

Minutes of Ordinary Council Meeting held on 9 October 2018**Meeting commenced at 6.32pm****Present:**

Darcy Byrne	Mayor
Victor Macri	Deputy Mayor
Marghanita Da Cruz	Councillor
Mark Drury	Councillor
Colin Hesse	Councillor
Sam Iskandar	Councillor
Tom Kiat	Councillor
Pauline Lockie	Councillor
Julie Passas	Councillor
Rochelle Porteous	Councillor (6.35pm)
John Stamolis	Councillor
Louise Steer	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
Harjeet Atwal	Group Manager Development Assessment & Regulatory Services
Cathy Edwards-Davis	Group Manager Trees, Parks and Sports Fields
David Milliken	A/Group Manager Strategic Planning
Harin Perera	Group Manager, Information & Communications Technology
Ian Naylor	Manager Civic and Executive Support
Katherine Paixao	Business Paper Coordinator

APOLOGIES:**Motion: (Stamolis/Kiat)**

THAT apologies from Cirs McKenna OAM, Raciti and York and lateness from Clr Porteous be accepted.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, Passas, Stamolis and Steer

Against Motion: Nil

DISCLOSURES OF INTERESTS:

Cirs Iskandar and Macri declared a significant, non-pecuniary conflict of interest in Item 5 - Sydney Eastern City Planning Panel Report: DA201700185: 728 Princes Highway, Tempe as they are members of the Sydney Eastern City Planning Panel.

Motion: (Byrne/Passas)

THAT the declarations of interest be received and noted.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, Passas, Stamolis and Steer

Against Motion: Nil

Clr Porteous entered the meeting at 6.35pm

CONFIRMATION OF MINUTES

Motion: (Byrne/Macri)

THAT the Minutes of the Council Meeting held on Tuesday, 25 September 2018 be confirmed as a correct record, subject to the following change:

- An amendment to the voting on the amendment for Item 10 – Councillor Representation on Committees, relating to the nomination of Clr Da Cruz as the representative on the Local Traffic Committee, Clr Lockie voted for the Motion and Councillor Raciti voted against the Motion.

Motion Carried

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

Against Motion: Nil

Amendment (Passas/Porteous)

THAT the Minutes of the Council Meeting held on Tuesday, 25 September 2018 be deferred to allow staff to check whether Councillor Stamolis moved a Motion of Dissent in the chairs ruling in Item 6 - Report on the Council Review of the Organisation Structure.

Motion Lost

For Motion: Crs Da Cruz, Passas, Porteous and Steer

Against Motion: Crs Byrne, Drury, Hesse, Iskandar, Kiat, Lockie, Macri and Stamolis

C1018(1) Item 15 Mayoral Minute: Condolence Motion Hayden Mullaney

Motion: (Byrne)

THAT:

1. Council write a letter of condolence to the family of Hayden Mullaney, expressing our sadness at his passing and thanking them for his service to the inner west community; and
2. Council investigate ways to recognise Hayden as part of the extension to the Annette Kellerman Gym.

Motion Carried

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

Against Motion: Nil

C1018(1) Item 1 Mayoral Minute: Mullens Street Crossing Funding

Motion: (Byrne)

THAT:

1. Council reallocate the combined \$75,000 in funding for the Darling Street Rozelle, Kerb extensions at Manning Street; Beattie Street / Mullens Street intersection, Balmain – pedestrian fence; and Rozelle – Batty Street, at Mansfield Street – kerb extensions;
2. Design work commence immediately to enable the delivery of the Mullens

Street crossing near Beattie Street within the 2018-2019 Financial Year;

3. Council re-allocate funds to the Kerb extensions at Manning Street; Beattie Street / Mullens Street intersection, Balmain – pedestrian fence; and Rozelle – Batty Street, at Mansfield Street – kerb extensions in the 2019-2020 Financial Year budget; and
4. Council notify affect residents of the outcome of councils decision and the expected forward progress on this.

Motion Carried

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

Against Motion: Nil

C1018(1) Item 13 Mayoral Minute: Financial Assistance For Local Festivals and Fairs

Motion: (Byrne)

THAT:

1. Council note that the fee waiver adopted in Item 21 of the Ordinary Meeting of 25 September 2018 was invalid;
2. Council provide a donation to the equivalent sum of any application fees required to authorise the temporary food stalls and road closures required for the operation of the Newtown Good Food Festival;
3. Council be provided with a report outlining:
 - a) The estimated revenue shortfall for waiving the fees for local Business Chambers and local business associations events for:
 - i. Temporary Food Permits; and
 - ii. Temporary Road Occupancy.
 - b) If the revenue losses can be absorbed within current operational budgets; and
 - c) An estimate of current support provided to Business Chambers and local business associations to conduct the Norton Street Festa and the Newtown Food Fair and other similar events.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Lockie, Porteous, Stamolis and Steer

Against Motion: Crs Kiat, Macri and Passas

Councillor Passas left the Meeting at 7:19 pm

C1018(1) Item 14 Mayoral Minute: Lilyfield Road Cycleway

Motion: (Byrne)

THAT Council:

1. Write to the Minister for Transport requesting confirmation in writing of ongoing funding for the Lilyfield Road cycleway; and

2. Be provided in with a report to the first Council meeting in November with an update on the outcomes of the initial public meetings, at which alternate proposals were initially presented to the community and a summary of expenditure to date on the project.

Motion Carried

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

Against Motion: Nil

Absent: Cr Passas

Suspension of Standing Orders

Motion: (Hesse/Porteous)

THAT Council bring forward Item 5 to hear from the members of public who registered to speak and then this matter be dealt with at this time.

Motion Carried

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

Against Motion: Nil

Absent: Cr Passas

Councillor Passas returned to the Meeting at 7:28 pm.

Councillors Iskandar and Macri left the Meeting at 7:28 pm as they had declared a significant, non-pecuniary conflict of interest in Item 4. They did not participate in discussion or vote on the item.

C1018(1) Item 5 Sydney Eastern City Planning Panel Report: DA201700185: 728 Princes Highway, Tempe

Motion: (Byrne/Passas)

THAT:

1. Council make a submission endorsing the officers recommendations, in particular addressing the key objections raised by Council Officers, including:
 - a. On Street Car Parking
 - i. Up to 16 spaces along the northern side of Smith Street may be lost as a result of the proposal;
 - ii. Further car spaces may be lost on the southern side of Smith Street near the Princes Highway as a result of the proposed signal configuration; and
 - iii. Insufficient information submitted with the application to adequately identify the quantity of, and address the impact of the resultant loss of car parking on Smith Street.
 - b. Traffic
 - i. Queuing in Smith Street and the failure to identify measures to ameliorate the impact from the development;
 - ii. The potential increase in traffic using Union Street; and
 - iii. Insufficient information submitted with the application to adequately assess the impact of the development on the local street network in relation to increased traffic.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Passas, Porteous, Stamolis and Steer

Against Motion: Nil

Absent: Crs Iskandar and Macri

Resumption of Standing Orders

Motion: (Byrne/Lockie)

THAT Standing Orders be resumed.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Passas, Porteous, Stamolis and Steer

Against Motion: Nil

Absent: Crs Iskandar and Macri

Councillors Iskandar and Macri returned to the Meeting at 7:46 pm.

ADJOURNMENT

8.04pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

8.16pm– The Mayor, Clr Byrne resumed the meeting.

C1018(1) Item 2 Sporting Grounds Allocation Policy

Motion: (Drury/Passas)

THAT:

- 1. The draft Sporting Grounds Allocation Policy be placed on public exhibition for a period of 28 days;**
- 2. The 46 Clubs currently utilising sporting grounds in the Inner West be advised by email that the draft Sporting Grounds Allocation Policy is on public exhibition; and**
- 3. The results of the public exhibition and community engagement process are presented to Council along with a final Sporting Grounds Allocation Policy for adoption.**

Motion Carried

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

Against Motion: Nil

Amendment (Da Cruz/Steer)

THAT:

1. The draft Sporting Grounds Allocation Policy be amended as follows:

- a) Participation Statistics (Club, Allocated Time & Grounds, Sport, Adult Men, Adult Women, Girls Under 16, Boys Under 16, Residents of the**

- LGA, Non-Residents and people identifying as having a disability) to be collected and published on website;
- b) Hockey be included the list of Traditional Sports in the Sporting Grounds Allocation Policy;
 - c) Membership of Management Committee/Board and Regular Membership of Club to include Gender;
 - d) Elaboration on how ground sharing could operate;
 - e) Annual Review of long term License Agreements to include provision of membership and participation statistics;
 - f) Capital Contributions are against planned works for the ground can be used to bring works forward;
 - g) A Bond to be paid;
 - h) Impact of using sporting ground as off-leash dog park;
 - i) Carparking to refer to Members and Visitors;
 - j) Clarification of what a "Registered Inner West Sporting Club" is under Coaching Clinics;
 - k) Which Policies this policy will supersede; and
 - l) Arlington Reserve Lights to also be turned off at 9.15pm

Motion Lost**For Motion:** Crs Da Cruz, Hesse, Porteous and Steer**Against Motion:** Crs Byrne, Drury, Iskandar, Kiat, Lockie, Macri, Passas and Stamolis**Amendment (Kiat/Hesse)**

THAT the public exhibition of the draft policy include for consideration the following alternate proposal for capital contributions: that clubs making capital contributions to be eligible for increased tenure must also make an equal contribution to Council to be used at Council's discretion to improve a sportsground in most need of an upgrade or urgent maintenance.

Motion Lost**For Motion:** Crs Da Cruz, Hesse, Kiat, Porteous and Steer**Against Motion:** Crs Byrne, Drury, Iskandar, Lockie, Macri, Passas and Stamolis**Matter Arising – Possible use of non-Council fields and facilities****Motion: (Stamolis/Drury)****THAT:**

1. Council commence investigations about the possible use of non-council sports fields and facilities such as at schools; and
2. A report to come back to Council in early 2019.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Passas, Porteous, Stamolis and Steer

Against Motion: Cr Macri

C1018(1) Item 3 Yeo Park and Gough Reserve Plan of Management

Motion: (Drury/Passas)

THAT:

1. Council adopt the Plan of Management as it relates to Gough Reserve;
2. Council, as land manager of Yeo Park (D 500212) Reserve Trust, refers the Plan of Management as it relates to Yeo Park (*Crown Reserve*) to the Minister of Primary Industries, Land and Water for consideration for adoption;
3. Council undertake independent cost analysis of the proposed park improvements, notably a future restoration of the historic Yeo Park Bandstand/Rotunda and report these costs back to Council for consideration in the ten year capital works plan; and
4. To ensure continued community access and enjoyment of the park as a whole, Council negotiate a formal license agreement with the NSW Department of Education for community access to the Department of Education land within the park.

Motion Carried

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

Against Motion: Nil

C1018(1) Item 4 ParkSafe - Camperdown Memorial Rest Park and Fleming Street Reserve Newtown.

Motion: (Lockie/Steer)

THAT:

1. Council undertake a community safety survey to assess community views on park safety at Camperdown Memorial Rest Park and Fleming Street Playground. The public survey will assess the following:
 - Community perceptions on safety within the two park areas;
 - Community ideas on reclaim the park initiatives with regards to the types of community events and means in which Council and external agencies can assist in activating the park;
 - Community perceptions on the establishment of an alcohol free zone in the southern part of Camperdown Memorial Rest Park;
 - Community perceptions of the impact of lighting improvements on safety in Camperdown Memorial Rest Park, including the 2018/2019 summer trial of lighting pathways only;
 - Community support for increased Council presence in the park out of normal working hours as a way of activating the park, such as evening ranger patrols; and
 - Community support for the establishment of a community garden (subject to future community ownership and management) at Fleming Street Playground

and the removal of the picnic shelter.

2. Council's engagement actively includes young people who currently use Camperdown Memorial Rest Park, including working with local youth outreach organisations where required;
3. The results of the public consultation are reported back to Council no later than December 2018, with the report to include an interim assessment of the impact of the lighting trial;
4. Council implement the short term lighting improvements outlined in the report, for a trial period over the 2018/2019 summer in which only path lights within the park will be activated; and
5. Council identify options for funding future long term lighting improvements along key pathways within Camperdown Memorial Rest Park.
6.
 - a. That the community survey recognise that there is well-established community support for a public toilet, and propose a location or locations for community comment;
 - b. That council receive a report on funding and location options for the construction of the public toilet in 2018/19 or sooner; and
 - c. That council receive a report on the existing after dark operations of the City of Sydney to improve safety and deter anti-social behaviour, with consideration of whether these operations could be extended to the park.

Motion Carried

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

Against Motion: Nil

C1018(1) Item 6 Mandatory Reporting of Fire Safety Reports Referred to Council from Fire and Rescue NSW

Motion: (Macri/Drury)

THAT:

1. Council note the correspondence provided by Fire and Rescue NSW for development on land known as 130 The Boulevard Dulwich Hill (Attachment 1) and 30 Terminus Street Petersham (Attachment 2);
2. Council endorse the Councils Officers use of statutory powers (and discretion as appropriate) under the Environmental Planning and Assessment Act 1979 to require upgrades to buildings to the satisfaction of Council's Fire Safety Team in order to:
 - a. improve the provisions for fire safety at the premises;
 - b. improve the provision of fire safety awareness;
 - c. improve the adequacy of the premises to prevent fire;
 - d. improve the adequacy of the premises to suppress fire or prevent the

- spread of fire, and
- e. Improve the safety of persons in the event of fire.
3. A further update on the process of implementing the required upgrades to these properties be brought to Council within the next 6 months.

Motion Carried

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

Against Motion: Nil

Councillor Passas retired from the Meeting at 8:59 pm.

ADJOURNMENT

9.10pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

9.13pm– The Mayor, Clr Byrne resumed the meeting.

C1018(1) Item 7 Biannual Progress Review (Q3/4) against the Operational Plan 2017/18

Motion: (Drury/Stamolis)

THAT the report be received and noted.

Motion Carried

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

Against Motion: Nil

Absent: Cr Passas

Matter Arising - Dawn Fraser Pool Funding (Porteous)

THAT:

1. Council in regards to the restoration works for the Dawn Fraser Baths notes that:

- a) urgent works are estimated to cost \$6.7 million and there is a current shortfall of \$2.2 million in funding for these works.
- b) Council 's current position (Byrne/Drury) is to:

Consider options for funding the remaining \$2.2 million shortfall once the outcome of current grant applications for the project is known, noting that there must be no delay to implementation of the aforementioned essential works

- c) In line with the above Council has applied for a \$4.2 million Greater Sydney Sports Facility Grant
 - d) Council has already seen fit to reduce investment funds by approximately 30 million in this financial year to deliver a significant capital works program.
2. Council therefore allocates a further 2.2 million funds from the investment funds budget in this financial year to the Dawn Fraser Pool restoration works to provide assurance to the community that the works will proceed.
3. These investment funds are to be used in event that council is not successful in its application for the Greater Sydney Sports Facility Grant.

They Mayor ruled the Matter Arising Out of Order as it did not relate to the business being discussed in Item 7 being the Quarter 3 and 4 progress against the 2017/18 Operational Plan and the Matter Arising did not identify a source of funds to undertake the work as required by Clause 5.1(1) of the Code of Meeting Practice.

C1018(1) Item 8 Former-Council Legacy Policies Rescission**Motion: (Macri/Iskandar)****THAT the following legacy policies rescinded as they are deemed obsolete:**

- a) **Audio Recording of Council Meetings Policy;**
- b) **Council Committee Structure and Terms of Reference;**
- c) **Councillor Expenses and Facilities Policy;**
- d) **Provision of Information to Councillors Policy;**
- e) **Councillor Policy For Payment Of Expenses & Provision Of Facilities;**
- f) **Meetings Between Councillors & Members Of Parliament and/or Government Departments;**
- g) **Precinct Committee System Policy;**
- h) **Precinct Committee System Policy;**
- i) **Social Media Policy;**
- j) **Media Relations Policy;**
- k) **Community Engagement Policy; and**
- l) **Social Media Strategy.**

Motion Lost

For Motion: Crs Byrne, Drury, Iskandar, Lockie and Macri
Against Motion: Crs Da Cruz, Hesse, Kiat, Porteous, Stamolis and Steer
Absent Cr Passas

Foreshadowed Motion (Porteous/Da Cruz)

THAT this item be deferred so that Councillors can be provided with a copy of the Policies proposed to be rescinded.

Motion Carried

For Motion: Crs Da Cruz, Hesse, Kiat, Porteous, Stamolis and Steer
Against Motion: Crs Byrne, Drury, Iskandar, Lockie and Macri
Absent: Cr Passas

C1018(1) Item 9 2017/18 Annual Designated Person Disclosure (Pecuniary Interest) Returns**Motion: (Macri/Hesse)****THAT Council note the tabling of Pecuniary Interest Returns of Designated Staff for the return period 1 July 2017 to 30 June 2018.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, Porteous, Stamolis and Steer**Against Motion:** Nil**Absent:** Cr Passas**C1018(1) Item 10 Notice of Motion: Future of White Bay Cruise Ship Terminal Bus****Motion: (Stamolis/Byrne)****THAT Council prepares a report by November 2018 which:**

- **Provides an update on the status and effectiveness of the minibus service to the White Bay Cruise Ship Terminal;**
- **Details the costs to Council of the minibus service since it commenced; and**
- **Widely consult with the Chamber and businesses in Balmain and Rozelle about any future use of the funds used for the bus.**

Motion Carried**For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, Porteous, Stamolis and Steer**Against Motion:** Nil**Absent:** Cr Passas**C1018(1) Item 11 Notices of Motion: Late Motions to the Local Government NSW Conference****Motion: (Porteous/Da Cruz)****THAT:**

1. **Council consider for endorsement as a Late Motion to the NSW Local Government Conference any motion brought to this IWC council meeting by Councillors; and**
2. **Those motions which are endorsed by council for inclusion as Late Motions are then forwarded to NSW Local Government as Late Motions for the conference.**

Motion Carried**For Motion:** Crs Da Cruz, Hesse, Kiat, Lockie, Porteous, Stamolis and Steer**Against Motion:** Crs Byrne, Drury, Iskandar and Macri**Absent:** Cr Passas

Confidential Session**Motion: (Byrne/Stamolis)****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, Porteous, Stamolis and Steer**Against Motion:** Nil**Absent:** Cr Passas

Members of the public were asked to leave the Chamber.

Motion: (Byrne/Hesse)**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, Porteous, Stamolis and Steer**Against Motion:** Nil**Absent:** Cr Passas

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

REPORTS WITH CONFIDENTIAL INFORMATION**C1018(1) Item 12 Contract for ICT Hardware****Motion: (Byrne/Hesse)****THAT:**

- 1. The tender submitted by the vendor recommended in the confidential section be accepted for RFQ50-18 Desktop Replacement for Inner West Council; and**
- 2. The General Manager be delegated the authority to sign and execute the contract.**

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

Urgency Motion

Councillor Porteous requested that the meeting consider an Urgency Motion with regards to a report on the use of Round Up in Council parks, sporting fields and playgrounds and near waterways.

Motion: (Porteous)

THAT the motion be considered as a matter of urgency.

The Mayor declared this matter was not urgent in accordance with Clause 2.7(3) of the Code of Meeting Practice.

Urgency Motion

Councillor Kiat requested that the meeting consider an Urgency Motion with regards to Advertising for the Everest Horse Racing Event on the Opera House.

Motion: (Kiat)

THAT the motion be considered as a matter of urgency.

The Mayor declared this matter was not urgent in accordance with Clause 2.7(3) of the Code of Meeting Practice.

Meeting closed at 9.26pm

PUBLIC SPEAKERS:

Item #	Speaker	Suburb
<u>Item 5:</u>	Katrina Widauer Dr Angus Hughson	Tempe Tempe
