

Minutes of Extraordinary Council Meeting held on 19 February 2019**Meeting commenced at 6.33 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
Louise Steer	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
Nellette Kettle	Group Manager Customer Service, Business Excellence and Civic Governance
Melodie Whiting	Group Manager Human Resources
Caroline McLeod	Group Manager Library and History Services
Erla Ronan	Group Manager Community Services and Culture
Harjeet Atwal	Group Manager Development Assessment and Regulatory Services
Ian Naylor	Manager Civic and Executive Support
Katherine Paixao	Business Paper Coordinator

APOLOGIES: Nil**DISCLOSURES OF INTERESTS:** Nil

The Mayor, Councillor Byrne, asked if there were any members of the public gallery who would like to speak on the reasons Council proposes to consider the items in Closed Session.

There were none.

Members of the Public were asked to leave the Chamber.

Motion: (Byrne/Drury)

That in accordance with Section 10A(1) of the Local Government Act 1993, the following matters be considered in Closed Session of Council for the reasons provided:

C0219(3) Item 13 Senior Staff Matter**Section 10A(2)(a) Personnel Matters Concerning Particular Individuals:**

This matter is being considered in Closed session as it relates to personnel matters concerning particular individuals.

6.43pm The Mayor, Clr Byrne adjourned the Meeting for a period of 5 minutes.

6.50pm The Mayor, Clr Byrne resumed the Meeting.

Motion: (Byrne/McKenna OAM)

That Council move back into the Open Session of the Council Meeting.

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

REPORTS WITH CONFIDENTIAL INFORMATION**C0219(3) Item 13 Recruitment of CEO****Motion: (Byrne/Steer)**

That Council:

- 1. Offer a contract of employment to Mr Michael Deegan for the position of CEO of the Inner West Council for a period of 3 years including a total annual remuneration package of between \$420 000 and \$450 000.**
- 2. Upon acceptance of the offer, initiate a new CEO performance review process with the performance agreement to be made publicly available to council staff and the community, as proposed by the candidate at interview.**
- 3. Note that the form of contract of employment is required to be Standard Contract for the Employment of General Managers as approved by the Chief Executive of the Division of Local Government.**
- 4. Note that the appointment is made in accordance with merit selection principles as required by s349 of the Local Government Act.**

Motion Carried

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

Against Motion: Crs Lockie, Macri, Passas and Stamolis

- 5. Note that the recruitment process has been carried out and completed in accordance with the Local Government Act and the Office of Local Government's guidelines for the appointment of General Managers.**

Motion Carried

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

Against Motion: Crs Lockie, Macri, Passas and Stamolis

6. Ensure all documentation produced and submitted through the process be maintained and properly recorded in accordance with statutory obligations and Freedom of Information principles.

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

Foreshadowed Motion (Macri/Passas)

That the CEO Recruitment process be terminated and a fresh application process be conducted with fresh recruiters.

This Foreshadowed Motion lapsed.

7.25pm The Mayor, Clr Byrne adjourned the Meeting for a period of 5 minutes

7.33pm The Mayor, Clr Byrne resumed the Meeting

C0219(3) Item 1 Harmonising of Library operating hours

Motion: (Macri/Da Cruz)

THAT Council:

1. Place on public exhibition the proposed Library operating hours shown in Table 1, for 28 days, and that community consultation occur within libraries so that all patrons are given the opportunity to comment on the proposed changes;
2. Notes that Library staff will conduct head counts at the four branch libraries at the beginning and end of the day and report back following the public exhibition over a four week period;
3. Make available hard copies in the libraries and a submission box;
4. Consult on opening neighbourhood libraries up between 10am-2pm on Sundays;
5. Receive a short report on a possible future trial of late night library opening as a community service to combat social isolation, addressing the possibility of using state government funds as part of an gambling harm reduction program as was successfully trialled in Melbourne. If possible, community consultation to gauge interest in this possible trial to occur during exhibition of these proposed changes.

Motion Carried

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

Against Motion: Nil

Absent: Cr Passas

Councillor Passas re-entered the Meeting at 7:43 pm.

C0219(3) Item 2 Draft Compliance and Enforcement Policy**Motion: (McKenna OAM/Passas)****THAT:**

- 1. Council adopt the Inner West Council Compliance and Enforcement Policy;**
- 2. Council rescinds the Enforcement Policy of the former Ashfield Council and Compliance and Enforcement Policy of the former Leichhardt Council; and**
- 3. The Compliance and Enforcement Protocol be received and noted.**

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**C0219(3) Item 3 License agreements for Chrissie Cotter gallery****Motion: (Macri/Passas)**

THAT Council defer this item and write to the licensee to ask if they have the capacity to contribute a greater amount for the license given the Councils current financial position.

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

- 1. The report be received and noted; and**
- 2. Council acting as the council manager of Camperdown Park Reserve Trust authorizes the General Manager or his delegate to enter into and sign short-term licenses for the use of Chrissie Cotter Gallery, Pidcock Street Camperdown 2050 upon conditions detailed in this report**

Motion Carried**For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, McKenna OAM, Porteous, Stamolis, Steer and York**Against Motion:** Crs Macri, Passas and Raciti**C0219(3) Item 4 Inner West Council Draft Busking Policy****Motion: (Byrne/Lockie)****THAT:**

- 1. The Inner West Council Draft Busking Policy be placed on public exhibition for a period of 28 days; and**

2. The post-exhibition report to Council address the issue of the exclusion of Liverpool Road.

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

C0219(3) Item 5 Conduct of the Local Government Election 2020

Motion: (Byrne/McKenna OAM)

THAT Council:

1. Pursuant to s. 296(2) and (3) of the Local Government Act 1993 (NSW) (“the Act”) enter into an election arrangement by contract for the Electoral Commissioner to administer all elections of the Council;
2. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, enter into a council poll arrangement by contract for the Electoral Commissioner to administer all council polls of the Council;
3. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, enter into a constitutional referendum arrangement by contract for the Electoral Commissioner to administer all constitutional referenda of the Council; and
4. Convene a meeting with the NSW Electoral Commission and interested councillors to discuss the planning of the next Local Government election.

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

C0219(3) Item 6 2018/19 Second Quarter Budget Review

Motion: (Drury/Lockie)

THAT:

1. The report be received and noted; and
2. Council approves the budget adjustments required.

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

Councillor Raciti retired from the Meeting at 8.11 pm.

ADJOURNMENT

8.11pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

8.13pm– The Mayor, Clr Byrne resumed the meeting.

C0219(3) Item 7 Investment Report as at 30th November 2018**Motion: (Drury/Kiat)****THAT the report be received and noted.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Stamolis, Steer and York**Against Motion:** Nil**Absent:** Cr Raciti**C0219(3) Item 8 Notice of Motion: Disability Employment****Motion: (Passas/Stamolis)****THAT Council:**

- 1. Receive a detailed report back on increasing the number of staff with disabilities being employed by Council; and**
- 2. Receive a report on progress with the implementation of the Disability Inclusion Action Plan.**

Motion Carried**For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Stamolis, Steer and York**Against Motion:** Nil**Absent:** Cr Raciti**Amendment (Porteous/Kiat)****THAT Council receive a report on progress with the implementation of the Disability Inclusion Action Plan.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Porteous, Stamolis, Steer and York**Against Motion:** Cr Passas**Absent:** Cr Raciti

As the amendment was carried, it was incorporated into the Primary Motion.

C0219(3) Item 9 Notice of Motion: Council Advertising**Motion: (Passas/Stamolis)****THAT Council:**

- 1. Review all advertising in the Courier apart from the statutory required notices and council expand on its quarterly newsletter that is hand delivered;**
- 2. Review all aspects of our advertising and public notices, councils aim should be to inform as many residents as possible in a fiscally reasonable manner and that a report on all aspects of our notification obligations be made available to Councillors as soon as possible; and**

3. Include an analysis of its own website statistics in terms of community access to media releases, events, Development Applications and other.

Motion Carried

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

Against Motion: Nil

Absent: Cr Raciti

C0219(3) Item 10 Notice of Motion: Reversing Inner West Bus Privatisation

Motion: (Kiat/Porteous)

THAT Council write to the Minister for Transport, and the state transport spokespeople for the ALP and the Greens (with copies to their local state MPs), requesting that they publicly commit to:

- a) reversing the privatisation of the Inner West buses (bus region 6) as soon as possible; and
- b) reversing and opposing the privatisation of our public transport network, including metro and proposed metro lines like the Sydenham to Bankstown line.

Motion Carried

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

Against Motion: Crs Macri and Passas

Absent: Cr Raciti

Councillor Passas left the Meeting at 8:58 pm.

Councillor Passas returned to the Meeting at 9:00 pm.

C0219(3) Item 11 Notice of Motion: Report on 290-292 Illawarra Road as Council Affordable Housing

Motion: (Kiat/Porteous)

THAT Council receive a report on how Council's property at 290-292 Illawarra Road can be redeployed in accordance with part 2.6 of our Affordable Housing Policy. The report should address options for necessary renovations, opportunities for partnership especially with an Aboriginal Community Housing Provider (CHP), and the financial implications of the project including income from rent and possible contributions toward necessary renovations by the partnering CHP.

Motion Tied

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

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

Absent: Cr Raciti

The Chairperson used his Casting Vote against the **MOTION** and the **MOTION** was Lost.

Councillor Passas retired from the Meeting at 9:13 pm.

Item 14: Notice of Motion: Progressive Rates Reform**Motion: (Kiat/Hesse)****THAT Council write to the Minister for Local Government and her ALP and Greens counterparts (with copies to local state MPs), requesting that they publicly commit to:**

- a) Supporting legislative changes during the next term of government that would allow Councils to develop their own progressive rates system; and**
- b) Supporting the immediate release of the IPART report into rating reform which was delivered to the Minister in December 2016.**

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

Councillor Macri retired from the Meeting at 9:26 pm.

Councillor Porteous requested that the meeting consider an Urgency Motion with regards to Cancelling of Classics in Callan Park.

Motion: (Porteous)**THAT the Motion be considered as a matter of urgency.**

The Mayor declared this matter was not urgent.

Meeting closed at 9.26 pm.

The Minutes of the Extraordinary Meeting of Council held on the 19th day of February, 2019 were confirmed as a correct record on this 30th day of April, 2019.

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CHAIRPERSON