months subject to the following changes:
 - a) Councillor Porteous be replaced by Councillor McKenna OAM for the ClubGrants Committee;
 - b) Councillor Steer be replaced by Councillor Hesse for the NSW Public Libraries Association Committee; and
 - c) Councillor Macri be the nominated representative for the Local Traffic Committee.

Motion Carried**For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Porteous, Raciti, Stamolis and York**Against Motion:** Nil**Absent:** Cr Passas**Amendment (Kiat/Porteous)****THAT Councillor Da Cruz be the nominated representative on the Local Traffic Committee.****Motion Lost****For Motion:** Crs Da Cruz, Hesse, Kiat, Porteous, Raciti and Stamolis**Against Motion:** Crs Byrne, Drury, Iskandar, Lockie, Macri, McKenna OAM and York**Absent:** Cr Passas

Amendment (Iskandar/ Raciti)

THAT Councillor Macri be the nominated representative for the Local Traffic Committee.

Motion Carried

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

As the Amendment was carried it was incorporated into the Primary Motion.

C0918(2) Item 11 Rescheduling October Council Meeting

Motion: (Drury/McKenna OAM)

THAT:

- 1. The Ordinary Council Meeting scheduled for 23 October 2018 be rescheduled to 30 October 2018; and**
- 2. Council publicise this change to the Meeting Schedule in the Inner West Courier, at Council's Service Centres and on Council's website and social media.**

Motion Carried

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

C0918(2) Item 12 Investment Report as at 31 August 2018

Motion: (Stamolis/McKenna OAM)

THAT the report be received and noted.

Motion Carried

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

Confidential Session

Motion: (Byrne/McKenna OAM)

THAT Council move into Confidential session to consider Items of business containing Confidential Information.

Motion Carried

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

Members of the public were asked to leave the Chamber.

Councillor Passas returned to the Meeting at 10:00 pm

Motion: (Byrne/Lockie)

THAT Council return to open session to read out the recommendations from the Closed Session.

Motion Carried

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

Against Motion: Nil

The Mayor read out to the Meeting the recommendation from the Closed Session of Council.

REPORTS WITH CONFIDENTIAL INFORMATION

C0918(2) Item 15 Status of Westconnex Stage 3 Proposed Compulsory Acquisitions

Motion: (Byrne/Stamolis)

THAT:

- 1. Negotiations continue in regards to Buruwan Park Annandale in line with the previous determination on this matter of the 12 December 2017.**
- 2. The General Manager (or delegate) negotiate the terms and executes documents with TfNSW in relation to TfNSW proposed acquisition for property identified as Pymont Bridge Road tunnel site (C9) Bignell Lane Annandale;**
- 3. The Mayor writes to the Minister of WestConnex requesting WestConnex Stage 1, 2 and 3 provide a complete asset schedule of all land and infrastructure proposed for transfer to Council for its ownership and/ or management; and**
- 4. Prior to entering into an agreement in relation to acquisition of King George Park, the offer be reported to Council.**

Motion Carried

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

Against Motion: Nil

C0918(2) Item 16 RFT 20/18 Cleaning and Grounds Maintenance Tender

Motion: (Byrne/Stamolis)

THAT Council endorse the tender recommendation to award contracts for cleaning and/or ground maintenance to Jezzini Property Services Pty Ltd, Northern Contract Cleaning Pty Ltd and Servicelink Pty Ltd.

Motion Carried

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

Against Motion: Nil

Matter Arising - Legal Advice of Contracts**Motion: (Passas/Macri)****THAT legal advice be provided to councillors on whether Council is able to extend the length of contracts that are subject to a tender process.****Motion Lost****For Motion:** Crs Byrne, Drury, Iskandar, Macri, Passas and Raciti**Against Motion:** Crs Da Cruz, Hesse, Kiat, Lockie, McKenna OAM, Porteous, Stamolis and York**C0918(2) Item 17 Appointment of External Member to Audit Risk and Improvement Committee (ARIC)****Motion: (Byrne/Stamolis)****THAT this item be deferred pending a review and report on the perception of bias in relation to the candidate being suggested.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Raciti, Stamolis and York**Against Motion:** Nil

Councillors Passas and Raciti retired from the Meeting at 10:36 pm.

C0918(2) Item 18 Status of Legal Proceedings**Motion: (Byrne/Stamolis)****THAT:**

- 1. Communications be prepared by Council explaining in plain English language the role of Councillors and council officers in determining development applications and matters before the land and environment court; and**
- 2. A confidential report be prepared on the legal matter concerning the pony.**

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

Meeting closed at 10.53pm.

PUBLIC SPEAKERS:

Item #	Speaker	Suburb
Item 2:	Rene Holmes Michael Sullings Jacki Brown	Ashfield Marrickville Northmead
Item 4:	Paul Chamberlain Jemma McGirr Veronica Mayson	Dulwich Hill Petersham Marrickville
Item 9:	Jonathan Bolton	Annandale
Item 13:	Ann-Therese King Paul Power	Lilyfield Rozelle
Item 14:	Roisin Murphy George Aroney	Erskineville Marrickville