

AGENDA



INNER WEST COUNCIL

COUNCIL MEETING

TUESDAY 26 FEBRUARY 2019

6.30pm

Live Streaming of Council Meeting

In the spirit of open, accessible and transparent government, this meeting of the Inner West Council is being streamed live on Council's website. By speaking at a Council meeting, members of the public agree to being recorded and must ensure their speech to the Council is respectful and use appropriate language. A person who uses defamatory, discriminatory or offensive language may be exposed to liability for which Council takes no responsibility. Any part of this meeting that is held in closed session will not be recorded

Pre-Registration to Speak at Council Meetings

Members of the public must register by 2pm of the day of the Meeting to speak at Council Meetings. If you wish to register to speak please fill in a [Register to Speak Form](#), available from the Inner West Council website, including:

- your name;
- contact details;
- item on the Agenda you wish to speak to; and
- whether you are for or against the recommendation in the agenda.

Are there any rules for speaking at a Council Meeting?

The following rules apply when addressing a Council meeting:

- keep your address to the point, the time allowed for each speaker is limited to three minutes. This time limit applies, no matter how many items are addressed by the speaker;
- when addressing the Meeting you must speak to the Chairperson;
- the Chairperson may curtail public participation where the information being presented is considered repetitive or irrelevant; and
- only 3 speakers for and against an Agenda Item are allowed.

What happens after I submit the form?

Your request will then be added to a list that is shown to the Chairperson on the night of the meeting.

Where Items are deferred, Council reserves the right to defer speakers until that Item is heard on the next occasion.

Accessibility

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Persons in the public gallery are advised that under the Local Government Act 1993, a person may NOT tape record a Council meeting without the permission of Council.

Any persons found recording without authority will be expelled from the meeting.

"Record" includes the use of any form of audio, video and still camera equipment or mobile phone capable of recording speech.

An audio recording of this meeting will be taken for the purpose of verifying the accuracy of the minutes.

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11 Reports with Confidential Information

Reports appearing in this section of the Business Paper are confidential in their entirety or contain confidential information in attachments.

The confidential information has been circulated separately.

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Confidential Minutes of Ordinary Council Meeting held on 11 December 2018

Meeting commenced at 6.33 pm

Confidential Session

Motion: (Drury/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, Passas, Porteous, Raciti, Stamolis, Steer and York

Against Motion: Nil

Members of the public were asked to leave the Chamber.

Motion: (Byrne/McKenna OAM)

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, Passas, Porteous, Raciti, Stamolis, Steer and York

Against Motion: Nil

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

REPORTS WITH CONFIDENTIAL INFORMATION**C1218(1) Item 43 Organics Processing Tender**

Motion: (McKenna OAM/Drury)

THAT Council:

- 1. Acknowledges that a suitable tender for the processing of food and Garden organics was not provided;**
- 2. Accepts Veolia as the preferred service provider for the processing of Garden Organics (GO) including GO from parks operations, Food Organics Only (FOO) for multi-unit dwellings for the current service in the North (Leichhardt) Service Area;**
- 3. Includes in this contract a new Food Organics Only (FOO) service for multi-unit dwellings in the South (Marrickville Service Area) to commence as soon as practicable;**
- 4. Enters negotiations with Veolia as part of the contract to identify suitable solutions to:**

- a) process the Food Organics and Garden Organics (FOGO) stream for single unit dwellings across the Inner West as FOGO (not AWT processing); and
 - b) provide a FOO service to multi-unit dwellings in the West (Ashfield) Service Area as soon as practicable.
5. Consider Impacts on the Domestic Waste Charge during the 2019/2020 budget process;
6. Approach the State and Federal Governments, including the NSW EPA, ARENA and relevant Ministers about the urgent need for investment in the food recycling plants and transfer stations in the Sydney Metropolitan Area; and
7. Investigate the potential to establish a food recycling transfer station or procession plant in the Inner West Municipality. This should include seeking State and Federal Government Investment and an initial assessment of the commercial viability of such facilities.

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

C1218(1) Item 44 Council Approval of the Licence of Leichhardt Oval No.1 to Sydney Football Club Pty Ltd

Motion: (McKenna OAM/Drury)

THAT:

1. Inner West Council as the Land Manager of Leichhardt Park (D500207) Reserve Trust:
- a) Resolves to grant a one year Temporary Licence (Licence) of Leichhardt Park Oval to Sydney Football Club Pty Ltd (Sydney FC) for football matches and training; and
 - b) Authorises the General Manager (or Delegate) to negotiate terms and execute the Licence on Council's behalf.
2. Council work with the Leichhardt chamber of commerce to convene a meeting of local business in Leichhardt and Lilyfield to plan for joint promotion on the day of the games

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

C1218(1) Item 45 120C Old Canterbury Road, Summer Hill - VPA

Motion: (McKenna OAM/Drury)

THAT the proposed Voluntary Planning Agreement for 120C Old Canterbury Road, Summer Hill be:

- 1. Endorsed in principle, subject to The Yard 120C Pty Ltd (the proponent):**
 - a) Construct a park of approximately 300m² located within the Land and to provide rights of way for public access through the park to the Greenway corridor and the Lewisham Light Rail station from Old Canterbury Road and McGill Street;**
 - b) Provide 2 studio units which will be allocated to Affordable Housing units. The ownership of the units will be transferred to Inner West Council at the completion of the project;**
 - c) Community Office Space located within retail Ground Floor – 5 Year Rental Agreement \$1 Peppercorn rent per year – 35sqm office area; and**
 - d) Provide Council a payment of \$1,045,000 million to be used for public works in the community and surrounding area (Inner West Council will provide a summary of how this payment will be allocated at later date)**
- 2. Placed on public exhibition for a minimum of 28 days; and**
- 3. Reported back to Council after public exhibition.**

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

C1218(1) Item 46 Land & Property Strategy Initiatives

Motion: (McKenna OAM/Drury)

THAT Council:

- 1. Defer the proposal for Chester Street Carpark Petersham until the February 2019 Council Meeting;**
- 2. Undertake an Expression of Interest process and award the lease for the property known as Balmain Pump House;**
- 3. Undertake an Expression of Interest process and award the lease for the property known as New Marrickville Library Development – Commercial Tenancy;**
- 4. Undertake an Expression of Interest process and award the lease of the property known as New Marrickville Library Development – Café;**
- 5. Undertake an expression of Interest process for the Marrickville Town Hall Reuse and report to Council on the outcomes of the Expression of Interest;**

6. Prioritise the establishment of a premises for a reuse centre.**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

Extension of Time

Motion: (Drury/Lockie)

THAT Council extend the meeting for 15 Minutes.

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 York retired from the Meeting at 11:11 pm.

Extension of Time

Motion: (Drury/Da Cruz)

THAT the meeting be extended until 11.45pm.

Motion Carried

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

Against Motion: Nil

Absent: Cr York

Councillor Passas retired from the Meeting at 11:27 pm.

C1218(1) Item 47 Appointment of External Member to Audit, Risk and Improvement Committee (ARIC)

Motion: (McKenna OAM/Drury)

THAT:

- 1. Council resolve to invite councillors to attend ARIC meetings, following advanced registration, as observers; and**
- 2. Request the chair of ARIC to brief councillors on a yearly basis to report to councillors on the work of the committee.**

Motion Carried

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

Against Motion: Nil

Absent: Crs Passas and York

**C1218(1) Item 48 Buruwan Park Annandale Compulsory Acquisition Under S175
Of The Roads Act Or Offer To Purchase The Lease Interest**

Councillor Byrne requested that the meeting consider an Urgency Motion with regards to Buruwan Park Annandale Compulsory Acquisition Under S175 Of The Roads Act Or Offer To Purchase The Lease Interest.

Motion: (Byrne/McKenna OAM)

THAT the motion be considered as a matter of urgency.

Motion Carried

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

Against Motion: Nil

Absent: Crs Passas and York

The Mayor declared this matter was urgent.

Motion: (McKenna OAM/Drury)**THAT:**

- 1. The General Manager (or delegate) negotiate the terms and executes documents with TfNSW in relation to Council relinquishing its lease for property identified as Buruwan Park Annandale, Lot 31 / DP1055559; and**
- 2. The compensation funds be allocated to the maintenance or upgrade of Whites Creek Park.**

Motion Carried

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

Against Motion: Nil

Absent: Crs Passas and York

Minutes of Extraordinary Council Meeting held on 5 February 2019**Meeting commenced at 6.34p.m****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 (6.36pm)
John Stamolis	Councillor
Louise Steer	Councillor
Anna York	Councillor
John Warburton	Acting 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
John Stephens	Traffic and Transport Services Manager
Erla Ronan	Group Manager Community Services and Culture
Simon Watts	Social and Cultural Planning Manager
David Birds	Group Manager Strategic Planning
Harjeet Atwal	Group Manager Development Assessment & Regulatory Services
Cathy Edwards-Davis	Group Manager Trees, Parks & Streetscapes
Ian Naylor	Manager Civic and Executive Support
Katherine Paixao	Business Paper Coordinator

APOLOGIES:**Motion: (Byrne/Passas)**

THAT Apologies for lateness from Councillor Raciti be accepted.

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

DISCLOSURES OF INTERESTS: Nil

Councillor Raciti entered the Meeting at 6:36 pm.

Suspension of Standing Orders**Motion: (Byrne/McKenna OAM)**

THAT Council Suspend Standing Orders to hear from the registered speakers for Items 4 and 5.

Motion Carried

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

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

Foreshadowed Motion (Porteous/Da Cruz)

THAT Council Suspend Standing Orders to hear from the registered speakers and to deal with Items 4 and 5.

This Foreshadowed Motion lapsed.

Resumption of Standing Orders**Motion: (Byrne/Passas)**

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, Steer and York

Against Motion: Nil

Suspension of Standing Orders**Motion: (Kiat/Hesse)**

THAT Council Suspend Standing Orders to deal with the registered speaker for Item 5.

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

C0219 Item 1 Code of Conduct Complaints Statistic Report**Motion: (Porteous/McKenna OAM)**

THAT Council receive and note the report on the statistical data about Code of Conduct complaints relating to Councillors and the General Manager, and, that as required by the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW, a statistical report has been provided to the Office of Local Government for the 12 months ending 31 August 2018.

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

Amendment (Stamolis/Passas)

THAT the Inner West Council seeks tabulation of the statistics provided in the report.

Motion Lost

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

**C0219 Item 2 Change in Parking Meter Operational Hours in the side streets of
Leichhardt, Rozelle and Balmain**

Motion: (Byrne/Macri)

THAT Council:

- 1. Consider extending 30 minute free parking to all side street spaces immediately adjacent to business (identified in the report) as part of the 2019-20 budget;**

Motion Lost

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

Councillor Passas left the meeting at 7.10pm

- 2. Look at the provision of multi-level carpark in Leichhardt and other areas;**

Motion Lost

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

Councillor Passas returned to the meeting at 7.12pm

- 3. Require council officers to provide information on section 94 parking levies;**

Motion Carried

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

Councillor Passas left the Meeting at 7:13 pm.

- 4. Undertake an economic study of what influences the behaviour of customers on high streets.**

Motion Carried

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

- 5. Existing 15 minute free parking zones (11 parking meters) be converted to 30 minute free parking zones.**

Motion Carried

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

Amendment (Da Cruz/Hesse)

THAT Council undertake an economic study of what influences the behaviour of customers on high streets.

Motion Carried

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

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

Amendment (Porteous/Drury)

THAT existing 15 minute free parking zones (11 parking meters) be converted to 30 minute free parking zones.

Motion Carried

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

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

Foreshadowed Motion (Porteous)**THAT:**

1. This report be received and noted;
2. Existing 15 minute free parking zones (11 parking meters) be converted to 30 minute free parking zones; and
3. Council undertake an economic study of what influences the behaviour of customers on high streets.

This Foreshadowed Motion lapsed.

Councillor Passas returned to the meeting at 7.19pm

C0219 Item 3 Multicultural Policy Implementation**Motion: (Iskandar/Kiat)****THAT Council:**

1. Endorse the proposed Community-led Celebration Day Grant Guidelines for exhibition;

2. Approve recruiting a Multicultural Policy Project Officer position five days per week as a permanent position and the additional funding be considered at the next quarterly budget review; and
3. Increase the funding to a maximum of \$5000 for each event.

Motion Carried

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

Against Motion: Crs Passas and Raciti

C0219 Item 4 Portuguese Community Collaboration Protocols

Motion: (Iskandar/Macri)

THAT Council:

1. Receive and Note this report;
2. Agree to explore further:
 - a. The potential community health and wellbeing initiatives that might better meet the needs of people of Portuguese backgrounds;
 - b. Potential renaming of Audley Street Petersham between New Canterbury Road and Trafalgar Streets to a name with greater cultural significance to the Portuguese community;
 - c. Explore the potential for street art created by Portuguese artists; and
 - d. Further liaison with Roads and Maritime about inclusion of Portuguese elements in the Petersham Station access improvements.

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 Passas left the Meeting at 8:02 pm.

C0219 Item 5 Gambling Harm Minimisation

Motion: (Drury/Iskandar)

THAT Council :

1. Note the outcomes of the Gambling Harm Minimisation Mayoral forum; and
2. Approves negotiating an Inner West Gambling Harm Minimisation Compact based on the following points:
 - a. Engaging a high profile ambassador for promoting harm reduction
 - b. Improved training for staff in venues provided by the industry
 - c. Targeted support from Office of Responsible Gambling.
3. Commit to applying to the OGR for at least one grant per year for a harm minimization project designed in consultation with the Inner West community;
4. Host an annual Gambling Harm Minimisation Roundtable, open to the public, at

which the local industry and Council can report on activities undertaken and success achieved under the Compact, and allow the community to be part of any plans for future actions;

5. Write to the relevant minister and shadow minister requesting that they commit to prohibiting gambling-based loyalty programs (including for casinos), and empower councils to be able to say "no" to further pokies entering the community; and
6. Note that one focus of the round table is to develop a community education and awareness campaign in regard to gambling harm minimisation.

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

Amendment (Kiat/Da Cruz)

THAT Council provide the exodus foundation the draft copy of the compact for their comments prior to finalisation.

Motion Tied

For Motion: Crs Da Cruz, Hesse, Iskandar, Kiat, Macri, Porteous and Steer

Against Motion: Crs Byrne, Drury, Lockie, McKenna OAM, Raciti, Stamolis and York

Absent: Cr Passas

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

Councillor Drury left the Meeting at 8:02 pm.

C0219 Item 6 Birchgrove Wharf - Accessibility Options through Yurulbin Park

Motion: (Stamolis/Byrne)

THAT Council:

1. Advise Transport for NSW that it supports Option 1 as the preferred option for equal access to Birchgrove Wharf, through Yurulbin Park;
2. Requests that Transport for NSW engage Bruce Mackenzie and Associates to provide comments on the detailed design for improved accessibility and provide input into the landscaping design works for Yurulbin Park; and
3. Request that Transport for NSW reconsider the option of relocating the ferry wharf to Miklouho-Maclay Park, Grove Street, Birchgrove, should the accessibility project to Birchgrove Wharf not proceed within five years.

Motion Carried

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

Against Motion: Nil

Absent: Crs Drury and Passas

Councillor Lockie left the Meeting at 8:04 pm.

Councillor Drury returned to the Meeting at 8:04 pm.

C0219 Item 7 Amendment to Ashfield LEP 2013 - Heritage Conservation Clauses**Motion: (McKenna OAM/York)****THAT:**

1. The attached Planning Proposal for amendments to the Ashfield Local Environmental Plan 2013, Schedule 2 - Exempt Development as indicated in the report be forwarded to the Minister for Planning for a Gateway Determination in accordance with the Environmental Planning and Assessment Act 1979;
2. The Department of Planning and Environment be requested to delegate the plan making functions for the Planning Proposal to Council to be made the Planning Proposal Authority;
3. Following receipt of a Gateway Determination, the Planning Proposal in the form required and supporting documentation be placed on public exhibition by Council for a minimum of 28 days and public authorities be consulted in accordance with the Determination; and
4. A report be presented to Council on completion of the public exhibition which will address submissions received.

Motion Carried**For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Macri, McKenna OAM, Porteous, Raciti, Stamolis, Steer and York**Against Motion:** Nil**Absent:** Crs Lockie and Passas**C0219 Item 8 Victoria Road Precinct, Marrickville - Draft Developer Contributions Plan Update****Motion: (Macri/Iskandar)****THAT:**

1. The report be received and noted; and
2. A further report on the Victoria Road Developer Contributions Plan together with an updated Draft DCP be brought to Council following the consideration of further legal advice, at the earliest possible opportunity in 2019.

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

Councillor Lockie returned to the Meeting at 8:06 pm.

C0219 Item 9 Harmonising Inner West Council Awards Programs**Motion: (Porteous/Steer)****THAT Council:**

1. Note the current awards program has been reviewed;
2. Request Precedent Productions include an Ethical Business/Social Enterprise Award as one of its categories in the Inner West Business Awards; and
3. Examine opportunities to promote ACON's *Welcome Here* initiative across the LGA.

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**C0219 Item 10 Appointment of Consultant as Developer Contributions Specialist****Motion: (Macri/McKenna OAM)**

THAT in accordance with Section 55(3)(i) of the Local Government Act 1993, Council delegate the authority to the General Manager to execute a contract for 2 years with a suitably qualified person to carry out the work required for the provision of a s7.11 Contributions Plan by reason of extenuating circumstances under Section 55(3)(i) of the Local Government Act 1993, including:

- a. **Calling for tenders in this instance would not provide a satisfactory result to Council as the market has already been tested using a procurement process and seeking bids from temporary labour hire providers on Council prescribed panels, resulting in higher costs than engaging a consultant directly; and**
- b. **There is a significant shortage of suitable consultants able to undertake these works and calling for a tender in this instance will only delay the process.**

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 returned to the Meeting at 8:17 pm.

Councillor Raciti left the Meeting at 8:34 pm.

C0219 Item 11 Model Code of Meeting Practice**Motion: (Drury/McKenna OAM)****THAT:**

1. The Draft Code of Meeting Practice be amended as follows:
 - a) Amend 3.33 - Briefings to be chaired by a Councillor as chosen by a vote of Councillors present at each meeting. Where a simple vote does not elect a chair the rules in part 6 to apply;
 - b) Insert new 3.36 - The rules set out in clauses 15.11-15.17 for keeping order at a meeting apply to briefings;
 - c) Amend 9.18 - Delete all words following "...without argument." That is, maintain questions as separate to speaking time; and
 - d) Amend 10.7 - after "10.6" insert "or 10.9", so that the requirement for the Chairperson to give the mover of a motion or amendment an opportunity to clarify or amend extends also to failures to identify a source of funding.
2. The Draft Code of Meeting Practice as amended in point 1 be placed on public exhibition for a period of 28 days;
3. Council receive a further report outlining the submissions received during the exhibition period; and
4. The draft COMP be amended with the following effect prior to exhibition:
 - a) Amend 3.1 - Council meetings to remain at 6.30pm rather than 7pm; and
 - b) Amend 8.1 - 'Public Forum' to be heard after 'Moment of quiet contemplation' and before 'Mayoral Minutes'.

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

Councillor Raciti returned to the Meeting at 8:36 pm.

Amendment (Kiat/Hesse)**THAT the draft COMP be amended with the following effect prior to exhibition:**

1. Amend 3.1 - Council meetings to remain at 6.30pm rather than 7pm;

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

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

2. Delete part 4, replace with the provisions in clause 2.8 (Public Forum - Addressing Council) of the existing Code of Meeting Practice (renumbered as appropriate);

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

3. Amend 8.1 - 'Public Forum' to be heard after 'Moment of quiet contemplation' and before 'Mayoral Minutes';

Motion Carried

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

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

Councillor Raciti left the meeting at 8.42pm

4. Amend 8.1 'Items of Business Addressed In Public Forum' to be heard after 'Public Forum' and before 'Mayoral Minutes'

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.

Foreshadowed Motion (Porteous/Stamolis)

THAT this item be deferred to a councillor workshop before being considered in a council meeting.

This Foreshadowed Motion lapsed.

Councillor Raciti returned to the Meeting at 8:42 pm.

C0219 Item 12 Fee Waiver for use of Aquatic Centres

Motion: (Da Cruz/Porteous)

THAT:

1. Council approve the fee waiver applications submitted by regular hirers of the Leichhardt Park Aquatic Centre and Dawn Fraser Baths during 2018 – 2019, as detailed in Attachment 1;
2. Council approve the trial and additional request for use of Leichhardt Park Aquatic Centre between 8.00pm-9.00pm by Balmain UTS Waterpolo club for water polo training, subject to UTS Balmain Water Polo Club covering the cost of the lifesaver for the additional hour at LPAC;
3. The Memorandum of Understanding with Water Polo NSW, in relation to AAC, be extended to cover all Inner West Pools;

4. A progress report on this memorandum be brought to council; and
5. Council receive a report explaining why these groups receive a fee waiver and provide a comparison to other clubs in aquatic centres in our Local Government Area.

Motion Lost

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

Against Motion: Crs Byrne, Drury, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Raciti, Stamolis and York

Foreshadowed Motion (Passas)

THAT all entry fees to all pools in the Inner West Council area be waived forever.

The Mayor ruled this Foreshadowed Motion Out of Order as the motion did not identify a source of funds to fund the motion required by Clause 5.1(1) of the Code of Meeting Practice.

Foreshadowed Motion (Macri/Drury)

THAT this item be deferred for a report to come back explaining why these groups receive a fee waiver and provide a comparison to other clubs in aquatic centres in our Local Government Area.

Motion Carried

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

Against Motion: Cr Da Cruz

ADJOURNMENT

8.57pm- The Mayor, Clr Byrne adjourned the meeting for a short recess.

9.15pm- The Mayor, Clr Byrne resumed the meeting.

Councillor Passas left the Meeting at 9:16 pm.

C0219 Item 13 Mandatory reporting of Fire Safety Reports referred to Council from Fire and Rescue NSW

Motion: (Drury/Stamolis)

THAT Council:

1. Note the correspondence provided by Fire and Rescue NSW for development on land known as the Garden Lodge Sydney, located at 17-23 Parramatta Road Haberfield (Attachment 1);
2. Endorse the Councils Officers use of statutory powers (and discretion as appropriate) under the Environmental Planning and Assessment Act 1979 to require upgrades to the building 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.

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

C0219 Item 14 Statement of Business Ethics

Motion: (Drury/McKenna OAM)

THAT Council:

1. Rescind the Statement of Business Ethics for the former councils;
2. Endorse the Draft Statement of Business Ethics shown as Attachment 2; and
3. The words “Independent Ombudsman” being amended to “Internal Ombudsman” subject to on page five.

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 returned to the Meeting at 9.22 pm.

C0219 Item 15 Resource Recovery Operations Review

Motion: (McKenna OAM/Byrne)

THAT:

1. An evening domestic waste collection service be introduced in the former Marrickville LGA; and
2. A comprehensive communications plan to affected residents be developed and implemented well in advance of the change.

Motion Carried

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

Against Motion: Crs Hesse, Kiat, Porteous and Steer

Foreshadowed Motion (Kiat)

THAT Councillors be provided with a briefing on the operational service delivery area review being undertaken by an external consultant including information regarding:

1. The consultant undertaking the review;
2. The scope of the brief to the consultant;

3. A high level view of the consultancy contract including fees, budget and duration;
4. The role of community consultation in developing recommendations such as the one addressed in this report;
5. The role of staff and union consultation in developing recommendations such as the one addressed in this report;
6. The role of councillor consultation in developing recommendations such as the one addressed in this report; and
7. Any reports already produced in the course of the review and the expected output of the remainder of the consultancy

This Foreshadowed Motion lased.

C0219 Item 16 Brief Report of Best Practice Food Recycling

Motion: (McKenna OAM/Lockie)

THAT Council note:

1. The Brief Report on food recycling;
2. All best practice options are already being included in the development and redesign of the organics services (outlined in the *Zero Waste Strategy and Transition Plan* report on the 30 October 2018); and
3. Organics processing is the subject of a **CONFIDENTIAL REPORT** to Council at its 11 December 2018 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

C0219 Item 17 Notice of Motion: Norton Street Footpath and Stormwater Works

Motion: (Byrne/Porteous)

THAT:

1. Council officers provide a report regarding options for the resolution of flooding issues on the eastern side of Norton Street between Short Street and Macauley Street, with options to include:
 - a. A refurbishment of the footpath to address any adverse cross fall and to allow water to drain properly into the storm water system; and
 - b. Upgrading or replacement of the steel storm water grates on the street side of the footpath.
2. The Officer's report include funding options for projects that could be reallocated or moved to allow recommended works to take place.

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 Item 18 Notice of Motion: 12 Month Trial of Regulatory Staff being On Call, After Business Hours

Motion: (Macri/Passas)

THAT Council receives a report on a 24 month trial of Regulatory Staff being available on call, after business hours.

Motion Carried

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

C0219 Item 19 Notice of Motion: Impacts of Multi-Dwelling Development upon on-street parking

Motion: (Macri/Lockie)

THAT Council prepares a short report on the impact of multi-dwelling developments and the availability of on street parking to inform the development of the LEP and DCP.

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 Item 20 Notice of Motion: Open Space Funding

Motion: (Macri/Passas)

THAT Council:

- 1. Receives a report on creating a fund for procurement and increasing open space through VPA funding and funds to come from penalty infringements (i.e. fines) starting at 15% in the first year and increasing 5% per annum, capped at 40%; and**
- 2. Receive a report addressing the inclusion of a Property Acquisition Strategy for increasing open space as part of the LEP project, with the financial implications to be addressed in the 2019/20 budget process.**

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 Kiat left the meeting at 10.02pm.

C0219 Item 21 Notice of Motion: Grants Program**Motion: (Macri/Passas)****THAT Council receives a report on:**

1. Restructuring the grants program from an annual grant to a bi-annual grants program at the same annual budget;
2. The report should not reduce the amount applied for rather offer a range of grants from small, medium to large e.g. Environmental grants total \$50,000

2	\$7500
3	\$5000
4	\$3000
4	\$2000

3. Prior to the report coming to Council for adoption there should be a Councillor briefing allowing Council the opportunity to inform themselves;
4. Prior to new grants being given out, Council should receive a report on the outcomes and achievement of the previous recipients to aid in the transparency and accountability to the community;
5. When Councillors receive a report on a request for financial assistance they should direct them to the grants program as the community would expect any money being expended by Council goes through a transparent and accountable process rather than a notice of motion arriving at a Council Meeting; and
6. Successful applicants in the grant program not be considered in the following years grant to allow equity of access to the grants for the whole community.

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

Councillor Kiat returned to the meeting at 10.05pm.

C0219 Item 22 Notice of Motion: Former Haberfield Army Reserve Depot**Motion: (McKenna OAM/Byrne)****THAT the Mayor seek a meeting with the Minister for Defence to request the Department of Defence:**

- a) Transfer ownership of Haberfield Department of Defence Subdivision, 140A Hawthorne Parade Haberfield, Lot: ADP: 948209 to the people of the Inner West;
- b) The Inner West Council be given care and control of the land for community

use and that the community be consulted on the future use; and

c) The required drainage works be undertaken prior to the handover.

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 Item 23 Notice of Motion: Acknowledgement of NSW Government's 'Cooler Classrooms Fund'

Motion: (Macri/Passas)

THAT Council acknowledge the NSW Government's and NSW Opposition's support of 'Cooler Classrooms Fund' which will see air conditioning installed in at least 17 inner west schools, many of which are located in the Inner West Council LGA.

Motion Carried

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

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

C0219 Item 24 Notice of Motion: Changes to 444 and 445 Bus Services Affecting Balmain Peninsula

Motion: (Stamolis/Byrne)

THAT Council contact Transport for NSW:

- 1. To question why changes have been made to the 444 and 445 bus services, why these services no longer terminate at the Darling Street Wharf; and to advise that there is significant concern amongst commuters about these changes; and**
- 2. To question the number of buses on the Balmain Peninsula which are not in service.**

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 left the Meeting at 10:46 pm.

C0219 Item 25 Notice of Motion: Stormwater Drain Maintenance

Motion: (Macri/Passas)

THAT Council receive a report on how to improve the maintenance of Stormwater Pits to avoid flooding of properties noting that:

- 1. Stormwater is the responsibility of Council;**
- 2. Street trees and the impacts of these trees on the stormwater system through**

droppings are also the responsibility of Council;

3. The report must recommend solutions, if need be through the increase of maintenance resources or improved tree infrastructure management strategies; and
4. This report must be submitted to Council prior to the consideration of the year 2019 budget, as it will have ramifications in relation to program funding.

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

Councillor Raciti returned to the Meeting at 10:58 pm.

Councillor Kiat left the Meeting at 11:00 pm.

C0219 Item 26 Notice of Motion: De-Amalgamation

Motion: (Passas/Byrne)

THAT Council write to the NSW labor opposition leader seeking his views on Council amalgamations.

Motion Carried

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

Against Motion: Crs Da Cruz, Porteous and Steer

Absent: Cr Kiat

Councillor Kiat returned to the Meeting at 11:01 pm.

C0219 Item 27 Notice of Motion: Tree and Street Sweeping Issue

Motion: (Passas/Raciti)

THAT Council attend to tree maintenance and street sweeping as a matter of urgency.

Motion Carried

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

Against Motion: Crs Kiat, Porteous and Steer

C0219 Item 28 Notice of Motion: Alcohol Free Zone

Motion: (Passas)

Councillor Passas withdrew this Motion.

Meeting closed at 11.09pm.

PUBLIC SPEAKERS:

Item #	Speaker	Suburb
Item 5:	Les Banton	Ashfield

Minutes of Ordinary Council Meeting held on 12 February 2019**Meeting commenced at 6.34 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
John Warburton	Deputy General Manager Community and Engagement
Nellette Kettle	Group Manager Customer Service, Business Excellence and Civic Governance
Wal Petschler	Group Manager Roads & Stormwater
David Birds	Group Manager Strategic Planning
Cathy Edwards-Davis	Group Manager Trees, Parks & Streetscapes
Caroline McLeod	Group Manager Library and History Services
Ian Naylor	Manager Civic and Executive Support
Katherine Paixao	Business Paper Coordinator

APOLOGIES: Nil**DISCLOSURES OF INTERESTS:**

Clr Lockie declared a pecuniary interest in Item 3 - Library fines for lost or late items as the recommendation of the report would result in a small fine being waived for her and she will leave the chamber during discussion and voting.

Clr Byrne declared a non-significant, non-pecuniary interest in Item 6 - Lilyfield Rd - Assessment of Supplementary Cycle Routes as he lives near Lilyfield Road and he will leave the chamber during discussion and voting.

Clr Raciti declared a non-significant, non-pecuniary interest in Item 7 - Planning Proposal - 67-75 Lords Road, Leichhardt as her husband is involved with Leichhardt Tigers Soccer Club.

Clr Iskandar and Macri declared a non-significant, non-pecuniary interest in Item 8 - Planning Proposal - 120C Old Canterbury Road, Summer Hill as they are members of the Sydney Central Planning Panel and they will leave the chamber during discussion and voting.

Motion: (Passas/Kiat)

THAT the declaration of interest be 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

Confidential Session**Motion: (Byrne/Passas)**

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, Passas, Porteous, Raciti, Stamolis, Steer and York

Against Motion: Nil

Members of the public were asked to leave the Chamber.

Motion: (McKenna OAM/Macri)

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, Passas, Porteous, Raciti, Stamolis, Steer and York

Against Motion: Nil

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

REPORTS WITH CONFIDENTIAL INFORMATION**C0219(2) Item 20 Recruitment of CEO****Motion: (Byrne/Steer)**

THAT the matter be deferred to an Extraordinary Council Meeting on 19 February 2019.

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 Passas left the Meeting at 8:05 pm.

ADJOURNMENT

8.02pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

8.12pm– The Mayor, Clr Byrne resumed the meeting.

Suspension of Standing Orders**Motion: (Byrne/Kiat)**

THAT Council Suspend Standing Orders to hear from all registered speakers and to deal with Items 6, 7, 8, 15 and 19.

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

The Mayor, Clr Byrne vacated the chair at 8.15pm as he had declared a Conflict of Interest in Item 6 and the Deputy Mayor, Clr Macri assumed the chair.

The Deputy Mayor, Clr Macri vacated the chair at 8.18pm and the Mayor, Clr Byrne assumed the chair.

Councillor Passas returned to the Meeting at 8:26 pm.

Councillors Iskandar and Macri left the Meeting at 8:28 pm as they had declared a Conflict of Interest in Item 8.

Councillors Iskandar and Macri returned to the Meeting at 8:39 pm.

Councillor Passas left the Meeting at 8:45 pm.

The Mayor, Clr Byrne vacated the chair at 8.57pm as he had a conflict of interest in Item 6 and the Deputy Mayor, Clr Macri assumed the chair.

C0219(2) Item 6 Lilyfield Rd - Assessment of Supplementary Cycle Routes**Motion: (Drury/Kiat)****THAT Council:**

1. Reiterate our strong preference for the City West Cycle Link is a far better long term solution for commuting through Lilyfield;
2. Staff to continue to explore the three supplementary routes to help link Iron Cove to Rozelle Bay in conjunction with Inner West Bicycle Coalition prior to bringing back preferred options for community consultation and council to consider;
3. Also explore more achievable safety measures for Lilyfield Rd to enhance cycling conditions for the existing cycle users; and
4. Write to RMS to urgently clarify the detour for the cycle route between Lilyfield Road and the ANZAC bridge if the Victoria Road Cycle/Pedestrian Bridge is to be demolished as part of the Wesconnex Stage 3b.

Motion Carried

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

Against Motion: Nil

Absent: Crs Byrne and Passas

Clr Macri vacated the chair at 9.08 pm as the Mayor, Clr Byrne assumed the chair.

Councillor Byrne returned to the Meeting at 9:08 pm.

C0219(2) Item 7 Planning Proposal - 67-75 Lords Road, Leichhardt

Motion: (Byrne/Da Cruz)

THAT:

1. Council not support the Planning Proposal for 67-75 Lords Road, Leichhardt for the reasons outlined in the report including that:
 - a) It fails the Strategic Merit Test of "*A guide to preparing planning proposals*" pursuant to Section 3.33(2)(c) of the *Environmental Planning and Assessment Act 1979*;
 - b) The proposal does not have merit and fails all of the six (6) criteria when assessed against the *Parramatta Road Implementation Plan 2016 - 2023 'Out of Sequence Checklist'*. In particular, the proposal:
 - i. Fails to satisfy Criteria 1 in that it does not adequately demonstrate that it meets the strategic, land use and development objectives outlined in the PRCUTS Implementation Plan and does not provide significant delivery, contribution or benefits for the Strategy's Corridor wide and Precinct vision. It is inconsistent with the recommended built form recommendations and does not demonstrate that the new development will achieve design excellence. The Proposal is also out of alignment with the short term growth projections identified in the strategy and does not demonstrate any significant net community, economic and environmental benefits for the Precinct;
 - ii. Fails to satisfy Criteria 2 in that the Integrated Infrastructure Delivery Plan (IIDP) is inadequate because it is based on a concept plan for 235 dwellings in 23,158sqm of residential floorspace which at average large residential flat building dwelling gross floor area sizes of 76.35sqm could produce 303 dwellings at the development application stage;
 - iii. Fails to satisfy Criteria 3 in that the community engagement is inadequate, has not demonstrated that there is an appropriate level of support or agreement for the proposal and has not demonstrated adequate readiness in terms of the extent of planning or business case development for key infrastructure projects;
 - iv. Fails to satisfy Criteria 4 in that there is no certainty that the proposal achieves or exceeds the sustainability targets identified in this Strategy;
 - v. Fails to satisfy Criteria 5 in that the proposal does not sufficiently demonstrate development feasibility analysis to meet this criterion given the Economic Impact Assessment and the feasibility advice is flawed and contains numerous assumptions, disclaimers and

- conclusions which are not supported; and
- vi. Fails to satisfy Criteria 6 in that the proposal does not sufficiently demonstrate a land use and development scenario that aligns with and responds to market conditions for the delivery of housing and employment for 2016 to 2023.
- c) The Parramatta Road Corridor Transformation Strategy new dwelling targets for the Taverners Hill Precinct can readily be met and surpassed without rezoning this site;
- d) In the context of persistent demand and a low and decreasing supply of industrial land, a rezoning such as this would dilute Council's ability to provide sufficient industrial land to accommodate demand. The planning proposal would also result in:
- i. inconsistency with the *Leichhardt Industrial Lands Study 2014* (SGS, 2014), *Leichhardt Employment and Economic Development Plan* (EEDP) and the *Leichhardt Industrial Precincts Planning Report* (SGS, 2015);
 - ii. a net loss of jobs in the local government area;
 - iii. the loss of an economically viable employment precinct containing local services, light industrial and other non-industrial activities which contribute to the diversity of the economy, community activities and employment opportunities;
 - iv. a lack of merit when assessed against the criteria established by the *Leichhardt Employment and Economic Development Plan 2013-2023*; and
 - v. the lack of an appropriate Net Economic and Community Benefit Test as it does not address the wider issue of cumulative loss of employment lands in the local government area.
- e) It is inconsistent with the infrastructure sequencing of the PRCUTS and the submitted Integrated Infrastructure Delivery Plan (IIDP) and the offer to enter into a Voluntary Planning Agreement (VPA) are unsatisfactory given the lack of adequate contributions;
- f) It is inconsistent with numerous Ministerial Directions pursuant to Section 9.1 of the *Environmental Planning and Assessment Act 1979* including Directions 1.1 - Business and Industrial Zones, 7.1 - Implementation of A Plan for Growing Sydney and 7.3 - Parramatta Road Corridor Urban Transformation Strategy;
- g) It is inconsistent with the Inner West Council Community Strategic Plan: Our Inner West 2036 – Direction 2: Unique, liveable, networked neighbourhoods and Strategic Direction 3: Creative communities and a strong economy;
- h) It is inconsistent with the following elements of the Parramatta Road Corridor Urban Transformation Strategy:
- Policy context and the Strategy's vision and key actions for the Corridor and Taverners Hill precinct including all seven (7) principles of the Strategy;
 - Implementation Tool Kit including the Implementation Plan 2016-2023, Planning and Design Guidelines (including the Corridor wide, built form and Taverners Hill Guidelines), Infrastructure Schedule and Urban Amenity Improvement Plan; and

- **Reference Reports including the Precinct Transport Report, Economic Analysis, Fine Grain Study and Sustainability Implementation Plan.**
- i) **It is premature in the light of the prospective outcomes of strategic planning studies and projects underway at State and Local Government levels, particularly having regard to the lack of the Precinct-wide traffic study and supporting modelling which is required under the PRCUTS to be completed to consider the recommended land uses and densities, as well as future WestConnex conditions, and identify the necessary road improvements and upgrades required as part of any proposed renewal in the Precinct;**
- j) **It does not make an adequate contribution towards the provision of affordable housing as it is inconsistent with Council's *Affordable Housing Policy 2016* which seeks a 15% contribution of gross floor area of the development as affordable housing and dedicated to Council in perpetuity;**
- k) **It exceeds the *Parramatta Road Corridor Urban Transformation Strategy* recommended density by 500m² without satisfactorily demonstrating that the proposal would achieve better built form outcomes or design excellence;**
- l) **It fails to adequately assess the following matters given the insufficient or unsatisfactory supporting studies:**
 - i. **Flooding in that the proposal is currently located within the southwest corner of the site where the flood depth is greatest and other unresolved design issues associated with the flood hazard on the site;**
 - ii. **Heritage in that the Heritage Impact Statement does not adequately consider the potential heritage value of the existing buildings or whether there will be any adverse impacts on the heritage value of the nearby heritage items including the item at Lambert Park and Kegworth Public School;**
 - iii. **Land contamination and *State Environmental Planning Policy No 55 – Remediation of Land* requirements in that the submitted Remedial Action Plan does not locate the known contamination on the site and relies on outdated sampling information;**
 - iv. **Traffic impacts given an inadequate Traffic Report and supporting information is provided, particularly having regard to the likely impacts on Davies Lane of increased traffic generation;**
 - v. **Public domain works and connections given the lack of an adequate outline of the proposed works and satisfactory arrangements being made with the relevant stakeholders for connections and linkages within and outside the site;**
 - vi. **Economic analysis of the loss of employment land given the Economic Impact Analysis did not adequately justify this loss as it relied on the Regional and District Plans excluding the PRCUTS area from the overwhelming evidence contained in the relevant economic and industrial land literature on the loss of employment land; and**
 - vii. **Sustainability targets and measures given the Sustainability Report was a generic and theoretical analysis of potential measures and failed to demonstrate that the proposal complies with the sustainability targets of the PRCUTS.**

- m) It fails to adequately demonstrate consistency with a number of design quality principles of *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development* and subsequently results in a number of urban design concerns with subsequent adverse impacts on both internal amenity and the amenity of adjoining properties including:
- i. Adverse impact in terms of context having regard to the proposal being out of character within the surrounding low density residential area and therefore inconsistent with Design Quality Principle 1;
 - ii. Setback and separation, height and articulation of the built form concerns resulting in the proposal being inconsistent with the bulk form and scale requirements of Design Quality Principle 2;
 - iii. The proposed FSR exceeds the PRCUTS controls and the scale of residential floor space proposed on this site is not required to meet the PRCUTS projections, thereby being inconsistent with Design Quality Principle 3;
 - iv. The proposed height of the nine storey development (35m AHD or 32m) exceeds the PRCUTS recommended maximum height of 30m;
 - v. The proposal does not satisfy the sustainability requirements of the PRCUTS and is inconsistent with Design Quality Principle 4;
 - vi. Potential impacts on the amenity of the area and the site which is inconsistent with Design Quality Principle 6 including:-
 - visual impact from the bulk and scale of buildings,
 - overlooking of Davies Street properties,
 - inadequate location and quantity of common and public open space which lacks a sufficient interface with the public domain to be considered public space and overshadowing of open space.
2. Should the Proponent request a Rezoning Review by the NSW Department of Planning and Environment, delegation is given to the Group Manager Strategic Planning to lodge a submission to the review process in accordance with this report and Council's related resolution.

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

Councillors Iskandar and Macri left the Meeting at 9:09 pm as they had declared a Conflict of Interest in Item 8.

Councillor Passas returned to the Meeting at 9:13 pm.

C0219(2) Item 8 Planning Proposal - 120C Old Canterbury Road, Summer Hill**Motion: (Drury/Raciti)****THAT Council:**

1. Amend the Ashfield Local Environmental Plan 2013 for 120C Old Canterbury Road, Summer Hill, as indicated in the report, in the terms of recommendation (3) below;
2. Liaise with the Department of Planning and Environment (DPE) and

Parliamentary Counsel's Office to draft and finalise the LEP Amendment;

- 3. Finalise the post-exhibited Voluntary Planning Agreement with the Proponent in accordance with the Environmental Planning & Assessment Act 1979 (EP&A Act);**
- 4. Following the completion of (3) above request DPE to notify the Plan;**
- 5. Adopt the site specific amendments for 120C Old Canterbury Road, Summer Hill in the "Inner West Comprehensive Development Control Plan 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill" recommended in the report; and**
- 6. Delegate the making of the LEP amendments and the adoption of the amended site specific Development Control Plan as indicated in this report to the Group Manager Strategic Planning.**

Motion Lost

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

Foreshadowed Motion (Kiat/Hesse)

THAT:

- 1. Council defer the item to receive a further report clearly addressing potential improvements to traffic, parking and sunlight access in relation to this planning proposal, including the need for the proponent to provide any further studies or evidence, and advice considering whether this site would be better rezoned as part of the LEP project;**
- 2. The community be consulted to identify the primary issues for improvement for this report; and**
- 3. A site meeting for councillors to meet with local residents and planning staff be arranged and that this meeting be addressed in the report.**

Motion Carried

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

Councillors Iskandar and Macri returned to the Meeting at 9:30 pm.

C0219(2) Item 15 Notice of Motion: Warren Road, Marrickville

Motion: (Macri/Hesse)

THAT Council:

- 1. Complete the necessary study and investigations for a proposed conversion of Warren Road, Marrickville from its current two-way traffic flow operation to one-way; and**
- 2. Recommendations be submitted to the Local Traffic Committee for consideration.**

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 Passas left the Meeting at 9:42 pm.

Councillor Passas returned to the Meeting at 9:46 pm.

Councillor Passas left the Meeting at 9:53 pm.

C0219(2) Item 19 Notice of Motion: Air Pollution Levels Dangerously High Along Westconnex Route

Motion: (Porteous/Lockie)

THAT:

1. The Mayor on behalf of Council writes to the CEO of the Environmental Protection Agency (EPA) requesting an urgent meeting of the Mayor and interested Councillors with the CEO of the EPA to address the unacceptably high PM 2.5 levels which have been exceeding the National Limit of 8 and WHO limit of 10 for an extended period of time;
2. The Mayor on behalf of Council writes to the Minister for Roads and Maritime outlining the numerous breaches in national limits of PM 2.5 and the failure to produce any recent monitoring results since September 2018 from the St Peters unit and the fact that these high levels already exceed the maximum predicted levels in the M4East EIS and the M4/M5 EIS and requesting an urgent meeting (Mayor and interested Councillors) and response from the Minister as to why there have been no monitoring results since September 2018 from the St Peters unit and report on the origin of these dangerously high air pollution levels along the WestConnex route further no plan to address these high pollution levels;
3. The Mayor on behalf of Council writes to the Premier and Leader of the Opposition outlining the dangerously high air pollution levels along the WestConnex route which have now persisted for an extended period of time, requests an urgent meeting (Mayor and interested Councillors) with the Premier and with the Leader of the Opposition calls on them to commit to take urgent action to address this unacceptable risk to the health of people, including many children in the Inner West Council area;
4. The Mayor on behalf of Council writes to the Minister and Shadow Minister for Planning outlining the dangerously high air pollution levels along the WestConnex route which have already exceeded the maximum predicted levels in the M4East EIS and M4/M5 EIS; noting that the premises on which these EISs have been developed is wrong and that SMC and RMT are likely to be in breach of the conditions of consent for these projects and the EIS for the Stage 3B; further also requesting a meeting of the Mayor and interested Councillors with the Minister and with the Shadow Minister;
5. Councillors be provided with the minutes of all meetings convened to discuss air pollution concerns with WestConnex- affected Councils;
6. Council seeks partnerships with local universities to commission a comprehensive report to investigate the health impacts of the high air pollution levels along the WestConnex route. That this comprehensive study into the health impacts of WestConnex includes construction and operational health

impacts and predicts the further health impacts on local Inner West families with the very high air pollution levels which will be generated by the compounding impact of WestConnex if it is opened. Funding for this report to come from the next quarterly budget review; and

7. Interested councillors be invited to attend the upcoming meeting with the centre for air pollution and update on the outcomes of the meeting.

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

Foreshadowed Motion (Byrne/McKenna OAM)

THAT the matter be deferred and interested councillors be invited to attend the upcoming meeting with the centre for air pollution and update on the outcomes of the 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

Resumption of Standing Orders

Motion: (Byrne/Drury)

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, Steer and York
Against Motion: Nil

C0219(2) Item 23 Mayoral Minute: Dawn Fraser Baths

Motion: (Byrne)

THAT Council:

1. Write to the Minister for Sport thanking the NSW Government for the Greater Sydney Sports Facility Grant funding of \$2.2 million for the upgrade of Dawn Fraser Baths;
2. Continue with its program for the upgrade of Dawn Fraser Baths; and
3. Report on the full scope of works for the upgrade of Dawn Fraser Baths using the currently available funding of \$6.7 million at the conclusion of the Tender process.

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 left the Meeting at 10:05 pm.

The Mayor, Clr Byrne vacated the chair at 10.09pm and was assumed by the Deputy Mayor, Clr Macri.

Councillor Byrne retired from the Meeting at 10:09 pm.

Councillor Raciti returned to the Meeting at 10:17 pm.

C0219(2) Item 24 Mayoral Minute: Tempe Lands

Motion: (Macri/Passas)

THAT Council write to the Minister for Roads, Maritime and Freight seeking a meeting and outlining the significant financial burden likely to be placed on Council and ratepayers by any acquisition of these properties, and seeking for an initial offer to purchase and lease these lands to be made.

Motion Carried

For Motion: Crs Drury, Iskandar, Kiat, Macri, McKenna OAM, Passas, Porteous, Raciti and York

Against Motion: Crs Da Cruz, Hesse, Lockie, Stamolis and Steer

Absent: Cr Byrne

Amendment (Stamolis/Hesse)

THAT a report come back to Council detailing examples of similar acquisitions of council income generating lands.

Motion Lost

For Motion: Crs Hesse, Porteous, Stamolis and Steer

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

Absent: Crs Byrne

Foreshadowed Motion (Porteous)

THAT this matter be deferred until the valuation of the land is received.

This Foreshadowed Motion Lapsed.

Councillor Hesse left the Meeting at 10:24 pm.

CONFIRMATION OF MINUTES

Motion: (Macri/Passas)

THAT with the exception of the confidential matters the Minutes of the Council Meeting held on Tuesday, 11 December 2018 be confirmed as a correct record.

Motion Carried

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

Against Motion: Nil

Absent: Crs Byrne and Hesse

Councillor Kiat left the Meeting at 10:27 pm.

Councillor Hesse returned to the Meeting at 10:28 pm.

Councillor Kiat returned to the Meeting at 10:29 pm.

C0219(2) Item 1 Recreation Needs Study: A Healthier Inner West - update on priority actions

Motion: (Macri/York)

THAT:

1. The report be received and noted;
2. A report be prepared for Council outlining options for how adequate investment in pocket parks can be achieved, with reference to the areas of undersupply identified in the Recreation Needs Study, and park asset renewal requirements;
3. This report also include recommendations for additional upgrades to be completed in 2019-2020, including options for funding as required;
4. The feasibility study for installation of synthetic turf sporting fields includes consideration of environmental and economic impacts of use of synthetic turf and assessment of priority spending including whole of life costing and lifespan of synthetic turf; and
5. Council bring back a report on opportunities to create mid-block links, increase shade from trees and awnings/verandahs and provide drinking water fountains to enhance the walking experience in the Inner West.

Motion Carried

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

Against Motion: Nil

Absent: Cr Byrne

Councillor Drury left the Meeting at 10:36 pm.

Councillor Passas left the Meeting at 10:42 pm.

Councillor Drury returned to the Meeting at 10:42 pm.

Councillor Passas returned to the Meeting at 10:44 pm.

C0219(2) Item 2 Parkfit-Alternative Sites for Fitness Stations in Parks

Motion: (Stamolis/Passas)

THAT Council refer back to its previous motion from August 2018 that councillors will be consulted about the locations of fitness stations in the former Leichhardt Council. Council should be provided with detailed statistics for each location proposed in the report for fitness stations with recommendations to be brought back to Council in March 2019.

Motion Carried

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

Against Motion: Crs Drury, McKenna OAM and Steer

Absent: Cr Byrne

Foreshadowed Motion: (McKenna OAM/Kiat)**THAT Council:**

- 1. Proceed with the installation of Fitness Stations at Ewenton Park in Balmain, 36th Battalion Park in Leichhardt and at Cohen Park in Annandale; and**
- 2. Note the potential for fitness station locations in the future at Birchgrove Park.**

This Foreshadowed Motion Lapsed.

Clr Porteous requested Council consider an urgency motion in relation to Classics at Callan Park.

The Deputy Mayor ruled that it is the practice of the Council to consider urgency motions at the conclusion of all other business and ruled it out of order.

Councillor Lockie left the Meeting at 10:55 pm as she declared a Conflict of Interest in Item 3.

Councillor Passas retired from the Meeting at 11:04 pm.

C0219(2) Item 3 Library fines for lost or late items**Motion: (Macri/McKenna OAM)****THAT Council endorses:**

- 1. Writing off the existing Library late fines debt of \$538,792 as part of a fine amnesty to launch the new Library Management System and that all library accounts will be cleared.**
- 2. That late fines will only be charged for members 18 years and over.**
- 3. That all library members, regardless of age, will need to cover the costs associated with lost or damaged items.**
- 4. That if a library fine or total cost of overdue items exceeds \$50, borrowing will be suspended and if the total cost of overdue items exceeds \$100, the customer will be referred to a collections agency (following four notices being sent to the customer).**

Motion Carried

For Motion: Crs Da Cruz, Drury, Hesse, Iskandar, Macri, McKenna OAM, Raciti and York

Against Motion: Crs Kiat, Porteous, Stamolis and Steer

Absent: Crs Byrne, Lockie and Passas

Foreshadowed Motion (Kiat)**THAT Council endorses:**

- 1. Writing off the existing Library late fines debt of \$538,792 as part of a fine amnesty to launch the new Library Management System and that all library accounts will be cleared;**
- 2. Late fines will only be charged for members 18 years and over;**

- 3. All library members, regardless of age, will need to cover the costs associated with lost or damaged items;**
- 4. Council will not use collections agencies to enforce library fines;**
- 5. Continuation of compassionate waivers, allowing for changes to the protocol or policy to facilitate same; and**
- 6. Raise the borrowing suspension level to \$50.**

This Foreshadowed Motion Lapsed.

Meeting closed at 11.10pm

The following items will be considered at the Extraordinary Council Meeting on 19 February 2019; Items 4, 5, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19 and 20.

PUBLIC SPEAKERS:

Item #	Speaker	Suburb
Item 6:	Neil Tonkin	Lilyfield
Item 7:	Hall Greenland	Leichhardt
	Paul Dwyer	Leichhardt
	Michael File	Sydney
Item 8:	Stefanie Collins	Lewisham
	Sarah Leong	Lewisham
	Shunsuke Mukai	Lewisham
Item 15:	Yvette Beaumont	Marrickville
	Daniel Mulhern	Marrickville
	Rita Machaalani	Marrickville
Item 19:	Paul Jeffery	Leichhardt
	Wendy Bacon	Newtown

Item No: C0219(3) Item 1

Subject: DCP HOUSEKEEPING PROJECT

Prepared By: Louise Higginson - Strategic Planner

Authorised By: David Birds - Group Manager Strategic Planning

SUMMARY

One of the first sub-projects of the “Our Place Inner West” Project is the alignment of certain Development Control Plan (DCP) provisions across the three DCPs applicable to the Inner West Council area. The alignment will address inconsistencies between the DCPs to help improve development assessment and control processes. The full integration of the DCPs will take place at a later stage in the “Our Place Inner West” project.

This report seeks Council endorsement of draft amendments to the three DCPs for public exhibition, specifically in the areas of:

- Tree control;
- Site facilities and waste management;
- Flood and stormwater management;
- Minor inconsistencies with car parking generation rates; and
- Administrative and legislative updates.

This report recommends that the draft DCPs be placed on public exhibition for 28 days in accordance with the provisions of the *Environmental Planning and Assessment Act 1979*. The outcomes of this consultation will be presented to Council following the public exhibition period.

RECOMMENDATION

THAT:

1. **Council resolve to publicly exhibit the proposed draft amendments to each Development Control Plan (DCP), as detailed in Attachment 2 of this report, for a period of 28 days, to align certain controls contained within the:**
 - a. **Marrickville Development Control Plan 2011;**
 - b. **Leichhardt Development Control Plan 2013; and**
 - c. **Comprehensive Inner West Development Control Plan 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill (Ashfield DCP);**
 2. **Council note that the previously resolved exhibition of the Tree Management DCP will occur concurrently with the above; and**
 3. **The results of the public exhibition are reported to Council for consideration with any recommendations for final changes to each of the above mentioned DCPs.**
-

Background

Since amalgamation occurred in May 2016, Inner West Council has continued to use the existing provisions of the three former Council DCPs for the administration and assessment of Development Applications (DAs) across the LGA.

The “*Our Place Inner West Project – a Land Use Planning Framework for the Inner West Council Area*” (*Our Place Project*) is a major strategic project for the Council, and is being undertaken in line with the funding agreement under the accelerated Local Environmental Plan

(LEP) Review Project and as required by the Eastern City District Plan, for which the next major milestone is the exhibition of the draft Local Strategic Planning Statement in July 2019.

The *Our Place Inner West* project includes the following key aspects:

- Preparation of the Local Strategic Planning Statement (LSPS);
- Preparation of relevant studies to support the LSPS, LEP, DCP and Contributions Plan, including:
 - Integrated Transport Strategy;
 - Housing Study and Strategy;
 - Employment and Retail Lands Strategy; and
 - The incorporation of other studies currently being undertaken by other sections of Council;
- A number of neighbourhood or locality based studies to inform the consolidated LEP and DCP;
- Consolidated Local Environmental Plan; and
- A comprehensive Development Control Plan (following submission of the LEP to the Department of Planning and Environment for Gateway determination).

It was identified that the comprehensive DCP will take around 2½ years until complete, and a number of inconsistent provisions of the three DCPs is needed in the short term to increase efficiencies and reduce confusion. This report relates to that aspect of the *Our Place Inner West* Project. **Attachment 1** provides an indicative outline of stages for the *Our Place Inner West* Project.

Another key driver for the DCP Housekeeping sub-project has been the Tree DCP harmonisation, the exhibition of which is proposed to be undertaken concurrently with these DCP amendments. In relation to the Tree DCP, at the 27 November 2018 Council Meeting it was resolved as follows:

THAT:

1. *Council resolve to publicly exhibit the draft Tree Management Development Control Plan for the Inner West, as detailed in ATTACHMENT 2 of this report, for a period of 28 days, to replace the existing tree management controls contained in:*
 - i. *the Comprehensive Inner West Development Control Plan 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill;*
 - ii. *Leichhardt Development Control Plan 2013; and*
 - iii. *Marrickville Development Control Plan 2011.*
2. *The results of the public exhibition and community engagement process are presented to Council along with a final Tree DCP for adoption;*
3. *When the policy comes back off public exhibition, a summary of which options identified in the discussion paper have been included and excluded in the draft DCP policy be provided; and*
4. *A plain English language explanation of the policy be provided in the post exhibition report.*

The proposed changes to Leichhardt, Marrickville and Ashfield DCP's are in excess of 350 pages and are too large for inclusion in the Council's Business Papers and so have been published on Council's website and can be accessed using the link below:-

<https://www.innerwest.nsw.gov.au/develop/planning-controls/development-control-plans-dcp>
Key Housekeeping DCP Project Objectives

The project objectives are:

- To undertake minor housekeeping amendments to the three DCPs to align certain inconsistent provisions;
- To address issues raised by internal sections of Council that are known to be causing operational and equity issues in the administration and assessment of Development Applications; and
- Maintain the three separate DCPs of the former Marrickville, Ashfield and Leichardt Local Government Areas until the comprehensive DCP is prepared.

A workshop was held in August 2018 where key staff from across Council discussed the differences and inequities across the three DCPs that urgently needed resolution. Since then, smaller, more targeted workshops have been held with key staff on a number of particular topics where it was necessary to discuss issues and proposed solutions in more detail. As a result of the internal workshops and discussions, proposed amendments have been drafted for the following topic areas:

- Site facilities and waste management;
- Car parking - calculation and rates for particular uses;
- Flood management;
- Storm water management;
- Legislation updates; and
- Administrative updates.

The potential for amendment to the approaches in the existing DCPs to the notification and advertising of DAs has also been raised in the consideration of matters that could be addressed and this is currently being given further consideration. A table outlining the proposed amendments in more detail is provided in **Attachment 2**.

1. Site Facilities and Waste Management

A summary of the proposed amendments is as follows:

- Alignment of the generation rates for waste and recycling for units (120L per unit, per week); the DCPs currently assess the requirements for waste and recycling variously at 72 to 120 litres for each unit per week. These are catered for in 240 litre bins (except where a combination of waste chutes and 660 litre bins in the waste storage area are provided);
- Waste chutes (for general waste only) to be permitted across the LGA, while waste compaction is proposed to be prohibited across the LGA (Council collected waste only). This will make the three DCPs consistent in this regard. Note that compaction equipment, mechanical chute diverters and recycling chutes are not supported due to waste management operation and amenity issues;
- Alignment of commercial waste generation rates across the DCPs. These rates are used to ascertain the amount of storage space and number and size of bins. The commercial waste generation rates are not reflective of land use, nor are they consistent across the three DCPs. For instance the recycling generation rate for 'greengrocer' varies across the DCPs from 120 litres to 410 litres per 100 m² per day, while the waste generation rate for 'café' varies from 215 litres to 670 litres per 100m² per day;

- Resource recovery collection vehicle dimensions in the DCPs do not reflect the collection vehicles currently in operation. Truck dimensions for on-site collection have been updated to reflect Council's standard trucks, servicing 80L/ 120L/ 140L/ 240L/ 660L bins - our normal rear load compactors, noting the longest contract (for Ashfield) is to 2023. The different truck sizes cater to Council's operational needs, and need to be efficient in terms of load capacity as well as access constraints (e.g. narrow streets). As these vehicles need to travel some distance to transfer stations outside the LGA, the larger trucks are both more efficient and produce less greenhouse emissions than many smaller trucks. This will be even more important, as waste transfer stations have been closing or are under threat of closing, which will result in larger travel distances;
- Accommodation of 660L bins (rather than 240L) is required in recycling/waste storage rooms in multi dwelling residential developments where the generation rate exceeds this level. 660L bins are only required for large residential properties where collection is from within the property boundary and it meets the DCP requirements (flat surface, rolling kerb, wider doorways etc).

Some concerns have been expressed about the larger bins on the footpath. As DAs are submitted for businesses, Council should be requiring storage and collection from within the property boundary. In this regard Council's Waste Inspectors will be undertaking a targeted program to ensure that businesses are complying with their obligations for management of waste and recycling under state legislation.

2. Flood Management

The key amendments proposed are as follows:

- Each DCP currently contains some controls for underground or basement car parking facilities. It is proposed to align the controls in each DCP for a consistent design approach across the LGA. Enclosed garages and basements would continue to be required to have flood free access, however, minor variations will be permitted in certain circumstances in lower hazard areas. The three DCPs will all now require flood free pedestrian evacuation route basement parking;
- The three DCPs have different requirements for freeboard (the minimum floor level above the relevant flood level). A middle-ground approach is proposed allowing for merit assessment. While 500mm freeboard remains the standard, consideration would be given to reducing this to 300mm in certain circumstances;
- Inclusion of requirements for Flood Risk Management Reports. This includes when the report must be submitted and what should be included in the report. This will assist the Development Engineers in undertaking their detailed assessment of applications that are identified as being on flood liable land – reducing the risk to human life and property. This information will also be included in the "Development Application Documentation Requirements" and DA Lodgment Checklist form available on Council's webpage. The information is included in the DCP at this stage as the changes in the requirements are quite substantial for some areas. It is anticipated that in the comprehensive DCP this information would only be available in DA documentation and lodgment requirements.

3. Stormwater Management

The key amendments proposed are as follows:

- Amendments are proposed to the controls related to the use of water tanks (On-Site Retention (OSR)) in lieu of on-site detention for low density residential development. These controls are supported by a study conducted by the consultants Cardno (2017, *Leichhardt Flood Risk Management Study*) for the former Leichhardt Council in 2017. Environmental and cost saving benefits will result from encouraging the use of OSR instead of OSD in the above circumstances. The Urban Ecology Team have provided advice that they:

“support the change in the Interim DCP to make it easier for OSD to be converted into OSR (i.e. rainwater tanks), this has two benefits beyond flood control - it reduces consumption of potable water and it reduces the impacts of stormwater on waterways”.

- Amendment to the control for maintenance of surface flow paths to confirm the design/performance criteria;
- A consistent approach to stormwater drainage is proposed, to require stormwater systems to drain by gravity (no pumps). At present one DCP allows exceptions;
- The Ashfield Stormwater Management DCP lacks a detailed set of controls for the design and ongoing management of stormwater. The chapter currently only states to “*comply with the applicable requirements of the document: “Ashfield Interim Development Assessment Policy 2013 – Part E4 - Stormwater Management”*”. The document requires updating, does not align with the Marrickville and Leichhardt DCPs and is difficult for the public to locate. Therefore, to ensure that new development is carefully designed, constructed and maintained in accordance with best practice it is proposed to include a cross reference to the Marrickville DCP Chapter on Stormwater (Part 2.25). Marrickville DCP was selected as it has a separate / standalone chapter for stormwater controls whereas the Leichhardt DCP does not. This will ensure that the three DCPs all have the same approach to the matters considered in relation to stormwater management in this report.

4. Minor Amendments to Car Parking Generation Rates

It is acknowledged that there is concern about different off street parking requirements for a number of uses including the low density residential parking rates across the LGA. However, Council is currently preparing an Integrated Transport Strategy (ITS) which will be critical to inform a holistic approach to changes to the car parking generation rates that will apply across the LGA. It would be premature to seek a broader alignment of rates at this stage. Consequently the changes proposed to the current parking rates have been kept to a minimum, and only correct inconsistencies or anomalies, rather than a holistic review.

- *Calculation Advice*

Within each DCP the statement on how the parking rate is calculated is proposed to be updated and aligned. If the parking calculation results in a number that is not a whole number required it will be rounded up from 0.5 and above or otherwise down to the nearest whole number.

- *Boarding House Car Parking Standards*

Council’s three DCPs have different rates, both for staff/caretaker and for residents of boarding houses, with one DCP based on merit for resident numbers only.

On 1 June 2018, car parking standards were increased for boarding housing proposed to be delivered under the *State Environmental Planning Policy Affordable Rental Housing 2009 (ARHSEPP)*. Car parking standards for boarding houses, except where provided by a Social Housing Provider, are now 0.5 spaces per room in all locations. This standard is contained at Clause 29(2)(e) of the ARHSEPP, and remains a ‘standard which cannot be used to refuse consent’. This means councils cannot refuse a boarding house application on the basis of not meeting this standard. Council may consider a lower car parking rate if appropriate. Council’s boarding house parking rate is proposed to refer directly to the ARHSEPP to avoid confusion.

- *Ashfield DCP corrections*

Changes are proposed to the current rates for *hotels/motels/guest houses and bed and breakfast accommodation* to simplify and avoid confusion. The current DCP provides a

separate and different rate for the restaurant component than is required elsewhere for restaurants. The controls for restaurant parking would now be consistent within the DCP. In addition the reference to guesthouses (not a land use in the Standard LEP instrument) and bed and breakfast are proposed to be deleted, to allow merit consideration, as for the other two DCPs.

5. Administrative Updates

Within the current Ashfield and Marrickville DCPs there is a detailed section on what information is to be submitted with development applications. The Development Assessment Team have prepared a "Development Application Documentation Requirements" and a DA Lodgment Checklist now used across the LGA. These documents are able to be updated as needed to clarify lodgment requirements. It is proposed to remove these sections from the Ashfield and Marrickville DCPs with text that states that this information can be found on Council's webpage to avoid inconsistencies and confusion.

6. Legislation Updates

The *Environmental Planning and Assessment Act 1979* was updated in March 2018. The update resulted in changes to existing section numbers for parts of the Act frequently used and consequently noted in the current DCPs.

Additionally the *Biodiversity Conservation Act 2016* and the amendments to the *Local Land Services Act 2013* commenced on 25 August 2017, replacing the *Threatened Species Conservation Act 1995*. Consequently a number of existing references in the current DCPs are proposed to be updated with the new legislative references.

The proposed amendments will simply replace the old provision references with references to the new provisions as required by the legislation.

FINANCIAL IMPLICATIONS

Staff resources have been allocated to the preparation and administration (including public exhibition) of this project from the Strategic Planning Group budget.

OTHER STAFF COMMENTS

As noted above extensive internal staff discussions assisted in the drafting of the proposed amendments to certain controls across the three DCPs. The following sections of Council have had input into the DCP Housekeeping project:

- Strategic Planning Group;
- Development Assessment and Regulatory Services;
- Resource Recovery Operations and Resource Recovery Planning;
- Urban Ecology;
- Development Engineers;
- Communications, Engagement and Events; and
- Legal Services.

PUBLIC CONSULTATION

It is proposed to publicly exhibit the draft Housekeeping DCP at the same time as the Tree Management DCP chapter. On 11 September 2018, Council resolved to accompany the exhibition of the Tree management DCP with an LGA-wide mail out in five languages other than English.

At the same time and in the same manner as the draft Tree Management DCP chapter, it is recommended that the Housekeeping amendments be exhibited as follows:

- Public exhibition of the proposed amendments for 28 days (as per requirements under the EP&A Act);
- Advice on where to find the draft Housekeeping amendments to each DCP within the flyer on the Tree Management DCP;
- “Your Say Inner West” Project Page on Council’s website with an option for the public to make submissions online;
- Advertisement within the Inner West Courier; and
- A hard copy of the proposed draft amendments at the Ashfield, Leichhardt and Petersham Service Centres and libraries.

CONCLUSION

The draft amendments to certain provisions with the three DCPs have been developed to address particular issues that are causing operational and equity issues in the administration and assessment of Development Applications. It is recommended that the Draft DCPs be exhibited to enable the community to provide feedback on the proposed changes.

LIST OF ATTACHMENTS

Available as hard copy in Council agenda:

1. Project Staging – Our Place Inner West Project – a Land Use Planning Framework for the Inner West Council Area
2. Table of Key DCP Alignment Issues and Recommendations

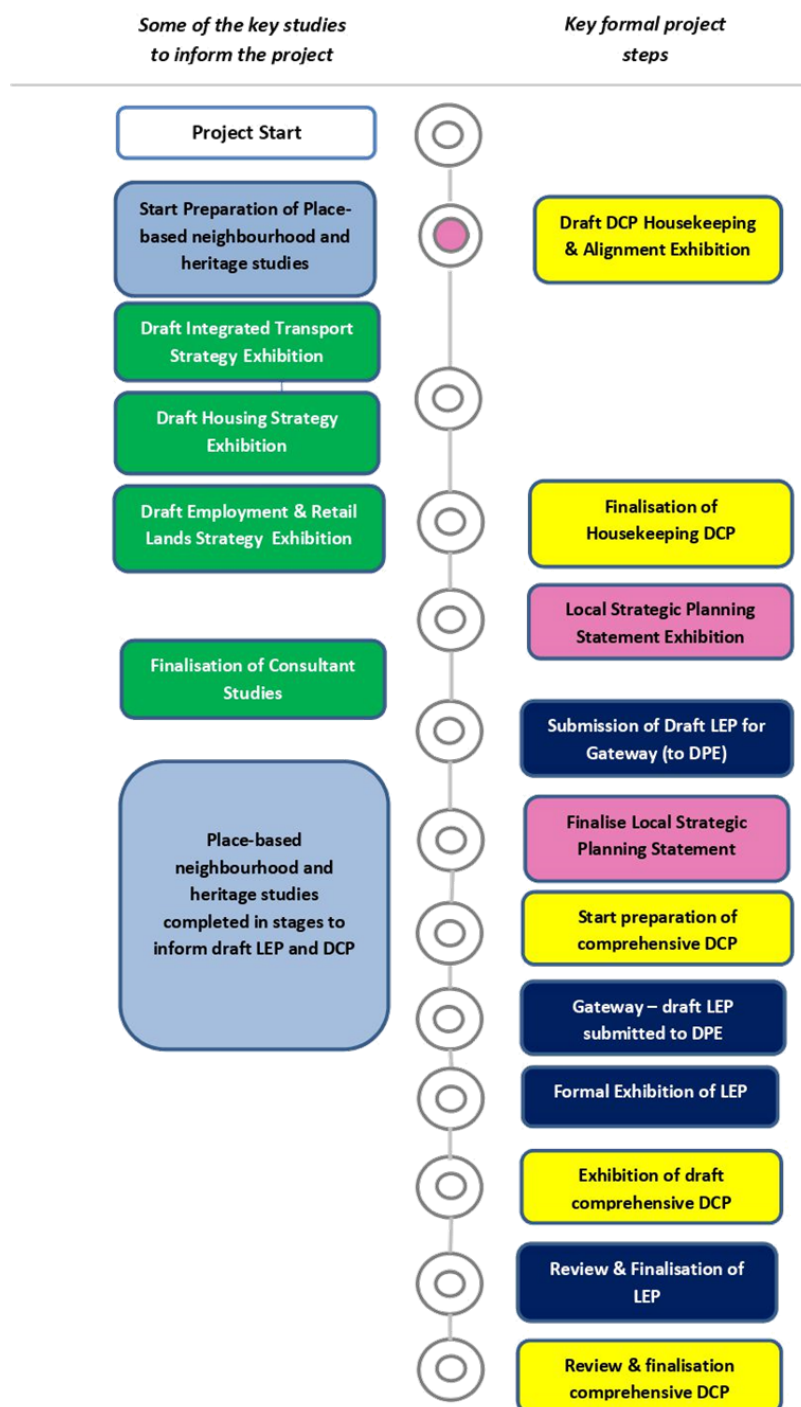
Available online as electronic attachments - Please follow the link below to directly access the relevant attachment:

3. Proposed Draft Amendments to the Leichhardt Development Control Plan 2013
4. Proposed Draft Amendments to the Marrickville Development Control Plan 2011
5. Proposed Draft Amendments to the Comprehensive Inner West Development Control Plan 2016 for Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill (Ashfield DCP)

<https://www.innerwest.nsw.gov.au/develop/planning-controls/development-control-plans-dcp>

ATTACHMENTS

1. [↓](#) Project Staging - Our Place Inner West Project – a Land Use Planning Framework for the Inner West Council Area
2. [↓](#) Table of Key DCP Alignment Issues and Recommendations

Attachment 1 Our Place Inner West – Land Use and Planning Framework


ATTACHMENT 2

DCP Housekeeping Project

Table of Key DCP Alignment Issues and Recommended Amendments

Marrickville DCP 2011

Marrickville DCP 2011 Chapter	Provision	Existing Issue	Recommendation
Guidelines Development Applications Guidelines	A.1 Information to be submitted with a Development Application	No longer required as Development Assessment Team has prepared a Development Application Documentation Requirements and DA Lodgement Checklist Form that apply across the LGA and provide the necessary details for applications on the minimum lodgement requirements.	Delete content from section of DCP and refer to information packages now available on the council website.
	A.2.4 – Lodgement of a development application	Legislative references relate to superseded legislation.	Replace and update existing references to the EP & A Act as required.
	A.3 – Development Application Assessment Process	Legislative references relate to superseded legislation.	Replace and update existing references to the EP & A Act as required.
Part 1 Statutory Information	1.1 About this Development Control Plan	Legislative references relate to superseded legislation.	Replace and update existing references to the EP & A Act as required.
Part 2.10 Parking	2.10.5 Boarding House Parking Rate	In March 2018 the NSW Government increased the amount of onsite parking required in boarding house developments (standards that cannot be used to refuse a development). Current controls are inconsistent with the relevant SEPP.	Amend DCP reference to refer to Affordable Rental Housing SEPP 2009.
	Control C2	Inconsistent methodology on how parking generation is calculated. The standard practice of rounding up or down to the nearest whole number is recommended.	Replace wording to have a consistent approach across the LGA.

Marrickville DCP 2011 Chapter	Provision	Existing Issue	Recommendation
Part 2.13 Biodiversity	2.13.3 – Protection of endangered / threatened species	Legislative references relate to superseded legislation.	Replace and update existing references to objectives of the EP&A Act.
	Figure 1 – Criteria to determine the need for an assessment of significance	There are new requirements under the <i>Biodiversity Conservation Act</i> which are not reflected in the existing figure. This includes an extra stage (step) for instance, in the criteria for determining the need for an assessment of significance for long-nose bandicoots.	Update figure to reflect the criteria established under the <i>Biodiversity Conservation Act</i> .
	Page 6 – NB	Outdated reference to relevant section of legislation that deals with Integrated Development.	Replace and update existing references to the EP & A Act as required.
	Appendix 1- Long-nosed Bandicoot factsheet	Legislative references relate to superseded legislation. Contacts details and webpages that provide more information on the long-nosed bandicoot.	Replace and update legislation references, contact details and web site references as required for the long nosed bandicoot.
	Appendix 2- Grey-headed flying Fox factsheet	Outdated references to legislation, contacts details and webpages that provide more information on the grey-headed flying fox.	Replace and update legislation references, contact details and web site references as required on the grey-headed flying fox.
Part 2.20 Tree Management	Part 2.20 Tree Management	At the 13 February 2018 Council Meeting a notice of Motion was call that Council: <i>Urgently review the DCP controls on trees relating to issues arising around damage to residents and properties and the financial burden to residents of tree retention ie. The requirement to obtain engineers and arborist reports and bring forward and expedite the harmonisation of Council DCP relating to tree preservation and replacement.</i> C0218 Item 11	At the 27 November 2018 Council Meeting, Council Meeting Council resolved to publicly exhibit the draft Tree Management DCP for the Inner West for a period of 28 days, as part of Council Resolution (C1118(2) Item 5).

Marrickville DCP 2011 Chapter	Provision	Existing Issue	Recommendation
2.21 Site facilities and waste management	Section 2.21.2.5 Recycling and waste management/ facilities for residential development	Waste and recycling generation rates for multi-dwelling housing units are outdated and inconsistent between the three DCPs.	Update the waste generation rates in line with advice from Council's resource recovery unit. Proposed rates are consistent between the three DCPs and divide evenly into the 240L and 660L bins.
		Organic waste bin provision is excess and inaccurate.	Organic waste bin allocation is now required to be assessed on merit. This is more appropriate as developments will generate different volumes of organic waste depending on the landscaping provided.
	Section 2.21.2.6 Recycling and waste manager/ facilities for commercial, industrial and other non-residential development	Commercial waste generation rates are not reflective of land use operations and inconsistent between the three DCPs.	Rates have been updated in line with advice from Council's resource recovery unit. Changes in rates vary from increases to decreases and reflect the expected generation by each land use. Rates are not devised in a manner to restrict waste and recycling generation, as this will lead to storage and waste overflow issues.
	Section 2.21.6 Appendix 3 – Garbage truck dimensions for residential recycling/waste collection	Resource recovery collection vehicle dimensions do not reflect the collection vehicles currently in operation. Listed dimensions are not consistent across the three Council DCPs even though the collection vehicles in use are the same across the Inner West.	Update collection vehicle dimensions in the DCP to reflect those of the vehicles currently collecting recycling and waste.
	Section 2.21.8 Appendix 5 – Waste chutes and service rooms	Minor issues with controls. Compaction equipment, mechanical chute diverters and recycling chutes are not supported due to waste management operation and amenity issues.	Amend controls to prohibited compactors, mechanical chute diverters and recycling chutes. Make other minor updates to clarify controls.

Marrickville DCP 2011 Chapter	Provision	Existing Issue	Recommendation
Part 2.22 – Flood Management	2.22.1 Objectives	There are no objectives relating to minimising risk to human life and property. This is a specific purpose of the DCP flood management controls.	Include a new objective “To minimise risk to human life and damage to property”. This objective contextualises a crucial underlying purpose of the flood management controls.
	<i>Various Sections throughout</i>	“100 year flood” is a poor descriptor for benchmark flood levels, as at least two “100 year floods” have occurred over a decade. The reference needs updating to better reflect the use of term as an indicator of probability (or risk).	References to “100 year flood” have been updated to read “1% Annual Exceedance Probability (AEP)”, a more accurate and better practice descriptor for flood planning.
	Section 2.22.5 controls	Requirements for flood risk management reports are not consistent across the three DCPs. Reporting can also be relatively onerous on smaller scale developments like single dwelling residential.	Update the requirements for these reports to be clear and consistent across the three DCPs. Make concessions for smaller scale developments like single dwellings, alterations and additions and change of use applications. Instead requiring they be accompanied with a Floor Risk Management Statement instead of a full report.
	Controls for garages, carports, open car parks and basement garages	Marrickville DCP does not contain controls for the development of flood affected driveways, garages and car ports. Controls for basement garages and car parks are inconsistent across the three DCPs.	Use Leichhardt DCP controls for car ports, garages and car parks in the Marrickville DCP. Refine basement car park controls to better align them across the DCPs.
Part 2.25 – Stormwater Management	2.25.3.3 On-site detention (OSD) and on-site retention (OSR) of stormwater	Existing heading and introduction only refers to OSD. OSR is to be made allowable as an alternative to OSD. Currently the Leichhardt DCP requires complex calculations to determine	Update Heading and introduction to include reference to OSR and the Leichhardt study. Update controls to provide explicit design parameters for OSD as well as addressing

Marrickville DCP 2011 Chapter	Provision	Existing Issue	Recommendation
		<p>both OSD and OSR volumes and discharge rates. A study undertaken for the former Leichhardt LGA (Leichhardt Flood Risk Management Study – Cardno, November 2017) has confirmed the flood mitigation benefits of OSR and these are considered to be applicable to the catchments across the Inner West LGA. This allows the OSD and OSR parameters to be specified in a format that requires very simple calculations.</p> <p>By providing explicit design parameters, in a format similar to those used by many Sydney Metropolitan Councils, staff processing time and consequently DA assessment times will be reduced.</p> <p>Design parameters were developed as discussed above.</p> <p>The maximum allowable discharge rate to the kerb and gutter from a development site is 15 Litres/sec (L/s) for the Leichhardt and Ashfield DCPs (the latter through the Stormwater Management Code). The maximum for the Marrickville DCP is 25 L/s through a related policy. For the 3 former LGAs, there is inconsistency in how developers address this issue, some by increased OSD and some by extending the Council drainage system to the site frontage. This inconsistency can be addressed by limiting the discharge to the kerb to 15 L/s for all DCPs, but with</p>	<p>maximum discharge requirements.</p> <p>Various consequent updates to controls have been made throughout the chapter to reflect the inclusion of the introduced OSR option.</p>

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Marrickville DCP 2011 Chapter	Provision	Existing Issue	Recommendation
		some further flexibility for the scale of development.	
	2.25.3.5 Gravity drainage – C16	Last sentence of existing control is an error and out of place in this location.	Delete the last sentence of the control.
	2.25.3.8 Flood study/drainage system analysis – C22	This control has become redundant as Council has completed flood studies across all catchment since this DCP was adopted, meaning that Council can provide flood information to applicants without them needing to undertake their own studies.	Update this control to direct applicants to Council for flood information.

Attachment 2

Leichhardt DCP 2013

Leichhardt DCP 2013 provision	Provision	Existing Issue	Recommendation
Part A: Introduction	Section 1 A1.5 Aims of this Plan	Legislative references relate to superseded legislation.	Replace and update existing references to the EP & A Act as required.
	Section 1 A1.8 How Council Assesses proposed Development replace Assessing the application	Legislative references relate to superseded legislation.	Replace and update existing references to the EP & A Act as required.
	Section 1 A1.10 Monitoring and Review	Outdated reference to relevant legislation	Replace and update existing references to the EP & A Act as required.
	Section 2 – A2.1 Development Application Requirements	Existing text no longer reflects relevant document requirements as they are specified on Council's website.	Replace text with correct document titles for consistency in approach.
Part C: Place Section 1	C1.11 Parking	Inconsistent methodology on how parking generation is calculated. The standard practice of rounding up or down to the nearest whole number is recommended.	Replace wording to have a consistent approach across the LGA.
	Table C4: General vehicle parking rates New rate to be inserted in table	In March 2018 the NSW Government increased the amount of onsite parking required in boarding house developments (standards that cannot be used to refuse a development). Current controls are inconsistent with the relevant SEPP.	Amend DCP reference to refer to Affordable Rental Housing SEPP 2009.

Leichhardt DCP 2013 provision	Provision	Existing Issue	Recommendation
	C1.14 Tree Management	At the 13 February 2018 Council Meeting a notice of Motion was call that Council: <i>Urgently review the DCP controls on trees relating to issues arising around damage to residents and properties and the financial burden to residents of tree retention ie. The requirement to obtain engineers and arborist reports and bring forward and expedite the harmonisation of Council DCP relating to tree preservation and replacement.</i> C0218 Item 11	At the 27 November 2018 Council Meeting Council resolved to publicly exhibit the draft Tree Management DCP for the Inner West for a period of 28 days, as part of Council Resolution (C1118(2) Item 5).
Part D: Energy Section 2 – Resource recovery and waste management	D2.3 Residential development	Garbage chutes are discouraged by the DCP. This does not align with current best practice for waste management and residential amenity in flat buildings.	Amend the control which discourages garbage chutes and create a control requiring waste chutes in buildings four storeys or greater. Consequential amendments are recommended to other sections which have been further discussed in this table.
		Use of waste compaction equipment can damaged bins due to the excess weight created and is not compatible with Council's resource recovery collection vehicles.	Include a new control to prohibit waste and recycling compaction equipment.
		Waste and recycling generation rates for multi-dwelling housing units require updating and are inconsistent between the three DCPs.	Update the waste generation rates in line with advice from Council's resource recovery unit. Proposed rates will be consistent across the three DCPs. Note that the new rates are also multiples of the standard bin sizes.
	D2.4 Non-residential	Use of waste compaction equipment can damaged bins	Remove controls which recommend the use of

Leichhardt DCP 2013 provision	Provision	Existing Issue	Recommendation
	development	due to the excess weight created.	volume reduction equipment and include a new control to prohibit waste compaction.
		Garbage chutes are discouraged by the DCP. This does not align with current best practice for efficient waste management.	The control discouraging waste chutes has been amended.
	Section 9 – Waste chutes	Waste chutes are currently discouraged under the Leichhardt DCP 2013. Waste chutes are considered an efficient best practice method of managing waste in larger residential mixed use and commercial developments. Support for waste chutes is inconsistent between the three DCPs, supported in Ashfield and Marrickville and discouraged in Leichhardt.	Amend the Appendix to include controls for the design, use and management of waste chutes. The controls have been borrowed from the Marrickville DCP, with references and amendments made to make them compatible with the Leichhardt DCP.
Part E: Water. Section 1 – Sustainable Water and Risk Management	E1.1.4 Flood risk management report	<p>Controls do not reflect Council's current procedure for obtaining flooding information from Council.</p> <p>Flood reports for single residential dwellings and smaller change of use applications can be onerous on applicants.</p> <p>Requirements for flood risk management plans are not consistent across the three DCPs.</p>	<p>Amend controls to reflect current Council procedure for obtaining flooding information.</p> <p>Reduce the requirement of a flood risk management plan to a flood statement when the application is low scale (single dwellings, change of use) and in a low flood hazard category.</p> <p>Introduce a new appendix, Appendix E with requirements for the flood risk management plan consistent with Marrickville and Ashfield DCPs.</p>

Leichhardt DCP 2013 provision	Provision	Existing Issue	Recommendation
	E1.2.3 On-site detention (OSD) of storm water	OSR (rainwater tanks) is not provided as an alternative to OSD.	Similar to the updated Marrickville DCP controls, OSR (water tanks) should be provided as an alternative to OSD. Controls have been recommended.
	E1.3.1 Flood risk management, <i>single dwelling residential or dual occupancy development</i>	Current freeboard requirements are considered onerous in areas affected by only minor overland flow paths.	Include a new control enabling the lowering of the freeboard from 500mm to 300mm, subject to an adequate alternate flow path being available.
	E1.3 Hazard management, <i>car parking facilities and basements</i>	Controls regarding the development of car ports, garages and basement garages are lacking and inconsistent across the three DCPs.	Update the controls to reflect best practice flood mitigation measures to further protect safety and property. Provide more consistency in the controls across the three DCPs.

Inner West Comprehensive DCP 2016

Inner West Comprehensive DCP 2016 provision	Provision	Existing Issue	Recommendation
Section 1: Preliminary Chapter A Preliminary	Purpose of this Development Control Plan	Legislative references relate to superseded legislation.	Replace and update existing references to the EP & A Act as required.
	Legal Information	Legislative references relate to superseded legislation and State Government policy.	Replace and update existing references to the EP & A Act and State Government Policy as required.
	Development Contributions	Legislative references relate to superseded legislation.	Delete content from section of DCP and refer to information packages now available on the council website.
	Appendix 1 – Development Application Requirements	This section is no longer required as the Development Assessment Team has prepared a "Development Application Documentation Requirements" that apply across the LGA and provide the necessary details for applicants on the minimum lodgement requirements.	Delete content from section of DCP and refer to information packages now available on the council website.
	Appendix 2 – Information Checklist	This section is no longer required as the Development Assessment Team has prepared a DA Lodgement Checklist Form that apply across the LGA to assist applicants in determining the information requirements for particular applications.	Delete content from section of DCP and refer to information packages now available on the council website.
Section 2 General Guidelines Chapter A Part 8 Parking	Car parking contribution amount (Section 94 Contributions)	Section heading refer to superseded legislation which may be confusing to applicants.	Section heading to be updated to include new legislation reference in addition to former legislation heading.
	DS3.4 Calculation advice	Inconsistent methodology on how parking generation is calculated. The standard practice of rounding up or down to the nearest whole number is recommended.	Replace wording to have a consistent approach across the LGA.

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	Table 3 - Car Parking Rate Boarding Houses and Group Homes	In March 2018 the NSW Government increased the amount of onsite parking required in boarding house developments (standards that cannot be used to refuse a development). Current controls are inconsistent with the relevant SEPP.	Amend DCP reference to refer to Affordable Rental Housing SEPP 2009. Remove reference to Group Homes to avoid confusion and inconsistency. Any parking associated with a Group Home would be assessed on a merit basis.
	Table 3 - Car Parking Rate Dual Occupancy	Incorrect cross referencing to other section of the DCP.	Replace with correct cross reference to other sections of the DCP.
	Table 3 - Car Parking Rate Motel/ Hotels/ guest houses/ and bed and breakfast houses	Parking rate calculation is overly complicated and can rely on other land use categories for the appropriate parking rate that should be applied. Title of land use category within the Car Parking Rates table does not reflect standard instrument definition.	Update Car Parking Rates table category title and delete the restaurant rate requirement as a standard rate is provided.
	Table 3 Car Parking Rate Multi-unit housing in R3-Medium Density Residential Zones Multi-Dwelling Housing (eg. Townhouses)	Incorrect cross referencing to other section of the DCP.	Replace with correct cross reference to other sections of the DCP.
	Table 3 Car Parking Rate Hotel	Duplication of rates for hotels in the parking table. Intention of rate is to refer to pubs.	Align rate with the existing Leichardt DCP rate for pubs for consistency.
Section 2 – General Guidelines Chapter C: Sustainability	Part 4 – Tree Preservation and Management	At the 13 February 2018 the 13 February 2018 Council Meeting a notice of Motion was call that Council: <i>Urgently review the DCP controls on trees relating to issues arising around damage to residents and</i>	At the 27 November 2018 Council Meeting, Council Meeting Council resolved to publicly exhibit the draft Tree Management DCP for the Inner West for a period of 28 days, as part of Council

Attachment 2

		<i>properties and the financial burden to residents of tree retention ie. The requirement to obtain engineers and arborist reports and bring forward and expedite the harmonisation of Council DCP relating to tree preservation and replacement.</i>	Resolution (C1118(2) Item 5).
		C0218 Item 11	
Section 2: General Guidelines Chapter C Sustainability Part 3: Waste and recycling design and & management standards	Section 3: Multi-storey residential development: Specific provisions	Due to the noise created and potential smashing of large amounts of glass, recycling chutes are not supported as a best practice waste management.	Amend wording of control DS1.5 to prohibit recycling chutes.
		Use of waste compaction equipment can damaged bins due to the excess weight created and is not compatible with Council's resource recovery collection vehicles.	Amend controls DS2.4 and DS2.5 to prohibit waste compaction equipment in residential developments.
		Waste and recycling generation rates for multi-dwelling housing units are outdated and inconsistent between the three DCPs.	Amend the multi dwelling housing waste and recycling generation rate to 60L per dwelling per week for waste and recycling separately. The amended control is DS2.8. The table with an example calculation has also been amended to demonstrate the new waste and recycling generation rate.
	Section 4: Mixed-use residential & commercial developments: specific provisions	The information guide provided is repeated on a subsequent page.	The repeated page has been deleted.
	Guide 1: Inner West Council standard services	Waste and recycling generation rates for multi-dwelling housing units are outdated and inconsistent between the three DCPs.	Amend the multi dwelling housing waste and recycling generation rate to 60L per dwelling per week for waste and recycling separately.
		Resource recovery collection vehicle dimensions do not	Update collection vehicle dimensions in

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		reflect the collection vehicles currently in operation. Listed dimensions are not consistent across the three Council DCPs even though the collection vehicles in use are the same across the Inner West.	the DCP to reflect those of the vehicles currently collecting recycling and waste.
	Guide 3: waste chutes, compactors, balers, crushers & dehydrators	Use of waste compaction equipment can damage bins due to the excess weight created and is not compatible with Council's resource recovery collection vehicles.	References to and controls for compactors and balers have been removed from the DCP.
	Guide 4: Waste and recycling capacity needs	Commercial waste generation rates are not reflective of land use operations and inconsistent between the three DCPs.	Rates have been updated in line with advice from Council's resource recovery unit. Changes in rates vary from increases to decreases and reflect the expected generation by each land use. Rates are not set to try to restrict waste and recycling generation, as this would lead to storage and waste overflow issues.
Part 3 Flood Hazard	General DS1.1 & DS1.2	Requirements for flood risk management reports are not consistent across the 3 DCPs. Reporting can be relatively onerous on smaller scale developments like single dwelling residential.	Update the requirements for these reports to be clear and consistent across the three Council DCPs. Make concessions for smaller scale developments like single dwellings, alterations and additions and change of use applications, requiring only a Flood Risk Management Statement instead of a full report.
	Various Sections through out	"100 year flood" is a poor descriptor for benchmark flood levels, as at least two "100 year floods" have occurred over a decade. The reference needs updating to better reflect the use of term as an indicator of probability (or risk).	References to "100 year flood" have been updated to read "1% Annual Exceedance Probability (AEP)", a more accurate and better practice descriptor for flood planning.
	Controls for	The DCP does not contain	Use Leichhardt DCP

Attachment 2

	basement garages and car ports. DS11.1 – DS11.6	controls for the development of flood affected driveways, garages and car ports. Controls for basement garages and car parks are inconsistent across the 3 DCPs.	controls for car ports, garages and car parks in the Marrickville and Ashfield DCPs. Refine basement car park controls to better align them across the DCPs.
Part 15 Stormwater Management	Part 15 Stormwater Management	<p>The existing document only contains a referral to Ashfield's Stormwater Management Code, i.e. almost no requirements are defined as in the Leichhardt and Marrickville documents. The existing Ashfield Code has the following issues:</p> <ul style="list-style-type: none"> a) It is not consistent with modern best practice; b) In many aspects it does not align with the Leichhardt and Marrickville documents; c) It has controls that are very onerous for residential developments, including additions/alterations, eg OSD and no OSR, positive covenants, insufficient guidance, etc. 	Amend the DCP to refer to controls under the relevant section of the Marrickville DCP. This makes the Ashfield and Marrickville DCPs for stormwater management consistent and brings the controls closer to current best practice in stormwater management.

Item No: C0219(3) Item 2**Subject:** GLOBE WILKINS PRESCHOOL**Prepared By:** Louise Brennan - Coordinator Early Childhood Services and Annette Morgan
- Group Manager Children and Family Services**Authorised By:** Annette Morgan - Group Manager Children and Family Services**SUMMARY**

NSW Education has indicated that the lease for the Globe Wilkins Preschool will not be extended past the end of the current lease, December 2019, at the current site of the Preschool on Wilkins School grounds.

In December 2018, Council lodged a submission as part of an Expression of Interest process with NSW Education regarding an identified parcel of land on Wilkins School grounds on which to build and operate a preschool. At the time of writing this report, a response had not been received from NSW Education.

Since 2010 the preschool has catered for children aged three to five years only. Enrolments over the past twelve months have been tracking at a maximum of 36 per day out of an approved capacity of 50 per day. Upon consultation with parent representatives from Globe Wilkins Preschool in late December 2018, it was agreed that Council consider inclusion of two to three-year-olds into the service.

Preschools in NSW attract equity funding aimed at prioritising target groups, specifically 4 year olds in the year before school and 3 year olds meeting certain criteria. Children under three years of age do not attract any of this funding. To ensure the service continues to meet the funding criteria, maintains compliance with staffing Regulations, has a cost neutral impact to the financial operations and is able to cater for under 2 year olds, the fees for those groups not attracting funding needs to be at the full daily fee set for the service.

RECOMMENDATION**THAT:**

- 1. Council endorses the published full preschool daily fee be charged for children aged 2 years (25 months) old up 35 months (3 years); and**
 - 2. Continued adherence to State policy and funding requirements that includes that no subsidy is applicable to enrolled children who are 25-35 months of age.**
-

BACKGROUND

Prior to 2010, Globe Wilkins Preschool enrolled children aged from 2 years (25 months) up to 5 years of age. When the State Government Preschool policy and funding guidelines changed in 2010 (and subsequent reviews), priority of access and funding subsidies are now focused on providing access to preschool hours for children:

- at least 4 years old, in the year before school;
- at least 3 years old and from low income and/or Aboriginal families;
- at least 3 years with English language needs;
- at least 3 years with disability and additional needs; and
- at least 3 years and at risk of significant harm.

Funding criteria for the above target groups remains in 2019 and excludes children outside any of the target groups above and for children under 3 years. Current enrolments at Globe remain compliant with State Government Policy, attracting funding from the State who set the priority target groups as listed above. The funding enables a significant fee reduction for those

children from the target groups who meet the funding criteria. The current Council fee set is at a level that no child who meets the funding criteria in the target groups listed above is charged, as funding covers the current attendances of these enrolled children.

Over the past 12 months, enrolments at Globe have tracked at a maximum of 36 children per day. Current enrolments at Globe are showing to be similar with figures of last year, that is, substantially lower than the maximum daily approved number of 50. Enrolling two and up to three-year-old children will not compromise the current funding for the target groups, provided access to the preschool remains available to them. With so many vacancies in the target groups, Children and Family Services officers are confident the Preschool will still have places for any child in the target groups.

In addition, an increase in enrolments will provide access to preschool hours for children under three who may not otherwise be able to access such services and whose older siblings also attend either the preschool or Wilkins School. It will also ensure continued viability of the service, which maintains a staffing structure that can support enrolled children under three years.

Globe Wilkins Preschool staffing structure is set at standards and budget to meet the Education and Care Services National Regulations. Enrolling children under three years of age requires compliance with Regulations regarding staffing for that age group; a ratio of one adult to five children (1:5) for children 2-3 years, compared with a ratio of one adult to ten children (1:10) for children 3-5 years. Current staffing at Globe can remain compliant for this stipulated Regulatory ratio for up to ten (10) children aged two to three years per day.

FINANCIAL IMPLICATIONS

Enrolling up to a maximum of ten (10) children aged from 24 months up to 3 years and applying the current highest daily fee, \$70 with no subsidy will improve revenue without a negative impact on the staffing and other operational costs. Additionally, in 2018 the State Government announced some funding support for enrolment of 3-year-old children, with a small subsidy to that age group. Enrolling the under 3-year olds will enable a continued enrolment into the priority age groups and provide a more sustainable service to the community.

OTHER STAFF COMMENTS

An endorsement by Council, as outlined in this report, for the published full daily fee to be administered to allow children aged two to three years attend Globe Wilkins Preschool will enable the enrolment process to begin immediately for children in this age group. Any alternative process will delay the enrolment of the younger children by a further two to three months.

Below is an excerpt from the current Fees and Charges indicating the current full daily fee:

Globe Wilkins Preschool

Wait List Fee	\$25.00	\$0.00	\$25.00
Enrolment Fee	\$80.00	\$0.00	\$80.00

Daily Fees

Daily Fee	\$70.00	\$0.00	\$70.00
Note: Equity funding applies for eligible families which may assist with fee reduction			

PUBLIC CONSULTATION

Children and Family Services (CFS) consulted with the Globe Wilkins Preschool families and staff during 2018. CFS officers and Executive Leadership including the General Manager and Deputy General Manager met on a number of occasions with the Save Globe Preschool

Group also during 2018. It is acknowledged that Councillors have also met with the Save Globe Preschool Group on various occasions.

At one of the meetings with CFS and Executive Leadership, the Globe parent representatives raised a request that Council consider inclusion of under 3-year olds into the service. Officers at those meetings gave verbal support to the request with the understanding that the published full daily fee to be charged for children in the two to three-year-old age group should be considered by Council.

CONCLUSION

Nil.

ATTACHMENTS

Nil.

Item No: C0219(3) Item 3

Subject: **ASHFIELD AQUATIC CENTRE REDEVELOPMENT MONTHLY PROJECT
STATUS REPORT**

Prepared By: Brooke Martin - Group Manager Properties, Major Building Projects and Facilities

Authorised By: Elizabeth Richardson - Deputy General Manager Assets and Environment

SUMMARY

The redevelopment of the Ashfield Aquatic Centre is a significant infrastructure project for Inner West Council. This February 2019 monthly report is provided to inform the community on the projects progress, costs, value management, approvals, programme, independent project assurance, communications, issues and risks.

RECOMMENDATION

THAT Council:

- 1. Receive and note the monthly status report; and**
 - 2. Endorse the template for ongoing monthly reports.**
-

BACKGROUND

Council resolved at the 13th November 2018 meeting the following:

THAT:

- 1. Council endorse the final program and a final budget for Ashfield Aquatic Centre Redevelopment of \$44,752,145;*
- 2. A contract is awarded to FDC Construction for the construction of the Ashfield Aquatic Centre Redevelopment for the agreed amount of \$37,250,432 which excludes the nominated value management items;*
- 3. The final budget includes \$1,500,000 in value management savings to be negotiated by officers;*
- 4. Given the very significant public funding of the Ashfield pool and the importance of delivery and oversight of this project, that Council provide a monthly report to an Ordinary Council meeting until the project is delivered; and*
- 5. Council to provide detail to its community about the decision and how it will be funded and why Council considers its funding feasible and secure, at the earliest opportunity. This should appear on Council's website, the Inner West Courier, social media and other means.*

The redevelopment of the Ashfield Aquatic Centre (AAC) includes the following works:

- New 50 metre pool with accessible ramp and pool divider
- New outdoor program pool with moveable floor, suitable for a range of uses
- New children's leisure pool with landscaping and green wall
- New entry building with gym, café, change areas, crèche and retail
- New sauna, steam and spa
- New community meeting rooms
- Green space, covered seating, landscaped areas and terraces
- More parking

The Monthly Project Status Report for February 2019 in response to Point 4 of the above resolution is provided in **Attachment 1**. The report is intended to provide Council with a high-level progress report on how the delivery of the project is tracking against schedule and budget; and how key risks are being managed.

The community information in response to Point 5 of the above resolution is provided in **Attachment 2**.

FINANCIAL IMPLICATIONS

Council has endorsed a budget of \$44,725,145. Council's loan application has been lodged with T Corp.

The monthly status report will provide Council an update on how the project is progressing against the endorsed budget.

OTHER STAFF COMMENTS

The Project Control Group including Deputy General Manager Assets & Environment, Deputy General Manager Community & Engagement, Chief Financial Officer, Group Manager Aquatics and Group Manager Property, Major Building Projects & Facilities have endorsed the monthly report.

PUBLIC CONSULTATION

The Monthly Project Status Report will provide ongoing updates on communications to the community throughout the life of the project.

ATTACHMENTS

1. [!\[\]\(eb2da236c8e866008a78d7aa69bcc6c9_img.jpg\)](#) Council Monthly Project Progress Report February 2019
2. [!\[\]\(41bd65de259e5aa2d4856c839edd4f76_img.jpg\)](#) Community update January 2019

Ashfield Aquatic Centre Redevelopment**Council Status Report****February 2019****Item 3****1.0 Budget**

Approved Budget	\$44,752,145
Forecast Final Cost	\$44,752,145
Remaining Contingency	\$3,231,473
Expenditure to Date	\$3,020,875
Key Variances in Period	Nil

2.0 Value Management

Council resolved that *'the final budget includes \$1,500,000 in value management savings to be negotiated by officers'*.

Weekly Value Management workshops commenced in January 2019 and will continue until the value management target of \$1.5M is reached. Below is the progress of value management to date:

TOTAL OF ALL IDENTIFIED ITEMS	\$1,913,975
Breakdown:	
ACCEPTED ITEMS	\$361,162
PENDING ITEMS	\$1,065,167
REJECTED ITEMS	\$363,373
OTHER ITEMS	\$124,273

All stated figures exclude GST.

3.0 Onsite Progress

Works completed over the **past month** include:

- fence installation,
- site shed installation; and
- services disconnection.

Works forecast for the **coming month** include:

- Demolition commencement.

4.0 Head Construction Contract - FDC

Early Works contract executed 24 December 2018.

Formal contract execution forecast for late February / early March 2019.

Attachment 1

5.0 Statutory Approvals

Development Application Approval: Approval issued 24 May 2018.
Construction Certificate: In progress

6.0 Programme

Stage	Date
Early Works Commence (Fencing, Sheds, Services Disconnect, Etc)	21 January 2019 (Actual)
Early Works Complete (Fencing, Sheds, Services Disconnect, Etc)	28 February 2019 (Forecast)
Demolition Commence	28 February 2019 (Forecast)
Earthworks and Civil Works Commence	29 April 2019 (Forecast)
Construction Works Commence	03 June 2019 (Forecast)
Construction Works Complete	July 2020 (Forecast)
Handover and Commissioning	August 2020 (Forecast)
Facility Open	August 2020 (Forecast)

7.0 Project Assurance

- The Project Control Group continues to meet monthly.
- Tender Release – Independent review of the project completed by PPB Advisory June - July 2018 - **Completed**
- Tender Assessment – Independent review of the tender panel assessment by Prevention Partners August – November 2018 - **Completed**
- Contract Commitment – Independent review of the contract negotiations by Prevention Partners November - December 2018. - **Completed**
- Site Works, Piling & Demolition – **Current Action**
- All Trade Shop Drawings are Final – Future Action
- Building Secure, Pool Secure – Future Action
- Commissioning – Future Action
- Readiness For Service – Future Action
- Post Implementation – Future Action

8.0 Key Risks

- Programme delay due to late issue of the Construction Certificate.

There is a Sydney Water Section 73 approval pending. DA amendment required for the Construction Certificate is being considered 5th March 2019 by IHAP. The Sydney Trains consent was received 6th February 2019. The Project Control Group is

reviewing commencing demolition in preparation of the release of Construction Certificate #1 once the Sydney Water approval is received.

- Cost risk if value management target is not realised.

Weekly Value Management workshops are underway and the Lead Design Consultant is exploring savings in regards to the services.

- Poor coordination of latent discoveries and earthwork requirements during the upcoming works phase.

An independent consultant will be engaged to provide expert technical advice to the project team to identify and resolve any issues quickly.

9.0 Stakeholder Communications

Communication activities performed in the **last month**:

- Project information flyer released by IWC to residents.

Communication activities planned for **upcoming month**:

- FDC notification to surrounding residents of demolition commencement.

Monthly reports will be placed on the website page for Ashfield Aquatic Centre Major Project.

10.0 Site Photos



3 Existing pool to be demolished.



2-Existing 50m outdoor pool



Existing Indoor Pool



Shade Cloth. Frederick Street car park

Ashfield Aquatic Centre – construction commencing

your say
Inner West

Council has appointed contractors FDC who will soon start construction of the new state-of-the-art facility, due to open by summer 2020.

The new aquatic centre is the most significant infrastructure project, in both size and scope, in the history of the Inner West. This is a once-in-a-lifetime opportunity to transform Ashfield pool into a first class facility for the whole community to enjoy for generations to come.

We have listened to the community – residents, swim clubs, learn to swim families and centre users – and more than 75% want a mix of contemporary facilities at the site.

The new centre will boast a 1,000m² gym, spa, steam and sauna, and a world class ‘floating floor’ for the outdoor program pool, making it the perfect venue for everything from water polo to Learn to Swim and Aqua Aerobics lessons.

Importantly, we have instituted greater levels of independent oversight and quality assurance for this project than ever before, to drive down costs and speed up delivery.



Mayor Darcy Byrne
Inner West Council

The multi-purpose centre will feature:

- New 50 metre pool with accessible ramp and pool divider
- New outdoor program pool with moveable floor, suitable for a range of uses
- New children's leisure pool with landscaping and green wall
- New entry building with gym, café, change areas, crèche and retail
- New sauna, steam and spa
- New community meeting rooms
- Green space, covered seating, landscaped areas and terraces
- More parking



Why has the cost of the pool increased?

Additions to the initial plans include a movable floor for the new outdoor program pool so it can change its depth, opening it up for a wide range of uses including water polo, events and other programs, and a new health and fitness centre.

While the additions have added to the construction costs, it means that the new facility will meet a diverse range of community needs, providing health benefits from the very young right through to older adults.

Rather than funnelling funds into a short-term strategy to patch up the dilapidated centre which was literally at the end of its lifespan, Council listened to the community and determined to future-proof the centre for future generations.

Geotechnical and other investigative work to assess the real state of the pool and further understand the project risks have also added costs.

How does Council plan to pay for the development?

The cost to build the facility is to be funded by the Special Rate Variation adopted by Ashfield Council in 2015. Council has applied for a 20 year loan with TCorp to cover the remainder of the funds. No further rate increases are being considered to cover the cost of the project.

The final budget for the pool includes \$1,500,000 in savings that will be negotiated with the builder by Council officers.

How does the cost compare to other similar projects?

The \$44.7 million cost to build the facility is in line with similar projects undertaken in Australia in recent years such as:

- The Aquanation constructed in Ringwood (2015) \$45m
- Aquapulse in the City of Wynham (2015) \$50m
- PARC Peninsula Aquatic Centre in Frankston (2014) \$49.6m
- GESAC in East Bentleigh (2012) \$45m
- Watermarc in Greensborough (2012) \$46m

Will residents be told about any construction impacts?

Yes, FDC will inform nearby residents and use site signage if there is work scheduled with impacts such as noise, traffic changes, safety, etc.

Further information

- Visit www.innerwest.nsw.gov.au/AshfieldAquaticProject for updates.
- For enquiries about the building site contact **FDC Project Manager Peter Blood 0405 732 621** or **Site Manager Michael McAndrew 0438 205 654**.

For any further information please contact **Jovana Popovic (Project Manager)**
(02) 9392 5266 aac@innerwest.nsw.gov.au

查阅本传单的中文版本, 请访问www.innerwest.nsw.gov.au/AshfieldAquaticProject

Item No: C0219(3) Item 4

Subject: REUSABLE COFFEE CUPS

Prepared By: Kate Jackson - Coordinator Community Sustainability

Authorised By: Jan Orton - Group Manager Environment and Sustainability

SUMMARY

In August 2018, Council resolved to support the *Responsible Cafes* program and requested officers investigate the potential to pilot a reusable coffee cup initiative, inspired by the Freiburg Cup model in Germany.

This report provides a progress update, including information about reusable cup schemes and recommendations for a proposed pilot to commence in mid-2019.

RECOMMENDATION

THAT Council:

- 1. Endorses the development and delivery of a reusable coffee cups pilot with Green Caffeen and Responsible Cafes;**
- 2. Notes that the coffee cups pilot and membership of the Responsible Cafes program will be funded from the current Urban Sustainability Budget; and**
- 3. Note that co-branding with Inner West based coffee roasters will not be part of this pilot.**

BACKGROUND

Australia disposes of a billion coffee cups each year, or 2.7 million cups each day. The ABC's War on Waste created unprecedented community interest in alternatives to disposable coffee cups, resulting in a surge in sales of reusable cups and new cafes joining the *Responsible Cafes* program.

The Our Inner West 2036 (Community Strategic Plan) seeks outcomes where:

- *the people and infrastructure of the Inner West contribute positively to the environment and tackle climate change (Outcome 1.1.1)*
- *the Inner West is a zero waste community with an active share economy. (Outcome 1.1.5, Our Inner West 2036).*

In August 2018, Council resolved to support the *Responsible Cafes* program and investigate the potential to pilot a reusable cup scheme, inspired specifically by the Freiburg Cup model in Germany. The details of the resolution are outlined in Table 1 below.

Table 1: Progress – Supporting Use of Keep Cups (C0818 2) Item 21

Action	Status
1. Council immediately supports the successful Responsible Cafes initiative by becoming a program partner for two years at a cost of \$3500, to be funded through domestic waste levy	Completed. Membership has been funded from the current Urban Sustainability Budget
2. A report be prepared on the potential for piloting a reusable cup initiative to reduce consumption of single use, disposable coffee cups. The report should include assessment of:	
a. The potential for a pilot to be limited to a single suburb to allow universal café participation to be achievable in the short term	Subject of this report
b. Local café owners who might be willing to become advocates and assist council in recruiting other businesses	
c. Links to any available business cases or reviews of municipal or city wide or government initiated reusable cups schemes	
d. Given the large proportion of disposable cups that are deposited in domestic waste bins, the potential for such a pilot to be funded through the waste levy or reserve.	
3. The vital component of the Freiburg cup is the deposit scheme and this should be part of the Inner West implementation; and	
4. Council work with Inner West based coffee roasters on branding the cups.	

2. REPORT

2.1 Responsible Cafés Program Partner

Council signed a two year agreement with *Responsible Cafes* in October 2018 to support and promote the program as a council partner. *Responsible Cafes* connects cafes with consumers by encouraging cafes to eliminate or reduce disposable coffee cups by offering a discount to customers with reusable takeaway cups.

For cafes, being a member of Responsible Cafes saves money and reduces waste, and incentivises customers to do the right thing by bringing their own cups and fostering a culture of reuse. Across Australia 4736 businesses are registered *Responsible Cafes* and the program has helped save 60.9 million cups from landfill.

Council's Facebook post, announcing the partnership with *Responsible Cafes*, featured local café Buddha Bowl. This post reached 6,300 people and received hundreds of positive responses.

The number of *Responsible Cafes* has grown to over 50 in the Inner West.

2.2 Piloting an Inner West Reusable Cup Initiative

2.2.1 Background Research

In response to the August resolution, staff completed background research about existing and emerging reusable coffee cup initiatives.

More than a dozen businesses, organisations and individuals that deliver and promote reusable cup initiatives in Australia were identified. The initiatives underway in Australia and overseas demonstrate the capability of the community, small businesses and not-for-profits to lead and innovate in this area. A summary of the research outcomes is included in Attachment 1 to this report.

Rather than compete with or duplicate the efforts of these emerging reusable coffee cups organisations, Council called for expressions of interest from known providers in this emerging industry, to work with Council on delivering the pilot.

2.2.2 Expression of Interest (EOI)

Organisations that were identified through the background research were invited to submit an Expression of Interest (EOI) to work with Council on an Inner West Reusable Coffee Pilot.

Council received nine EOIs in November 2018. These were considered by a panel of staff from Resource Recovery, Economic Development and Urban Sustainability using the following criteria:

1. Method and quality of service proposed;
2. Demonstrated ability to deliver (capacity and expertise);
3. Willingness/ability to partner with one or more other organisations; and
4. Value for money.

Within the above criteria the panel considered factors including:

- How accessible and easy to use the model would be for cafes and customers
- Likely level of participation and community support
- Environmental impact
- Resources (Council, cafes, stakeholders) set up costs and ongoing costs
- Long term economic sustainability

Out of the EOIs received, the *Green Caffeen* and *Responsible Cafes*' joint proposal scored the highest against the above criteria.

Green Caffeen is a small business that has rapidly expanded its swap and go coffee cup scheme. There is a growing network of 150 cafes and bakeries from the South Coast to Port Macquarie where customers can swap and drop their *Green Caffeen* cup.

Over 50 *Responsible Cafés* member businesses are currently located in the Inner West. Existing cases show *Responsible Café* membership is a strong indicator that a business will be willing to adopt the *Green Caffeen* reusable cup scheme.

Both *Green Caffeen* and *Responsible Cafes* have an excellent track record of engagement and communication, including face-to-face engagement and recruitment of cafes, staff and customers.

2.2.3 Proposed Pilot – Inner West Council, Green Caffein and Responsible Cafes

The proposed pilot would be a partnership between Inner West Council, [Green Caffein](#) and [Responsible Cafes](#).

The pilot will firstly engage 30 cafes and their customers across the Inner West. It will include targeting universal uptake by cafes in a focus suburb.

Large numbers of Inner West residents commute to work. While most drive, a significant proportion (19.5%), take the train. With 77.5% of residents working outside the Inner West there are large numbers taking a coffee away from the area they buy it. The proximity of trains, buses and ferries to cafes was taken into account in selecting potential focus suburbs and will be one of the challenges for the pilot project.

Summer Hill, Rozelle, Annandale or Dulwich Hill have ben nominated as potential focus suburbs for the pilot due to:

- The concentration of cafes and shops
- The whole suburb being within Inner West local government area
- The proximity of cafes to one another – walkability to drop off used cups
- The potential for people to remain in the suburb long enough to drink their coffee
- Their strong sense of identity as a neighbourhood
- High levels of interest in sustainability in the local community and businesses

The focus suburb will be confirmed after local cafes and customers have been engaged by *Green Caffein* and *Responsible Cafes*. The proposed program has been shown to work well at a neighbourhood level and is potentially scalable to any café with a dishwashing machine in the Inner West.

2.2.4 How the scheme works

Coffee customers:

- Download the *Green Caffein* app to their phone.
- Pay a monthly subscription fee of \$4.99. In their EOI, *Green Caffein* offered a free trial for the first month of the pilot for Inner West customers to encourage participation.
- Use the app to check out the *Green Caffein* cup from the participating café.
- Check the cup back in at any participating café (regardless of whether they buy a coffee there).

If the cup is not returned after three weeks, the customer is charged \$7.99 which acts as an incentive to return the cup, similar to a deposit system. It also reduces ongoing costs and resource use by reducing cup loss.

Cafes:

- There are no fees for cafes to participate
- Cafes are recruited and staff on-boarded by *Green Caffein* and *Responsible Cafes*.
- Display a *Green Caffein* sign at the counter and stock about 50 cups which are topped up by *Green Caffein* when they get low.
- May act as champions to help engage and recruit other businesses to participate.
- Wash *Green Caffein* cups returned to their café in their commercial dishwasher, and save on the cost of purchasing disposables.

2.2.6 Pilot Program Co-branding

Co-branding with multiple individual roasters or cafes is not appropriate in this model, because of the large number of roasters and cafes that would be involved.

The logistics of attaching cups to individual cafes and their roasters would complicate the pilot, but co-branding with Council is an option.

Council's own branding project is well underway, but is not anticipated to be finalised before the commencement of the coffee cups pilot which is anticipated to commence in May- June 2019. To address this, all cups in the pilot will be co-branded with 'Inner West' in a simple strong font. Urban Sustainability and Marketing and Communications staff will work together on this part of the project.

2.2.7 Targets for the pilot

Targets for the pilot are:

1. Participation by all cafes in one suburb, with a total of 30 cafes across the Inner West
2. 270,000 disposable cups avoided over 12 months.

Targets will be tracked by the app which collects information about sign-ups, cup use and diversion rates. *Green Caffein* will report data to Council on a quarterly basis for 24 months.

2.2.8 Next Steps

If endorsed, the pilot will be launched in May – June 2019 following engagement and consultation with cafes and customers. Staff will work with project partners to engage and consult with local cafés, confirm the location, and move to full pilot implementation.

If endorsed, officers will:

1. Formalise the agreement with *Green Caffein* and *Responsible Cafes*
2. Work with *Green Caffein* and *Responsible Cafes* to engage directly with local customers and cafes about the pilot including a café round table with café owners and managers.
3. Following the round table establish the target suburb
4. Complete detailed project planning and cup production
5. Launch the pilot

FINANCIAL IMPLICATIONS

The total commitment for the reusable coffee cup pilot is \$18,600 comprising:

- \$17,050 service fee to Green Caffeine and Responsible Cafes for cover engagement of 30 Inner West cafes, 1500 cups, promotional materials, program data and a fee-free service for Inner West customers for the first month
- \$500 printing costs
- \$300 for local café roundtable discussion
- \$750 (contingency only, if up to 750 additional cups are required during the pilot)

Over the longer term, other than promotion no recurrent funding should be required from Council for the reusable coffee cups scheme. The ongoing financial implications will be assessed at the completion of the trial.

Funding Source

Council resolved at its meeting in August 2018 that:

- *Given the large proportion of disposable cups that are deposited in domestic waste bins, the potential for such a pilot to be funded through the waste levy or reserve.*

Waste Services related to commercially provided takeaway coffee cups do not comprise “domestic waste services” as defined by clause 11.2 of the *Local Government Act 1993*, so this pilot cannot be resourced through domestic waste funding.

The cost of the pilot, associated promotion and \$3500 cost of two year’s membership of Responsible Cafes can be funded from the current Urban Sustainability program budget.

OTHER STAFF COMMENTS

Staff from Resource Recovery Planning and Economic Development have been involved in the development of recommendations provided in this report.

PUBLIC CONSULTATION

Nil.

ATTACHMENTS

1. [Download](#) BACKGROUND RESEARCH ON EXISTING REUSABLE COFFEE CUP SCHEMES

ATTACHMENT 1

INNER WEST COUNCIL

**BACKGROUND RESEARCH ON EXISTING
REUSABLE COFFEE CUP SCHEMES**



**INNER WEST
COUNCIL**

Contents

1	Background	3
2	Examples of reusable cup scheme models	4
3	Impact of reusable cup schemes.....	7
4	The role of local government in reusable cup schemes.....	8
5	Challenges to success of reusable coffee cup schemes	8
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1 Background

Coffee culture and good coffee is part of Inner West's identity. Busy, competitive local coffee businesses, bakeries and other outlets continue to provide disposable cups as the default option for takeaway coffees. It is normal practice to use them. They are perceived as convenient, hygienic, familiar and relatively cheap. With no regulation or limits on single use cups at state or federal level, there is little incentive for cafes or consumers to choose a different path.

Australia disposes of a billion coffee cups each year, or 2.7 million cups each day. They have negative environmental impacts through their life cycle from production through to disposal and beyond. The manufacture, transport and disposal results in greenhouse gas emissions. The cups are sent to landfill as the cup composite of paper and plastic and plastic lids are not easily recyclable. Many cups become litter in public places and waterways. In these environments cups can break down into small particles and other chemicals that enter ecosystems and food chains.

The "polluter-pays" principle does not apply to disposable coffee cups. Those who benefit directly from the cups through profit, brand recognition and convenience (manufacturers, retailers and customers) do not directly bear the cost of the environmental harm. The associated costs of waste and litter management and disposal, and remediation of environmental damage to ecosystems are paid for by the whole community through governmental taxes and council rates to fund prevention campaigns, clean ups, street cleaning, waste disposal and remediation of environmental damage.

Disposable coffee cups are symbolic of our throwaway society as highlighted on the ABC's War on Waste. The feature on coffee cups created unprecedented community interest in alternatives to disposables, as well as a surge in sales of reusable cups and many new cafes joining the Responsible Cafes program.



Image: Discarded coffee cups on Regent Street, Petersham



Image: Litter bin filled with cups, Camperdown Park

The Inner West community's vision is that *the people and infrastructure of the Inner West contribute positively to the environment and tackle climate change* (Outcome 1.1.1, *Our Inner West 2036*) and that the *Inner West is a zero waste community with an active share economy*. (Outcome 1.1.5, *Our Inner West 2036*)

In August 2018, Council resolved to support the *Responsible Cafes* program and investigate the potential to pilot a reusable cup scheme, inspired specifically by the Freiburg Cup model in Germany.

Reusable cup schemes seek to reduce takeaway coffee cup waste by making it easier for customers and cafes to reuse a single cup many times. In the waste hierarchy, these schemes don't avoid cup waste completely, since the materials in reusable cups eventually need to be recycled and then disposed of. To avoid waste, the best option would be to drink the coffee in the café from a regular non disposable coffee cup, or not have a coffee.

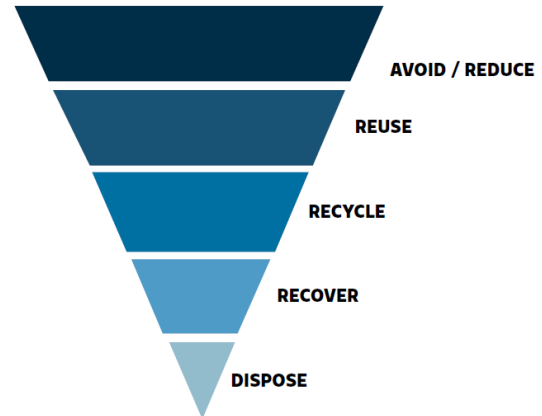


Figure 1: The waste hierarchy

Reusable cups schemes remove some of the barriers for customers who would normally use a disposable cup such as:

- The cost and effort of buying a reusable cup
- Remembering to take a reusable cup with them
- Carrying around a dirty reusable cup
- Having to wash their own reusable cup

Reusable cup schemes usually try to replicate the disposable cup system as closely as possible so minimal behaviour change is required of customers, café owners and staff. The schemes aim to make it easy for cafes to incorporate the service into their business model with minimal effort from staff or customers. The schemes can offer benefits to cafes such as reducing the cost of purchasing disposable cups, creating a unique service or competitive point of difference, and the feel-good factor that they are doing the right thing for the environment.

Despite their benefits, the schemes are competing with an entrenched culture of convenience, and usually involve a direct cost to cafes and/or customers.

2 Examples of reusable cup scheme models

Many schemes are being developed in Australia and internationally however there is limited publicly available information such as case studies or evaluations. Many schemes only engage with commercial office buildings, events, or individual cafes and are not city wide. An overview of the features of reusable coffee cup programs with

links to relevant supplier or initiative information that is publicly available is summarised in the Table 1 below.

Table 1: Features of existing reusable cup initiatives

Feature	Description	Examples
Swap and go	Provides customers with a distinctive cup which they use and return to participating cafes for washing. Usually charge a purchase price or ongoing fee for service. Some schemes track cups, or use a deposit to encourage return of the cup and others do not.	Ruzi – Sydney GreenCaffeen , NSW Huskee Swap Australia Recup - Germany Globelet – NZ/Australia Vessel - Colorado Viva la Cup - Melbourne TCX , Sydney
Cup check in or tracking	Customer or cafe can check cup in and out using technologies such as QR codes, RFID, smart phone apps or scanners.	TCX - Sydney Ruzi – Sydney GreenCaffeen , NSW Vessel - Colorado Globelet – NZ/Australia
Collection and washing service	Supplier collects and washes reusable cups then returns them to cafes. Specific bins or collection points are often provided. This model works best for special events, commercial centres and other locations in which there a single manager has control of waste.	Go2Cup , Western Australia Ruzi – Sydney
Subscription service	Customer or café pays regular fee for service provided.	Green Caffeen , NSW TCX Ruzi
Deposit system	Customer is charged if cup is not returned via credit card details or cash deposit.	Freiburg cup Vessel Green Caffeen , NSW Go2Cup , Western Australia
BYO cup discount	Cafes offer a discount to customers for bringing their own re-useable cup	Responsible Cafes Individual cafes
Cup libraries	Customers borrow and return re-useable mugs from cafés free of charge. Usually second hand mugs are provided.	Cornersmith, Annandale Saint Mondays, Melbourne Tonic Lane, Sydney The Cup Exchange , WA (Emu Point Café and

		others)
Cafés that do not stock disposable cups	Café no longer provide disposable cups at all. Customers must drink in-house or bring their own takeaway cup. Some sell or provide reusable cups or mugs to customers to take away. This is the only method that avoids all disposable cup waste.	Antz Inya Pantz , Perth Tonic Lane, Sydney Handsome Her, Melbourne Boston Tea Party chain, UK
Disposable cup fee	Café charges a small fee for the use of disposable cups. This model is similar to the way the large supermarket chains now charge customers for the use of single use plastic bags. This model works because people are “more sensitive to losses (fees/penalties) than to gains (discounts)”.	Brindabella Café, Canberra Starbucks, UK-wide



Image: Feel good factor: bakeries and cafes currently participating in Green Caffein in NSW

3 Impact of reusable cup schemes

Organisations working with cafés in Australia estimate that 4 -8% of customers already voluntarily bring their own reusable cups, a figure that was boosted by ABC’s War on Waste. Little information is available about neighbourhood, suburb or city-wide scale reusable cup schemes’ impact on the number of disposable cups used.

The Freiburg cup has been celebrated internationally for providing customers with an alternative, reducing litter in Freiburg, raising awareness of disposable cups and raising awareness of the need to take policy actions to tackle them. However, the Freiburg cup is still not the most preferred option for takeaway coffee in Freiburg. The impact on the scheme on actually reducing single use cups was not tracked. ([The Story of the Freiburg Cup, Zero Waste Europe, 2018](#))

Go2Cup in Mundaring, Western Australia shared the results of their program with Council. They estimated that cafes offering their free no-deposit scheme stocked around 100 cups and had a turnaround of 20-30 cups per week. Cups circulated at a rate that would have resulted in about 10,000 single use cups per year being prevented from going to landfill.

4 The role of local government in reusable cup schemes

Initiatives underway in Australia and overseas show the capability of the community, small businesses and not-for-profits to lead and innovate in this area. The role of local government in existing schemes is largely focused on supporting or promoting initiatives, rather than driving or coordinating them.

All initiatives, except for the Freiburg cup, have been coordinated and driven by start-up companies, not-for-profit organisations or cafes. No schemes except the Freiburg Cup have been coordinated by government or local government. Local government has provided support for reusable cup schemes in other ways including:

- Funds for the ongoing cost of supplying the cups and promotional materials to businesses.
- A one-off financial contribution to support a chosen scheme provider.
- A grant program to support businesses to join a scheme.
- Sponsorship for promotion e.g. co-branding of cups.
- In-kind support through campaign promotion and business recruitment.

5 Challenges to success of reusable coffee cup schemes

While the Inner West community supports moving away from single use culture in principle, any system that aims to reduce the use of disposable cups will face some challenges. The experience of the Freiburg Cup, a voluntary, government-supported scheme has revealed some barriers to success that any scheme in the Inner West is likely to face. Zero Waste Europe's case study of the Freiburg cup found that consumers had little incentive to stop using disposable cups because

"There is a lack of level playing field between the single-use cups, that are free of charge and do not require additional effort, and the reusable ones, that require taking them back to a café." Zero Waste Europe 2018.

Furthermore, because the municipal government, and not cafes are the driver of the scheme and exclusively bear the cost of the Freiburg Cup. Cafes had little incentive to get rid of disposable cups because the sustainability of the project depended on the political will of the city. Challenges for reusable cup schemes around the world include:

1. Inconvenience of change

For cafes disposable cups are relatively cheap, light to store and handle, can be written on and branded and do not need to be washed or disposed of by the business.

For customers, coffee cups are perceived as normal, hygienic, easy and quick. They can be easily disposed of.

Use of a reusable cups requires changes to how customers and cafés operate even if the change is as small as returning a cup to a cafe.

2. Cost and risk

There is an additional cost to all organized disposable cup schemes. In contrast, customers and cafes absorb the small financial cost of purchasing disposable cups. There is no economic incentive not to use them. Cafes margins on coffee are small and the industry is highly competitive. It is an economic risk for cafes to change a service that is working, requires more of staff or risk losing customers.

3. Habit

People's values and intentions don't always match up with their behaviour. Most decisions people make are based on mental shortcuts (fast brain). Even if people are highly motivated to stop using disposable cups, many immediate and competing factors win out at the coffee counter –what friends or family are doing, cost, effort, habit, pleasure and convenience. Drinking from a disposable cup is an accepted social norm (unwritten rule of acceptable behaviour) which means it is especially challenging to change. All schemes require a level of change from customers and cafes that struggle to compete with the default option of disposable cups.

6 Conclusion

Australia disposes of a billion coffee cups each year. Council has limited direct influence on coffee cup waste but is able to partner with private sector and not-for profit organisations that are actively developing reusable cup schemes to encourage coffee cup reuse to reduce disposable cup waste. Where schemes are active there is limited publicly available information on their environmental impact in reducing disposable cup use. The challenges are great as all schemes are competing with an entrenched culture of convenience and involve additional direct cost to cafes and/or customers. Despite these barriers the schemes can offer Inner West cafes and customers a unique service and the feel-good factor that they are making a better choice for the environment.

Item No: C0219(3) Item 5

Subject: WEED MANAGEMENT

Prepared By: Cathy Edwards-Davis - Group Manager Trees, Parks and Sports Fields

Authorised By: Elizabeth Richardson - Deputy General Manager Assets and Environment

SUMMARY

The purpose of this report is to review Council's current weed management methodologies and outline alternative methodologies.

This report is seeking Council's endorsement of the draft Weed Management Policy to be placed on public exhibition for 28 days, with the results presented to Council along with a final Policy for adoption.

RECOMMENDATION

THAT:

- 1. The draft Weed Management Policy be placed on public exhibition for a period of 28 days;**
- 2. The draft Pesticide Notification Plan be placed on public exhibition for a period of 28 days;**
- 3. The results of the public exhibition and community engagement process are presented to Council along with a final Weed Management Policy and Pesticide Notification Plan for adoption;**
- 4. Council note the Weed Management Annexure;**
- 5. Council engage a consultant to review existing herbicide use and make recommendations on improved risk mitigation as outlined in the report;**
- 6. Council note the risk mitigation methodologies outlined in the Safe Work Method Statements, as outlined in the report, and that these will be reviewed by the internal working group at least once per year; and**
- 7. Council staff continue to monitor the weed management industry and APVMA advice for any new information and appropriate alternative weed treatments; and take action as needed.**

BACKGROUND

At the Council meeting on the 30 October 2018, a Notice of Motion on glyphosate was considered. Council resolved:

- 1. A report be brought to the next available Council Meeting outlining when and where and how frequently the Inner West Council is using Glyphosate and what processes are in place to protect council staff using Glyphosate and local residents and their pets using our parks, gardens and sporting fields where Glyphosate has been sprayed. That the report also includes what other safer products council can use to substitute Glyphosate; and*

2. *The Inner West Council joins with the Cancer Council of Australia in calling for an independent review on the health and safety impacts of using Glyphosate to be instigated as soon as possible.*

Glyphosate is used by the Inner West Council and the majority of Councils to control weeds. Glyphosate is a broad-spectrum herbicide which works by inhibiting an enzyme found in plants. If part of the weed is sprayed, the herbicide is translocated throughout the plant to cause death. Glyphosate kills annual and perennial weeds. There are around 500 products containing glyphosate registered for use in Australia. Glyphosate has been registered for use for over 40 years.

Glyphosate was considered at the Inner West Local Representation Advisory Committee (Leichhardt) on the 2 August 2016 where it was recommended:

THAT LRAC note the following recommendation:

That Council continue to use pesticide formulations containing glyphosate in accordance with the label instructions for weed control, and the Integrated Weed Management Strategy, and the notification and reporting in accordance with the Pesticide Notification Plan.

LRAC resolved:

THAT LRAC receives and notes the report.

The minutes of LRAC were considered at the Council meeting on the 23 August 2018 where it was resolved (in part):

The Administrator determined that:

The Minutes of the Ashfield, Leichhardt and Marrickville Local Representation Advisory Committee Meetings and the Implementation Advisory Group Meeting held in August 2016 be received and recommendations be adopted.

Existing Use of Glyphosate

An internal working group has been established to review the current use of glyphosate by Council. This working group has also been investigating possible alternative products.

The following areas currently utilised glyphosate:

Council Team	Existing Usage	Frequency of Usage
Streetscapes (former Ashfield and Marrickville)	Weed control on verges, LATMs, street gardens, tree pits, footpaths, kerb & gutters, roads and laneways.	Daily for roads and laneways as part of the scheduled cycles (weather permitting). Monthly for garden bed maintenance.
Parks Operations (former Ashfield and Marrickville)	Spot spraying of garden beds, pathways and mulched areas.	Daily as part of the scheduled cycles (weather permitting)
Urban Ecology	Weed control in bushcare sites maintained by volunteers and natural areas maintained by contractor.	1 to 4 times per year.
Home Maintenance & Modification Service	Weed control in private residents' garden beds and lawns.	As requested or required.

Glyphosate is currently limited to localised spraying, utilising spray wands. It is not used for broad acre crop spraying such as seen on farms. On an annual basis, Council utilises approximately 1,320 litres of 360g/L glyphosate concentrate. Glyphosate is mixed with water at a dilution rate of 1:100 before being sprayed. 94% of glyphosate usage is within the streetscape areas.

APVMA Advice

The Australian Pesticides and Veterinary Medicines Authority (APVMA) is the national regulator for agricultural products, including glyphosate. Before a chemical product can be sold or manufactured in Australia, it must first go through scientific assessment by APVMA to check its safety and whether it works as expected and claimed by the manufacturer. These checks are designed to protect the health and safety of people, animals, plants and the environment.

APVMA has recently made comments (3 September 2018) in relation to glyphosate as follows:

“The Australian Pesticides and Veterinary Medicines Authority (APVMA) is aware of the August 2018 decision in the Californian Superior Court concerning glyphosate.

“Glyphosate is registered for use in Australia and APVMA approved products containing glyphosate can continue to be used safely according to label directions. Australian law requires appropriate warnings on product labels, which include relevant poisons scheduling, first aid, and safety directions detailing personal protective equipment when handling and using products containing glyphosate. The APVMA reminds users of the importance of following all label instructions.

“As the national regulator for agricultural chemicals, we continue to track and consider any new scientific information associated with safety and effectiveness of glyphosate, including the information available from other regulators.

“In 2016, following the IARC assessment, the APVMA considered glyphosate and found no grounds to place it under formal reconsideration.”

Further information is available on the APVMA website at: <https://apvma.gov.au/node/13891> .

As per the Council resolution of 30 October 2018, Council has written to APVMA requesting an independent review of glyphosate.

International Agency for Research on Cancer

In March 2015, the International Agency for Research on Cancer (IARC), an agency affiliated with the World Health Organisation (WHO), classified glyphosate as “probably carcinogenic to humans” (Group 2A). This was based on a hazard-based, strength-of-evidence assessment of publicly available scientific information.

The IARC assessment looked at the intrinsic toxicity potential or ‘hazard’ of the chemical glyphosate as a cancer-causing agent. Other items in the same category as glyphosate, “probably carcinogenic to humans” include: indoor emissions from burning wood and high temperature frying, some shift work, and consumption of red meat. Items in the highest category of “carcinogenic to humans” include: all alcoholic beverages, consumption of processed meat, solar and ultraviolet radiation (i.e. sunlight), engine exhaust (diesel), post-menopausal oestrogen and oestrogen-progestogen therapy, outdoor air pollution, occupational exposure as a painter, and soot and wood dust.

Risk Mitigation

When making an assessment of the hazards associated with these substances or lifestyles, IARC did not consider how the risks can be managed in actual use situations and they did not assess the risk of glyphosate causing cancer when used according to the label instructions in a registered chemical product.

APVMA states, “the findings of IARC cannot be directly compared to assessments conducted by regulatory authorities for the purposes of approval or registration of a pesticide product—assessments by regulators include consideration of appropriate risk mitigation measures to allow safe use.”

APVMA states, “Based on current risk assessment the label instructions on all glyphosate products—when followed—provide adequate protection for users. Any supplementary advice proposed by any other jurisdiction does not replace or override the directions for use on the product label—these directions are based on a scientific risk assessment and are legally enforceable.”

The risks associated with glyphosate, to the community, to staff and the environment, are currently mitigated by Inner West Council utilising the following means:

- Material Safety Data Sheets
- Safe Work Method Statements
- Pesticide Notification Plan
- Sensitive Area Identification

Material Safety Data Sheets

Material Safety Data Sheets (MSDS) are documents that provide critical information about hazardous chemicals. For example, they include information on:

- The chemical's identity and ingredients
- Health and physical hazards
- Safe handling and storage procedures
- Emergency procedures
- First aid measures
- Accidental release measures
- Disposal considerations
- Regulatory information
- Toxicological information
- Transportation information

Council currently utilises the following products which contain glyphosate: Gullf Ag ClearUp Bio 360 SL Herbicide; Gullf Ag ClearUp Bio 360 Herbicide; and Rygel ClearUp Bio 360 Herbicide. Council has copies of the MSDS for these chemicals readily available.

Safe Work Method Statement

A Safe Work Method Statement (SWMS) is a document that outlines the high risk work activities to be carried out at a workplace, the hazards that may arise from these activities, and the measures to put in place to control the risks.

Council has the following SWMSs being utilised:

- Storage & Use of Hazardous Substances Safe Work Procedure
- Orphan Hazardous Waste & Pollution Spills Safe Work Procedure
- Weed Control Safe Work Procedure
- Weed Control Vehicle Safe Work Procedure
- Weed Control in Open Drains Safe Work Procedure
- Pollution Response Unit Operating Instructions
- Orphan Hazardous Waste & Pollution Spills Management Operating Instructions

These various SWMSs outline a number of means to mitigate the impacts of glyphosate on staff, the community and the environment, including:

- Staff who utilise glyphosate are required to have a minimum AQF3 qualification to apply chemicals and a valid Chemical Users Certificate.
- Staff must wear appropriate Personal Protective Equipment (PPE) when handling, mixing and utilising glyphosate. This includes wearing gloves, long sleeves and long pants.
- No spraying in wet conditions and when expecting rain within 24 hours.
- Use blue vegetable based dye when using glyphosate.
- Use nozzle cones on spray wands wherever possible.
- Ensure there are no members of the public nearby when using the pressure spray.
- Only diluted forms of the chemical are used.
- No spraying in windy conditions.
- Records are kept of all applications of glyphosate.

Pesticide Notification Plan

Reporting on the use of herbicides is governed by the Pesticides Act 1999. At the time of amalgamation, the three former Councils all had a Pesticide Notification Plan, which were all fairly similar. A new draft Inner West Pesticide Notification Plan has been developed and is attached.

The aim of the Pesticide Notification Plan is to meet the community's general right to know about pesticide applications made to outdoor public places that are owned or controlled by public authorities. The Plan does not apply to outdoor public places that are not owned or controlled by Council.

The plan allows members of the community to avoid contact with pesticides, if they wish. Council ensures that pesticides are applied to public places in a safe and responsible manner, minimising harm to the community and / or the environment. In addition, Council's application of pesticides is in accordance with the relevant material safety data sheets.

The plan sets out how Inner West Council will notify members of the community of pesticide applications it makes, or allows to be made, to public places.

Sensitive Area Identification

Council currently has a number of identified “sensitive areas” where glyphosate is not utilised for weed treatment. A contractor has been engaged to do steam weeding or hand removal as an alternative. These sensitive areas include:

- Commercial areas
- Town centre areas
- Areas adjacent to childcare centres
- Areas adjacent to schools
- Playgrounds in Council parks
- Where residents have nominated to “opt out” of having glyphosate applied adjacent to their property
- WSUD or rain garden areas

The identified sensitive areas are not currently consistent across the amalgamated Inner West.

Diluted Glyphosate

Glyphosate is mixed with water at a dilution rate of 1:100 before being sprayed.

Glyphosate can be used undiluted for cut and paint and scrape and paint application control of woody weeds. However, Council does not utilise this methodology.

Minimised Glyphosate Use

In the former Leichhardt area, the majority of weed control is undertaken by non-chemical means. In streets with verges, Council staff whipper snip/ mow the weeds as part of their mowing cycles. In streets without verges, a contractor has been engaged to undertake weed control using non-chemical treatments. Originally, the contractor was steam weeding. Now the contractor whipper snips the weeds.

In former Leichhardt, glyphosate is used where other methods cannot be applied, and for spot control of persistent weeds that resist other treatments.

Glyphosate is utilised in the former Ashfield and Marrickville areas.

The contract in the former Leichhardt area is due to expire in September 2019. At this time, consideration will be given as to whether it is more cost effective to re-tender this contract or to bring the works in-house.

Environmental Impact

Council currently utilises the following products which contain glyphosate: Gullf Ag ClearUp Bio 360 SL Herbicide; Gullf Ag ClearUp Bio 360 Herbicide; and Rygel ClearUp Bio 360 Herbicide. ClearUp Bio 360 is an improved product from previous glyphosate herbicides. It is non-toxic to fish, birds and bees.

Glyphosate is strongly adsorbed by soil and therefore becomes practically immobile. Microbial activity is the major cause of soil degradation with liberation of carbon dioxide. Half-life is typically 47 days.

Glyphosate is strongly adsorbed to suspended organic and mineral matter and is broken down primarily by micro-organisms. The half-life in pond water ranges from 12 days to 10 weeks.

Alternative Methods

Just prior to amalgamation, former Marrickville had engaged Ecological Consultants Australia to review alternatives to glyphosate. This information has been utilised to inform the discussion on alternatives below.

The following weed management methods and techniques may be used as an alternative to glyphosate:

- Heat treatment (steam, flame and hot water)
- Mechanical treatment (hand removal, mowers, whipper snipper and high pressure gurney)
- Foam weeding
- Naturally occurring chemical treatments that have different active ingredients to glyphosate (clove oil, pine oil, salt, sugar, vinegar, Pelargonic acid (Slasher), foam)
- Reducing areas for weeds to grow (repairing cracks and damages to kerbs & gutters and footpaths, mulch barriers and increasing the use of native plants)
- Reducing the requirements for weeding through changing community expectations on service levels

Alternative weed management methodologies are discussed in some detail in the table below:

Glyphosate Alternative	Brief Description	Positives	Negatives
Heat treatment - steam weeding	Pressurising water to boiling point and then targeting the weeds with an applicator. The released steam ruptures plant cells, killing the above ground portion of the plant.	<ul style="list-style-type: none"> • Effective on young annual weeds • More water efficient than hot water treatment. • Low risk of non-target plant damage. • Suitable in areas with high/sensitive populations 	<ul style="list-style-type: none"> • Not effective on older perennial weeds. • Works best in areas with low weed density. • Poor ground penetration/ Only burns the plant foliage contacted by the steam (not the root). • The steam method experiences rapid cooling which reduces its effectiveness. • Utilises high amounts of water (approx. 220 litres per hour). • Accidental contact with steam can cause severe burns. • Best results requires a second treatment 4-6 weeks after the initial treatment. • More expensive than glyphosate treatment.
Heat treatment - flame weeding	Flames are used on targeted weeds. Flame weeding can mimic control burns.	<ul style="list-style-type: none"> • Can stimulate germination of native plants while killing annual weeds. 	<ul style="list-style-type: none"> • Flame weeding is not generally suitable as it provides an unacceptable fire risk in Australian conditions and it is unsuitable for urban situations. • Cannot be used on materials such as playground softfall. • Requires repeated treatments. • More expensive than glyphosate treatment.
Heat treatment - hot water	Hot water targeted at the weeds with an applicator.	<ul style="list-style-type: none"> • Temperature impact 10mm below the ground is considered very effective. 	<ul style="list-style-type: none"> • Utilises very high amounts of water (>600 litres per hour) • Slow operational speeds needed to ensure effective weed kill. • Requires repeated treatments.

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Glyphosate Alternative	Brief Description	Positives	Negatives
		<ul style="list-style-type: none"> Low risk of non-target plant damage. Suitable in areas with high/sensitive populations 	<ul style="list-style-type: none"> More expensive than glyphosate treatment.
Mechanical treatment - hand removal	Hand weeding	<ul style="list-style-type: none"> Effective on all types of weeds. No impact on the environment. Suitable in areas with high/sensitive populations. 	<ul style="list-style-type: none"> Labour intensive. Insufficient existing staff resources/ impractical to do this over large areas. Increases WHS (ergonomic) risks for staff. More expensive than glyphosate treatment.
Mechanical treatment – mowers	Weeds are removed whilst undertaking mowing of the grass (verges or parks)	<ul style="list-style-type: none"> Efficient, as the removal occurs as the same time as scheduled mowing Minimal impact on the environment (other than petrol use in the mowers). Effective on most types of weeds. 	<ul style="list-style-type: none"> Removes the weed above the ground only/ roots remain. Does not remove broadleaf weeds. Some spot weeding of persistent weeds would still be required. Requires repeated treatments.
Mechanical treatment – whipper snippers	Weeds are removed by whipper snipper	<ul style="list-style-type: none"> Minimal impact on the environment (other than petrol use in the whipper snippers). Effective on all types of weeds. 	<ul style="list-style-type: none"> Labour intensive. Insufficient existing staff resources/ impractical to do this over large areas. Removes the weed above the ground only/ roots remain. Requires repeated treatments. Some spot weeding of persistent weeds would still be required. The associated noise is unpleasant to many residents. More expensive than glyphosate treatment.
Mechanical treatment - high pressure gurneys	High pressure gurneys, also known as hydro mechanical obliteration, can be utilised to blast apart plants.	<ul style="list-style-type: none"> Effective on all types of weeds. 	<ul style="list-style-type: none"> Removes soil, which may then end up in the stormwater/ downstream waterways. Utilises very high amounts of water. Removes the weed above the ground only/ roots remain. This treatment may not be appropriate/ practical in high use public spaces. Requires repeated treatments. More expensive than glyphosate treatment.
Foam weeding	Foam weeding is a biodegradable	<ul style="list-style-type: none"> Removes the risk of fire hazard 	<ul style="list-style-type: none"> Utilises high amounts of water (approx. 220 litres per hour).

Glyphosate Alternative	Brief Description	Positives	Negatives
	foam made from natural plant oils and sugars which is applied to weeds together with hot water.	(compared with flame weeding)	<ul style="list-style-type: none"> Accidental contact with foam can cause severe burns. This treatment does not yet appear to be commercially available in Australia. More expensive than glyphosate treatment.
Naturally occurring chemical treatment - botanical oils (clove oil/ pine oil)	Botanical oils are spot sprayed onto weeds.	<ul style="list-style-type: none"> Effective on soft seedlings, grasses, herbaceous plants and seeds 	<ul style="list-style-type: none"> Less effective on woody plants or plants with runners, rhizomes or tap roots. Accumulates in soil, creating a toxic environment to other plants. Not effective on older perennial weeds. Only burns the plant foliage contacted by the product/ does not translocate to the roots of treated plants. High impact on aquatic species. Higher dermal toxicity than synthetic herbicides. Potential for severe skin irritation, eye irritation. More expensive than glyphosate treatment.
Naturally occurring chemical treatment – acetic acid (vinegar)	Acetic acid affects the cell membranes of a plant, causing rapid breakdown/ desiccation of foliage tissue on contact.	<ul style="list-style-type: none"> Effective on small, young seedlings. Rapid symptom development (<1 hour on sunny days). Breaks down quickly in the environment. Works effectively on hard surfaces (roads, footpaths). 	<ul style="list-style-type: none"> Weeds must be sprayed within two weeks of germination. No residual activity. Only burns the plant foliage contacted by the product/ does not translocate to the roots of treated plants. Only burn the foliage of perennial weeds, large annual weeds and grasses. Sharp vinegar odour may be unpleasant Reacts with metal street/ park furniture Higher dermal toxicity than synthetic herbicides. Potential for severe skin irritation, eye irritation (including blindness). Requires repeated treatments. More expensive than glyphosate treatment.
Naturally occurring chemical treatment – herbicides (other than glyphosate)	Pre-emergent herbicides could be sprayed across all parks (the whole site)	<ul style="list-style-type: none"> Different herbicides work effectively on specific species of weeds. Effective on the targeted weeds. 	<ul style="list-style-type: none"> This would result in a large increase in herbicide use. This is unlikely to be popular with residents and it is not appropriate in urban public areas. This is not an appropriate treatment for hard surface areas

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Glyphosate Alternative	Brief Description	Positives	Negatives
			(roads). <ul style="list-style-type: none"> More expensive than glyphosate treatment.
Naturally occurring chemical treatment - pelargonic acid (slasher)	Post-emergent, contact herbicide (applied after the weed has appeared).	<ul style="list-style-type: none"> This has been trialled in former Marrickville Controls small seedling broadleaf weeds. Rapid symptom development (<30 minutes). Low risk of non-target plant damage. Perceived by some as an alternative to traditional herbicides/ "herbicidal soap". 	<ul style="list-style-type: none"> It only works well in hot conditions. Burns the plant foliage contacted by the product/ does not translocate to the roots of treated plants. Requires the plants to be completely covered (drenched) in the acid to be effective. That is, spot spraying does not work. Large annual weeds and perennials will be injured but not killed. The odour is persistent and offensive to some people. Spray drift can be a severe eye irritant. Requires repeated treatments. More expensive than glyphosate treatment.
Naturally occurring chemical treatment - diquat	Post-emergent contact weed killer	<ul style="list-style-type: none"> Rapid kill of small seedling weeds. Relatively low cost compared with other chemical alternatives. Small amounts of spray draft will cause only cosmetic damage to landscape plants and will not translocate to kill desirable plants. Is not as temperature sensitive as many other herbicides, working in cool and warm weather. 	<ul style="list-style-type: none"> Only burns the plant foliage contacted by the product/ does not translocate to the roots of treated plants. Large annual weeds, grasses and perennials will be injured but not killed. Requires repeated treatments. More expensive than glyphosate treatment.
Naturally occurring chemical treatment - glufosinate	Non-selective post-emergent herbicide	<ul style="list-style-type: none"> Control for annual weeds. May avoid systemic damage to landscape ornamentals from inadvertent spray drift. 	<ul style="list-style-type: none"> Locally systemic (moves with the treated foliage) but does not translocate throughout the plant. No potential for root uptake when applied to the soil. Does not control perennial weeds. Requires repeated treatments. More expensive than glyphosate treatment.

Glyphosate Alternative	Brief Description	Positives	Negatives
Reducing areas for weeds to grow	Species selection and planting density that discourages weed growth. Covering of garden beds with materials such as high heat black plastic, mulch, or crushed sandstone to reduce the likelihood of weeds growing.	<ul style="list-style-type: none"> Effective on all types of weeds. No/ low impact on the environment. Suitable in areas with high/ sensitive populations. 	<ul style="list-style-type: none"> Expensive to install and maintain. Some spot weeding of persistent weeds would still be required. More expensive than glyphosate treatment.
Reducing areas for weeds to grow - Sealing cracks in kerb & gutter and footpaths	Reduce the number of cracks in kerb & gutter and footpaths to provide less opportunities for weeds to grow.	<ul style="list-style-type: none"> Reduced impact on the environment. Suitable in areas with high/ sensitive populations. 	<ul style="list-style-type: none"> This would not prevent all weeds from growing The cost to implement this would be substantial
Reducing the requirements for weeding through changing community expectations on service levels	Undertake a community education campaign to advise them on the reasons for reduced service levels. Encourage residents to contribute to weed control adjacent to their property/ within their neighbourhood	<ul style="list-style-type: none"> Effective on all types of weeds. Reduced impact on the environment. Suitable in areas with high/ sensitive populations. 	<ul style="list-style-type: none"> The Inner West community has been used to high service levels and this expectation is likely to continue. Loss of amenity for residents.

Glyphosate is a broad spectrum herbicide which controls a variety of grass and broadleaf weeds. There is no single substitute for glyphosate. The use of alternatives will require a variety of weed management techniques to be utilised. To ensure effectiveness, staff would need to be trained in weed identification to ensure they applied the appropriate methodology. In addition, a greater range of chemicals and/ or equipment would need to be stored and transported. Care would need to be exercised to avoid cross contamination.

Alternatives Costs

Should Council resolve to discontinue the use of glyphosate and use only alternatives, the best treatments for the Inner West at this time would be a combination of steam weeding, hand weeding and mechanical treatment (mowing and whipper snipper). The trial use of naturally occurring chemical treatments. These treatments are more labour intensive and generally require multiple treatments. Alternatives are therefore significantly more costly. The cost of alternative treatments would need to be reviewed and calculated in some detail.

In the former Leichhardt, the contract specifies 26 non-chemical weed treatments in all areas each year. Based on the unit rates currently paid in the former Leichhardt, the additional operating cost to Council for 26 treatments per year across the Inner West, would be in the order of \$5.2 million per annum. This includes treatment for an additional 967km of kerb & gutter and footpath, 1,100 verge gardens and 929 LATMs. If this were reduced to 12 treatments per year, the additional cost would be \$1.9 million per annum. This has not been funded through the budget process.

It should be noted that alternative weed management techniques is an area undergoing active research. Current alternative treatments are still being developed and may be more efficient and cost effective in the future.

Other Councils

Council staff reviewed other Councils to determine their approach to the use of glyphosate.

Canada Bay, City of Sydney, Ku-ring-gai, North Sydney, Randwick and Woollahra Councils are all utilising glyphosate. Centennial Parklands and the Royal Botanic Gardens are also utilising glyphosate.

Waverley Council, in September 2018, resolved that Council engage an independent expert to review the existing use of glyphosate and look at alternative solutions.

Other Regulators/ International Reviews

Some governments have taken steps to restrict or ban the use of glyphosate.

To date, no international regulator has banned the use of glyphosate following the IARC re-classification. In summary, other regulators and international reviews have found:

- Anvisa, the Brazilian health regulatory agency, temporarily suspended the registration of glyphosate following a ruling from a Brazilian federal judge. The suspension was overturned after one month.
- The European Food Safety Authority concluded that glyphosate does not cause cancer in humans.
- The European Chemicals Agency concluded that the available scientific literature does not meet the criteria to classify glyphosate as a carcinogen or mutagen or as toxic for reproduction.
- New Zealand's Environmental Protection Agency concluded that glyphosate was unlikely to cause cancer in humans.
- Canada's Pest management Regulatory Agency concluded that glyphosate was unlikely to cause cancer in humans.
- The United States' Environmental Protection Agency concluded that glyphosate does not cause cancer.
- California has listed glyphosate on its list of chemicals known to cause cancer or birth defects or other reproductive harm as a consequence of the IARC classification.
- The Joint FAO/WHO Meeting on Pesticide Residues (JMPR) is an international scientific group administered jointly by the United Nations Food and Agriculture Organisation and the World Health Organisation. The JMPR concluded that while there was some evidence for a positive correlation between occupational glyphosate exposure and non-Hodgkin lymphoma in some studies, the only well-designed large cohort study found no association at any exposure level.
- Sri Lanka had banned the agricultural use of glyphosate. The Government of Sri Lanka set up a Presidential Task Force which collaborated with the World Health Organisation and concluded that there was no conclusive evidence of a link between glyphosate and chronic kidney disease of unknown aetiology.

Private Use

It is noted that glyphosate is still readily accessible to the community at local hardware stores in containers up to 20 litres in capacity. The community is generally not trained to ChemCert AQF3 level as Council staff are. Similarly, the community does not necessarily take the safety precautions which Council does.

Safe Work NSW

Safe Work NSW provides the following advice with regards to glyphosate:

If you use these chemicals, obtain the latest information and conduct a risk assessment on their use. Use the hierarchy of control to develop safe work methods and avoid exposure.

Before purchase and use, ask yourself

- Can I eliminate these hazardous chemicals with other methods of pest control, for example integrated pest management approaches like mechanical slashing or hand weeding?
- Can I substitute with safer chemicals for example, substituting non-biodegradable with biodegradable pesticides?
- Are my pesticides registered in Australia for approved purposes?
- Have I read the labels and followed instructions, and am I using pesticides at approved doses?
- Have I read the Safety Data Sheets (SDS) for health and safety information and stored my chemicals according to SDS advice?
- Am I using the right personal protective equipment (PPE) as per the SDS?
- Am I using the most appropriate application system to reduce my risk of exposure?
- Have I considered possible routes of pesticide exposure and contamination and washed my hands thoroughly? For example, cross contamination can occur through air, water soil, food and clothes.
- Have I got emergency and safety equipment on hand ready to use?
- Can my workers quickly access emergency contact details?

If you are worried about any possible health effects when using these pesticides, talk to your employer or consult your doctor.

Smoking and poor hygiene practice can increase your risk of exposure to pesticides.

Council Insurance

Council's Insurer has provided the following comments on the use of glyphosate (January 2019):

"There has been no advice or commentary issued by Statewide or other insurers on this issue.

"If Council is complying with local regulations and safety regulations then that is all that can be expected."

Areas for Improvements

Based on the hierarchy of control outlined by Safe Work NSW and the review of existing glyphosate usage at the Inner West, the internal working group has identified that there are a number of improvements which can be made in the area of weed management. These

improvements would further mitigate the impacts of glyphosate on the community, staff and the environment. These areas for improvement are described below.

By improving risk management, Council can expect to reduce the potential for:

- Occupational exposure by staff
- Accidental exposure to the community
- Harmful release of pesticides into the environment

A new draft Inner West Weed Management Policy, attached, has been developed which encompasses these improvements.

Eliminate the Use of Glyphosate

It is proposed to eliminate the use of glyphosate in areas where it is feasible and practicable to use alternative methods. This includes:

- Improve the efficiency of non-chemical mechanical treatment of weeds to include the verges in the former Marrickville area by the use of whipper snippers and ride-on mowers. This treatment is currently being trialled, with a view to expanding the treatment across the former Marrickville area.
- Hand weed the garden beds and LATMs in mainstreets, across the LGA.
- Currently a contractor mows some of the verges within the former Ashfield area. As a separate project, Council staff are reviewing existing verge mowing service levels. Should changes be made within the Ashfield area, it is proposed that consideration would also be given to the use of non-chemical mechanical treatment of weeds to include the verges by the use of ride-on mowers.
- Expand the “sensitive areas” list to be consistent across the Inner West and to include steam weeding across all of the following areas:
 - Commercial areas
 - Town centre areas
 - Areas adjacent to childcare centres
 - Areas adjacent to schools
 - Playgrounds in Council parks
 - Waterplay parks in Council parks
 - WSUD or rain garden areas
 - Within 50 metres of water courses and wetlands
- Allow residents across the Inner West to add themselves to the “sensitive areas” list so they can nominate to “opt out” of having glyphosate applied adjacent to their property and to instead have steam weeding.
- Publicise and promote Council’s aims across the LGA in reducing chemical use to control weeds as a benefit to the Inner West environment and its residents.

Limited Glyphosate Use

Glyphosate will be utilised where other methods are not reasonable and feasible, and for spot control of persistent weeds that resist other treatments.

Improved Risk Mitigation

Council intends to engage a suitably qualified consultant to undertake a review of the existing use of glyphosate with a view to making any recommendation to improve the safe limited application of glyphosate. The review will include:

- Storage
- Transportation
- Application equipment
- Occupational assessment
- PPE
- Implementation of Notification Plan
- Staff training
- Safe Work Method Statements
- Record keeping
- Disposal methods

Improved Record Keeping

Council is currently working in different legacy computer systems. With the introduction of TechOne, improved record will be introduced, including:

- Where limited glyphosate is utilised, it will be recorded in one centralised location within Enterprise Content Management within TechOne, so that the information is readily available.
- “Sensitive areas”, including where residents have “opted out”, will be recorded within the within the asset system of TechOne, so that all staff have access to this information.

Staff Health Monitoring

Council will follow the legislative requirements for staff health monitoring of hazardous chemicals.

Further Reading

The following are links to websites with further information on glyphosate and weed management:

APVMA

<https://apvma.gov.au/node/13891>

<https://apvma.gov.au/node/26561>

https://apvma.gov.au/sites/default/files/images/glyphosate_scitox_review_july_2013.pdf

SafeWork NSW

<https://www.safework.nsw.gov.au/resource-library/hazardous-chemicals/be-aware-glyphosate-and-organophosphates-fact-sheet>

Work, Health & Safety

<https://www.legislation.nsw.gov.au/#/view/regulation/2017/404/sch14>

International Regulatory Organisations

<http://www.efsa.europa.eu/en/efsajournal/pub/4302>

<https://echa.europa.eu/-/glyphosate-not-classified-as-a-carcinogen-by-echa>

<https://www.epa.govt.nz/everyday-environment/gardening-products/?accordion-anchor=552>

<https://www.canada.ca/en/health-canada/services/consumer-product-safety/pesticides-pest-management/public/consultations/proposed-re-evaluation-decisions/2015/glyphosate/document.html>

<https://www.regulations.gov/document?D=EPA-HQ-OPP-2016-0385-0094>

<http://www.fao.org/3/a-i5693e.pdf>

Greater Sydney Regional Strategic Weed Management Plan

http://greater-sydney.nsw.gov.au/__data/assets/pdf_file/0010/722368/Greater-Sydney-Regional-Weed-Mgmt-Plan-29-June-2017_FINAL-web-res.pdf

FINANCIAL IMPLICATIONS

As outlined in the report, should Council resolve to discontinue the use of glyphosate and use only alternatives, the cost of this alternative treatment would need to be reviewed and calculated in some detail. However, the additional operating cost to Council would be in the order of \$1.9 to \$5.2 million per annum. This has not been funded through the budget process.

Should Council continue to utilise glyphosate to a limited extent, only where other methods cannot be applied, and for spot control of persistent weeds that resist other treatments, the proposed changes can be managed within the existing staffing and budget levels.

The proposal to engage a consultant to review the safe application of glyphosate will be funded from existing parks operations and streetscape WHS budgets.

OTHER STAFF COMMENTS

An internal working group has been established to review the use of glyphosate across Council. The working group has members from the following teams: Trees, Parks & Streetscapes; Properties, Major Building Projects & Facilities; Work Health & Safety and Injury Management; and Environment & Sustainability.

The Policy was also reviewed by the Leadership Team.

PUBLIC CONSULTATION

Council has not undertaken engagement with the community at this stage. It is proposed that the Draft Weed Management Policy be placed on public exhibition.

FORMER LEGACY COUNCIL/S' POLICIES TO BE RESCINDED

In developing this new draft Weed Management Policy, the Weed Control Policy (former Marrickville Council) and Weed Policy (former Leichhardt) were considered. It is appropriate that on adoption of the new Policy, the former Policies be rescinded by Council. The former Policies are attached.

The Noxious Weeds Act 1993 and its Amendments has been repealed and replaced by the Biosecurity Act 2015. The Noxious Weeds Policy (former Ashfield) is therefore redundant. The new Inner West Weed Management Policy incorporates the relevant components. It is appropriate that on adoption of the new Policy, this former Policy also be rescinded by Council.

CONCLUSION

This report recommends that Council take a hierarchical approach to weed management. In the first instance, weed management is undertaken by mechanical methods (mowing and whipper snipper) with minimum disturbance to the surrounding environment. Weed management will be undertaken by alternatives to herbicides where feasible and practical. Herbicides are utilised where other methods are not feasible and practicable, and for spot control of persistent weeds that resist other treatments. This excludes sensitive areas.

A draft Weed Management Policy has been developed to reflect this hierarchical approach to weed management.

A suitably qualified consultant will be engaged by Council within the next three months to undertake a review of the existing use of glyphosate with a view to making any recommendation to improve the safe limited application of glyphosate.

ATTACHMENTS

1. [↓](#) Draft IWC Weed Management Policy
2. [↓](#) Draft IWC Weed Management Annexure
3. [↓](#) Draft IWC Pesticide Use Notification Plan
4. [↓](#) Former Ashfield Noxious Weeds Policy
5. [↓](#) Former Leichhardt Weed Policy
6. [↓](#) Former Marrickville Weed Control Policy
7. [↓](#) Former Ashfield Pesticide Use Notification Plan
8. [↓](#) Former Leichhardt Pesticide Use Notification Plan
9. [↓](#) Former Marrickville Pesticide Use Notification Plan



Weed Management Policy

DOCUMENT PROFILE

Title	Weed Management Policy
Summary	The purpose of this Policy is to contribute to public spaces that are high-quality, welcoming and enjoyable places and to outline the methodologies to manage weeds within the Inner West.
Background	<p>This Policy is to assist Council in meeting its commitment to the community to provide neat and tidy streetscapes and parks.</p> <p>This Policy outlines safe procedures for the management of weeds within the Inner West.</p>
Policy Type	Council
Relevant Strategic Plan Objective	<p>Strategic direction 1: An ecologically sustainable Inner West</p> <p>1.2 Biodiversity is rich, with connected habitats for flora and fauna.</p> <p>1.3 The community is water sensitive, with clean, swimmable waterways.</p> <p>Strategic direction 2: Unique, liveable, networked neighbourhoods</p> <p>2.3 Public spaces are high-quality, welcoming and enjoyable places, seamlessly connected with their surroundings</p> <p>Strategic direction 4: Caring, happy, healthy communities</p> <p>4.3 The community is healthy and people have a sense of wellbeing</p>
Relevant Council References	Pesticide Use Notification Plan
Main Legislative Or Regulatory Reference	<p>Pesticides Act 1999</p> <p>NSW Biosecurity Act 2015</p> <p>Work, Health & Safety Act 2011</p>
Applicable Delegation Of Authority	As per delegations' register
Other External References	Greater Sydney Regional Strategic Weed Management Plan
Attachments	See Annexure
Record Notes	External available document

Version Control	See last page
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Document:	Council Policy	<i>Uncontrolled Copy When Printed</i>	
Custodian:	Group Manager Trees, Parks & Streetscapes	Version #	Version 1
Approved By:	Group Manager Trees, Parks & Streetscapes	TRIM Ref #	XXXXXX
Adopted By:	Council	Publish Location	Internet
Adopted Date and Minute #:	Xx / xx / xx	Next Review Date	XX / XX / xx

PURPOSE

The purpose of this Policy is to contribute to public spaces that are high-quality, welcoming and enjoyable places and to outline the methodologies to manage weeds within the Inner West.

1. OBJECTIVE

The objectives of the Policy are to:

- Demonstrate Council's commitment to ecologically sustainable development and minimising chemical pollution by minimising the use of herbicide weed control and to use alternatives where practicable and feasible.
- Control the growth of weeds in road reserves, nature strips, parks and other public places to an acceptable level.
- Provide neat and tidy streetscapes and parks.
- Contribute to improving the Greater Sydney region's biosecurity.
- Protect natural assets, particularly waterways and wetlands, from invasive weeds.

2. SCOPE**2.1. In scope**

This Policy applies to land which is under the ownership, care, control and/ or management of Council.

2.2. Out of scope

This Policy does not apply to land not owned by Council. This Policy does not apply to land owned by Council but leased to another organisation or business.

3. POLICY STATEMENT

Council wishes to provide public spaces that are high-quality, welcoming and enjoyable places. This Policy is to assist Council in meeting its commitment to the community to provide neat and tidy streetscapes and parks.

4. POLICY

Council will undertake immediate eradication of weed species that are not known to occur elsewhere in the Inner West. And prevent, eradicate and contain priority weeds for the Greater Sydney Local Land Services region as per Weed Management Annexure (and Greater Sydney Regional Strategic Weed Management Plan).

Council will manage weeds and undesirable plants in accordance with the policy outlined below.

4.1. Weed Management Locations

Council undertakes weed management in the following locations:

- Streets with verges
- Verge gardens
- Streets with no Verges
- Local Area Traffic Management devices (LATMs)
- Sensitive Areas
- Parks, sportsfields and park gardens
- Other Council-owned public places

4.2. Weed Management Priorities

Council will undertake weed management in streetscape areas in accordance with the following priorities:

- Vision of vehicular traffic
- Health and safety of pedestrian users
- Contribution to Greater Sydney's regional biodiversity
- Aesthetic values

Council will undertake weed management in parks and sportsfields in accordance with the following priorities:

- Health and safety of recreational users
- Contribution to Greater Sydney's regional biodiversity
- Use and enjoyment of recreational users
- Aesthetic values

4.3. Weed Management Hierarchy

The hierarchy of weed management is as follows:

In the first instance, weed management is undertaken by mechanical methods (mowing and whipper snipper) with minimum disturbance to the surrounding environment.

Weed management will be undertaken by alternatives to herbicides where feasible and practical.

Herbicides are utilised where other methods are not feasible and practicable, and for spot control of persistent weeds that resist other treatments. This excludes sensitive areas, as outlined below in 4.5 Sensitive Areas.

4.4. Permitted Herbicides

Council only utilises Australian Pesticides and Veterinary Medicines Authority (APVMA) registered products. Herbicides are utilised in accordance with the APVMA and the manufacturers' directions.

Council will have regard to Integrated Pest Management (IPM) principles when determining options for weed control and herbicide selection.

4.5. Sensitive Areas

The following locations are identified as sensitive areas:

- Commercial areas

- Town centre areas
- Areas adjacent to childcare centres
- Areas adjacent to schools
- Playgrounds in Council parks
- Waterplay parks in Council parks
- Water Sensitive Urban Design devices (WSUD) or rain garden areas
- Within 50 metres of watercourses and wetlands

In sensitive areas, weed management is undertaken by steam weeding, mechanical weeding or hand weeding.

Residents may nominate themselves to be added to the sensitive areas list. An application form is available on Council's website. Where residents nominate themselves to be on the sensitive areas list, Council will not undertake weed removal at this location. Residents will be requested to undertake mechanical weed removal themselves.

4.6. Use of Herbicides

Where herbicides are utilised, the following control methods will be utilised:

- Notification will be undertaken in accordance with the Pesticide Use Notification Plan, a copy of which is available on Council's website.
- Herbicides are utilised in accordance with the APVMA and the manufacturers' directions.
- No spraying in wet conditions and when expecting rain within 24 hours.
- Blue vegetable-based dye is to be mixed with herbicides to show the areas which have been treated.
- Use nozzle cones on spray wands wherever possible.
- Ensure there are no members of the public nearby when using the pressure spray.
- No spraying on windy days.
- In the case of sportsfields, herbicides will only be utilised at times that do not interfere with bookings from schools, clubs and other users.
- Records are kept of all applications of herbicide.

4.7. Training

Staff who utilise herbicides are required to have a minimum AQF3 qualification to apply chemicals and a valid Chemical Users Certificate.

Coordinators, who supervise staff utilising herbicides are to have a minimum AQF4 qualification in the supervision of staff applying chemicals and a valid Chemical Users Certificate.

Contractors who utilise herbicides are required to have a minimum AQF3 qualification to apply chemicals and a valid Chemical Users Certificate.

4.8. Work, Health & Safety

Herbicides are utilised in accordance with the APVMA, the manufacturers' directions and Inner West Safe Work Method Statements. Staff who utilise herbicides are required to wear PPE when handling, mixing and utilising herbicides in accordance with the APVMA, the manufacturers' directions and Inner West Safe Work Method Statements.

Volunteers are not to utilise herbicides.

5. RESPONSIBILITIES

Staff, contractors and volunteers are responsible for ensuring they undertake their work in accordance with this Policy and Work, Health & Safety requirements.

The Group Manager Trees, Parks & Streetscapes is responsible for ensuring that staff have adequate resources, equipment and materials to comply with the requirements of this Policy. The Group Manager Trees, Parks & Streetscapes is responsible for reviewing and updating this Policy as and when needed.

The Streetscape & Fleet Operations Manager and Parks & Sportsfields Operations Manager are responsible for ongoing monitoring of the weed management industry and APVMA advice for any new information and appropriate alternative weed treatments, and take action as needed.

6. ASSOCIATED PROCEDURES

The following are related legislation, policies and procedures:

- Inner West Pesticide Use Notification Plan
- Pesticides Act 1999
- NSW Biosecurity Act 2015
- Work, Health & Safety Act 2011
- Greater Sydney Regional Strategic Weed Management Plan

Version Control - POLICY HISTORY:

The history of modifications and approval to the Policy must be detailed in the table below post adoption

Governance Use only:

Version	Amended By	Changes Made	Date	TRIM #
1	Group Manager Trees, Parks & Streetscapes	New IWC Policy replacing pre-merged versions	February 2019	
2				



WEED MANAGEMENT ANNEXURE

NSW Priority Weeds

A weed is a plant (foreign to the Greater Sydney Region) that is unwanted in a given situation and which usually has detectable negative economic, environmental or social impacts.

The following weeds are those which have been identified as NSW priority weeds (source: Greater Sydney Regional Strategic Weed Management Plan 2017 – 2022)

Common Name	Scientific Name
Prevention	
All species of vascular plant	<i>Tracheophyta</i>
Gamba grass	<i>Andropogon gayanus</i>
Pond apple	<i>Annona glabra</i>
Bridal veil creeper	<i>Asparagus declinatus</i>
Kochia	<i>Bassia scoparia</i> (excluding subsp. <i>trichophylla</i>)
Spotted knapweed	<i>Centaurea stoebe</i> subsp. <i>australis</i>
Black knapweed	<i>Centaurea x moncktonii</i>
Siam weed	<i>Chromolaena odorata</i>
Koster's curse	<i>Clidemia hirta</i>
Rubber vine	<i>Cryptostegia grandiflora</i>
Anchored water hyacinth	<i>Eichhornia azurea</i>
Hawkweed	<i>Hieracium</i> spp. (all species)
Hydrocotyl/Water pennywort	<i>Hydrocotyle ranunculoides</i>
Lagarosiphon	<i>Lagarosiphon major</i>
Frogbit / Spongeplant	<i>Limnobium</i> spp. (all species)
Yellow burrhead	<i>Limnocharis flava</i>
Miconia	<i>Miconia</i> spp. (all species)
Mikania vine	<i>Mikania micrantha</i>
Mimosa	<i>Mimosa pigra</i>
Eurasian water milfoil	<i>Myriophyllum spicatum</i>
Mexican feather grass	<i>Nassella tenuissima</i> (syn. <i>Stipa tenuissima</i>)
Broomrape	<i>Orobancha</i> spp. (all species except the native <i>O. cernua</i> var. <i>australiana</i> and <i>O. minor</i>)
Water soldier	<i>Stratiotes aloides</i>
Witchweed	<i>Striga</i> spp. (except the native <i>S. parviflora</i>)
Water caltrop	<i>Trapa</i> spp. (all species)
Karoo acacia	<i>Vachellia karroo</i> (syn. <i>Acacia karroo</i>)
Prickly acacia	<i>Vachellia nilotica</i> (syn. <i>Acacia nilotica</i>)
Parthenium Weed	<i>Parthenium hysterophorus</i>
Eradication	
Boneseed	<i>Chrysanthemoides monilifera</i> subspecies <i>monilifera</i>
Parkinsonia	<i>Parkinsonia aculeata</i>

Tropical soda apple	<i>Solanum viarum</i>
Containment	
Bitou Bush	<i>Chrysanthemoides monilifera</i> subsp. <i>rotundata</i>
Asset Protection	
Madeira vine	<i>Anredera cordifolia</i>
Asparagus weeds	<i>Asparagus aethiopicus</i> , † <i>A. africanus</i> , <i>A. asparagoides</i> including the Western Cape form*, <i>A. plumosus</i> , and <i>A. scandens</i>
Cabomba	<i>Cabomba caroliniana</i>
Scotch/English broom	<i>Cytisus scoparius</i> subsp. <i>scoparius</i>
Cat's Claw Creeper	<i>Dolichandra unguis-cati</i>
Cape/Montpellier broom	<i>Genista monspessulana</i>
Flax-leaf broom	<i>Genista linifolia</i>
Hymenachne	<i>Hymenachne amplexicaulis</i>
Bellyache bush	<i>Jatropha gossypifolia</i>
Lantana	<i>Lantana camara</i>
African boxthorn	<i>Lycium ferocissimum</i>
Chilean needle grass	<i>Nassella neesiana</i>
Serrated tussock	<i>Nassella trichotoma</i>
Opuntia	<i>Opuntia</i> spp., <i>Cylindropuntia</i> spp., <i>Austrocylindropuntia</i> spp. (Excludes <i>O. ficus-indica</i>)
Mesquite	<i>Prosopis</i> spp.
Blackberry	<i>Rubus fruticosus</i> agg. (Blackberry except the varieties Chester Thornless, Dirksen Thornless, Loch Ness, Silvan, Black Satin, Murrindindi, Smooth Stem, Thornfree and Chehalem)
Sagittaria	<i>Sagittaria platyphylla</i>
Willows	<i>Salix</i> spp. (excludes <i>S. babylonica</i> , <i>S. X calodendron</i> & <i>S. X reichardtiji</i>)
Salvinia	<i>Salvinia molesta</i>
Fireweed	<i>Senecio madagascariensis</i>
Silver-leaf nightshade	<i>Solanum elaeagnifolium</i>
Athel pine	<i>Tamarix aphylla</i>
Gorse	<i>Ulex europaeus</i>

Greater Sydney Region Priority Weeds

The following weeds are those which have been identified as Greater Sydney Region priority weeds (source: Greater Sydney Regional Strategic Weed Management Plan 2017 – 2022).

Common Name	Scientific Name
Prevention	
Chinese violet	<i>Asystasia gangetica</i> subsp. <i>micrantha</i>
Coral creeper	<i>Barleria repens</i>
East Indian hygrophila	<i>Hygrophila polysperma</i>
Giant devil's fig	<i>Solanum chrysotrichum</i>
Giant rats tail grass	<i>Sporobolus pyramidalis</i>
Hymenachne	<i>Hymenachne amplexicaulis</i>
Nodding thistle	<i>Carduus nutans</i>

Common Name	Scientific Name
Spanish broom	<i>Spartium junceum</i>
Water lettuce	<i>Pistia stratiotes</i>
Water star grass	<i>Heteranthera zosterifolia</i>
White blackberry / Mysore raspberry	<i>Rubus niveus</i>
Black willow	<i>Salix nigra</i>
Eradication	
Chinese knotweed	<i>Persicaria chinensis</i>
Climbing asparagus	<i>Asparagus africanus</i>
Glory lily	<i>Gloriosa superba</i>
Grey sallow	<i>Salix cinerea</i>
Hygrophilla	<i>Hygrophilla costata</i>
Kei apple	<i>Dovyalis caffra</i>
Kidney leaf mud plantain	<i>Heteranthera reniformis</i>
Kudzu	<i>Pueraria lobata</i>
Leaf cactus	<i>Pereskia aculeata</i>
Ming fern	<i>Asparagus macowanii</i> var. <i>zuluensis</i>
Mysore thorn	<i>Caesalpinia decapetala</i>
Sicilian sea lavender	<i>Limonium hyblaum</i>
Sicklethorn	<i>Asparagus falcatus</i>
Skunk vine	<i>Paederia foetida</i>
Containment	
African olive	<i>Olea europaea</i> subsp. <i>cuspidata</i>
Alligator weed	<i>Alternanthera philoxeroides</i>
Gorse	<i>Ulex europaeus</i>
Holly-leaved senecio	<i>Senecio glastifolius</i>
Horsetails	<i>Equisetum</i> spp.
Salvinia	<i>Salvinia molesta</i>
Sea spurge	<i>Euphorbia paralias</i>
Senegal tea	<i>Gymnocoronis spilanthoides</i>
Serrated tussock	<i>Nassella trichotoma</i>
Water poppy	<i>Hydrocleys nymphoides</i>
Asset Protection	
Cat's claw creeper	<i>Dolichandra unguis-cati</i>
Cabomba	<i>Cabomba caroliniana</i>
Giant reed	<i>Arundo donax</i>
Green cestrum	<i>Cestrum parqui</i>
Pampas grass	<i>Cortaderia jubata</i>
Scotch/English Broom	<i>Cytisus scoparius</i>
Singapore daisy	<i>Sphagneticola trilobata</i>
Water hyacinth	<i>Eichhornia crassipes</i>
Willow-leaf primrose/ Water primrose	<i>Ludwigia peruviana</i>

Other Weeds of Regional Concern

Common name	Scientific name
Aaron's Beard, Rose-of-Sharon	<i>Hypericum calycinum</i>
African lovegrass	<i>Eragrostis curvula</i>
African marigold	<i>Cineraria lyratiformis</i>
Agapanthus	<i>Agapanthus praecox</i> subsp. <i>orientalis</i>
American Cotton Palm, Cotton Palm, California fan palm.	<i>Washingtonia filifera</i>

Common name	Scientific name
Apple of Sodom	<i>Solanum linnaeanum</i>
Arrowhead	<i>Sagittaria calycina</i> var. <i>calycina</i>
Arum lily	<i>Zantedeschia aethiopica</i>
Awabuki sweet viburnum	<i>Viburnum odoratissimum</i> var <i>awabuki</i>
Balloon vine	<i>Cardiospermum grandiflorum</i>
Banana passionfruit	<i>Passiflora tarminiana</i>
Beach daisy	<i>Arctotheca populifolia</i>
Berberis, Barberry	<i>Berberis aristata</i> , <i>B. darwini</i> and <i>B. thunbergii</i>
Billardiera, Bluebell creeper	<i>Billardiera heterophylla</i>
Black cherry, Wild black cherry	<i>Prunus serotina</i>
Black locust	<i>Robinia pseudoacacia</i>
Blue heliotrope	<i>Heliotropium amplexicaule</i>
Blue hound's tongue	<i>Cynoglossum creticum</i>
Blue morning glory	<i>Ipomoea indica</i>
Blue stars	<i>Aristea ecklonii</i>
Bokhara	<i>Melilotus albus</i>
Box elder	<i>Acer negundo</i>
Brazilian button flower	<i>Centratherum punctatum</i>
Brazilian cherry	<i>Eugenia uniflora</i>
Broad leaf pepper	<i>Schinus terebinthifolius</i>
Buckthorn	<i>Rhamnus alaternus</i>
Buffel grass	<i>Cenchrus ciliaris</i>
Burr ragweed	<i>Ambrosia confertiflora</i>
Bushman's Poison, Hottentot's- poison, Poison arrow plant, Wintersweet	<i>Acokanthera oblongifolia</i>
Camphor laurel	<i>Cinnamomum camphora</i>
Cane needle grass	<i>Nassella hyalina</i>
Cape honeysuckle	<i>Tecoma capensis</i>
Cape ivy	<i>Delairea odorata</i>
Cape tulip	<i>Moraea flaccida</i>
Cassia, Senna	<i>Senna pendula</i>
Cherry guava	<i>Psidium cattleianum</i>
Chinese celtis/ Chinese hackberry	<i>Celtis sinensis</i>
Chinese elm	<i>Ulmus parvifolia</i>
Chinese tallow	<i>Triadica sebifera</i>
Climbing nightshade, Brazilian nightshade	<i>Solanum seaforthianum</i>
Coastal morning glory	<i>Ipomoea cairica</i>
Cockspur coral tree	<i>Erthrina crista-galli</i>
Cocos palm	<i>Syagrus romanzoffiana</i>
Coffee bush, Leucaena	<i>Leucaena leucocephala</i>
Common morning glory	<i>Ipomoea purpurea</i>
Coolatai grass	<i>Hyparrhenia hirta</i>
Coral Berry	<i>Ardisia crenata</i>
Coral tree, Common coral tree	<i>Erythrina x sykesii</i>
Corky passionflower	<i>Passiflora suberosa</i>
Cotoneaster	<i>Cotoneaster</i> spp
Creeping lantana, trailing lantana	<i>Lantana montevidensis</i>
Crofton weed	<i>Ageratina adenophora</i>
Cumbungi	<i>Typha latifolia</i>
Day-lily, Kwanso	<i>Heimerocallis fulva</i>

Common name	Scientific name
Dense waterweed, Leafy elodea, Egeria, Anacharis, Brazilian elodea	<i>Egeria densa</i>
Dipogon, Dolichos pea, Dutchmans pipe	<i>Dipogon lignosus</i>
	<i>Aristolochia elegans</i>
Espartillo, Broad-kernel espartillo	<i>Amelichloa caudata</i> (syn. <i>Achnatherum caudatum</i>)
Espartillo – narrow kernel	<i>Amelichloa brachychaeta</i>
European olive	<i>Olea europaea</i> subsp. <i>europaea</i>
Firethorn	<i>Pyracantha</i> spp.
Fishbone fern	<i>Nephrolepis cordifolia</i>
Formosa lily, Taiwan lily	<i>Lilium formosanum</i>
Fountain grass	<i>Pennisetum setaceum</i>
Foxglove tree, Empress tree	<i>Paulownia tomentosa</i>
Galenia	<i>Galenia pubescens</i>
Giant Parramatta grass (GPG)	<i>Sporobolus fertilis</i>
Ginger lily	<i>Hedychium gardnerianum</i>
Golden rain tree	<i>Koelreuteria elegans</i>
Golden wreath wattle	<i>Acacia saligna</i>
Groundsel bush	<i>Baccharis halimifolia</i>
Harrisia cactus	<i>Harrisia</i> spp.
Himalayan honeysuckle	<i>Leycesteria formosa</i>
Holly, English holly	<i>Ilex aquifolium</i>
Honey locust	<i>Gleditsia triacanthos</i>
Indian hawthorn	<i>Rhaphiolepis indica</i>
Japanese climbing Fern	<i>Lygodium japonicum</i>
Japanese hawthorn, Yeddo hawthorn	<i>Rhaphiolepis umbellata</i>
Japanese honeysuckle	<i>Lonicera japonica</i>
Keriberry	<i>Rubus rugosus</i>
Kikuyu	<i>Pennisetum clandestinum</i>
Long leaf water primrose	<i>Ludwigia longifolia</i>
Lote tree, Nettle tree, Mediterranean hackberry	<i>Celtis australis</i>
Mahonia, Chinese Holly	<i>Berberis lomariifolia</i>
Mexican water lily, Yellow water lily	<i>Nymphaea mexicana</i>
Mimosa bush, Briar bush, Yellow mimosa	<i>Vachellia farnesiana</i>
Mirror bush, Mirror plant	<i>Coprosma repens</i>
Mistflower	<i>Ageratina riparia</i>
Monkey's comb	<i>Pithecoctenium crucigerum</i>
Montbretia	<i>Crocsmia x crocosmiiflora</i>
Mossman river grass	<i>Cenchrus echinatus</i>
Moth vine, Moth plant	<i>Araujia sericifera</i>
Mother of millions	<i>Bryophyllum</i> spp.
New Zealand flax	<i>Phormium tenax</i>
Ochna	<i>Ochna serrulata</i>
Onion Grass	<i>Romulea rosea</i>
Orange jessamine, Murraya	<i>Murraya paniculata</i>
Osage orange	<i>Maclura pomifera</i>
Ox-eye daisy	<i>Leucanthemum vulgare</i>
Pampas lily of the valley	<i>Salpichroa organifolia</i>
Paper mulberry	<i>Broussonetia papyrifera</i>
Paterson's curse	<i>Echium plantagineum</i>
Patula pine, Mexican weeping pine	<i>Pinus patula</i>

Common name	Scientific name
Pellitory, Asthma weed	<i>Parietaria judaica</i>
Periwinkle, Blue periwinkle	<i>Vinca major</i>
Phoenix palm, Canary Island date palm	<i>Phoenix canariensis</i>
Pink trumpet vine	<i>Podranea ricasoliana</i>
Privet spp	<i>Ligustrum sinense, Ligustrum lucidum, Ligustrum vulgare</i>
Radiata pine, Pine wildings	<i>Pinus radiata</i>
Rattleseed pod, Rattlepod	<i>Crotalaria lunata</i>
Red ludwigia	<i>Ludwigia repens</i>
Reed canary grass	<i>Phalaris arundinacea</i>
Reed sweet grass	<i>Glyceria maxima</i>
Rhizomatous bamboo, Black bamboo	<i>Phyllostachys nigra</i>
Rhizomatous bamboo, Fishpole bamboo, Yellow bamboo	<i>Phyllostachys aurea</i>
Rhodes grass	<i>Chloris gayana</i>
Rhus tree	<i>Toxicodendron succedaneum</i>
Rush	<i>Juncus articulatus</i>
Rush	<i>Juncus effusus</i>
Scotch, Illyrian thistles	<i>Onopordum acanthium, O. Illyricum and O. acaulon</i>
Sedge, Cyperus	<i>Cyperus teneristolon</i>
Spanish heath	<i>Erica lusitanica</i>
Spiderwort, Moss inch plant	<i>Tradescantia cerinthoides</i>
Spiny burrgrass - longispinus	<i>Cenchrus longispinus</i>
Spiny rush, Spike rush, Sharp rush	<i>Juncus acutus</i>
St John's wort	<i>Hypericum perforatum</i>
Sweet briar	<i>Rosa rubiginosa</i>
Sweet vernal-grass	<i>Anthoxanthum odoratum</i>
Tall wheat grass	<i>Thinopyrum ponticum</i>
Tangier Pea	<i>Lathyrus tingitanus</i>
Telegraph Weed	<i>Heterotheca grandiflora</i>
Trad	<i>Tradescantia fluminensis</i>
Tree of heaven	<i>Ailanthus altissima</i>
Turkey rhubarb	<i>Acetosa sagittata</i>
Tussock paspalum, Blue grass	<i>Paspalum quadrifarium</i>
Tutsan	<i>Hypericum androsaemum</i>
Umbrella tree	<i>Schefflera actinophylla</i>
Viper's bugloss	<i>Echium vulgare</i>
Watsonia	<i>Watsonia meriana</i>
Whisky grass	<i>Andropogon virginicus</i>
White jasmine, Chinese jasmine	<i>Jasminum polyanthum</i>
Wild poinsettia	<i>Euphorbia cyathophora</i>
Wild tobacco bush	<i>Solanum mauritianum</i>
Yellow bells, Golden bells	<i>Tecoma stans</i>
Yorkshire fog	<i>Holcus lanatus</i>

Inner West Schedule of Weeds

In addition to the NSW and Greater Sydney weeds, the following have been identified by Council as weeds within the Inner West.

Common Name	Scientific Name
Bathurst, Noogoora, Californian, Cockle Burrs	<i>Zanthium spp</i>
Castor oil plant	<i>Ricinus communis</i>
Coca leaf	<i>Erythroxylum coca</i>
Columbus grass	<i>Sorghum x alnum</i>
Johnson Grass	<i>Sorghum halepense</i>
Lagarosiphon	<i>Lagarosiphon major</i>
Opium Poppy	<i>Papaver somniferum</i>
Silver Leaf nightshade	<i>Solanum elaeagnifolium</i>
Wall Pellitory	<i>Parietaria officinalis</i>

The following plants are considered by Council to be undesirable plant species in public open space.

Common Name	Scientific Name
Ochna	<i>Ochna spp</i>
Polygala	<i>Polygala myrtifolia</i>
Psoralea	<i>Psoralea pinnata</i>
Rice paper plant	<i>Tetrapnanax papyryce</i>
Rubber tree	<i>Ficus elastica</i>
Wild Olive	<i>Olea africana</i>



Pesticide Use Notification Plan 2019 - 2022

DOCUMENT PROFILE

Title	Pesticide Use Notification Plan 2019-2022
Summary	This plan provides a summary of Council's legislative obligations for pesticide use and the notification procedures for Council staff to implement.
Main Legislative Or Regulatory Reference	Pesticides Act 1999 Pesticide Regulation 2017
Other External References	Weed Management Policy
Record Notes	External available document

Document:	Plan	<i>Uncontrolled Copy When Printed</i>	
Custodian:	Group Manager Trees, Parks & Streetscapes	Version #	Version 1
Approved By:	Group Manager Trees, Parks & Streetscapes	TRIM Ref #	XXXXXX
Adopted By:	Council	Publish Location	Internet
Adopted Date and Minute #:	Xx / xx / xx	Next Review Date	December 2022

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1. INTRODUCTION

This pesticide use notification plan has been prepared in accordance with the requirements of the Pesticides Regulation 2017 (the Regulation) under the Pesticides Act 1999.

The aim of this plan is to meet the community's general right to know about pesticide applications made to outdoor public places that are owned or controlled by public authorities. The Plan does not apply to outdoor public places that are not owned or controlled by Council.

The plan allows members of the community to avoid contact with pesticides, if they wish. Council ensures that pesticides are applied to public places in a safe and responsible manner, minimising harm to the community and / or the environment. In addition, Council's application of pesticides is in accordance with the relevant material safety data sheets.

The plan sets out how Inner West Council will notify members of the community of pesticide applications it makes, or allows to be made, to public places.

The plan describes:

- What public places are covered by the plan
- Who regularly uses these public places and an estimate of the level of use
- How and when Council will provide the community with information about its pesticide applications in public spaces (i.e. what notification arrangements will be used)
- How the community can access this plan and get more information about Council's notification arrangements
- How future reviews of the plan will be conducted
- Contact details for anyone wishing to discuss this plan with Council.

The majority of pesticide use by Council consists of applying herbicides for weed control. Programmed herbicide use on sports fields range from 1-2 applications per year for general park turf surfaces and up to 8 times per year for public thoroughfares. All other herbicides and insecticides used for the control of weeds and insects in Councils parks are as required and are generally less than four times a year. Bait insecticides and rodenticides are used for termite, ant and rodent control to protect structures and public safety whenever this is considered an effective control.

2. PUBLIC PLACES COVERED BY THIS PLAN

Inner West Council proposes to use or allow the use of pesticides in the following categories of outdoor public places that it owns or controls within its LGA area boundaries.

- Public gardens and parks
- Sporting fields and ovals
- Playground areas within public parks (within fenced playground area or within the confines of the playground soft-fall if not fenced)
- Road verges, nature-strips, footpaths

- Laneways, pathways, roadways, public accessible easements, foreshore paved areas
- Aquatic centres (building exteriors and grounds)
- Other public facilities (building exteriors & interiors)

Inner West Council's estimate of the level of community use, regular user groups, and type of pesticide use in each of these categories of public places is summarized in the following table. For the purpose of this plan, spot pesticide use refers to small applications using handheld equipment while broad scale applications typically involve the use of covered boom spray equipment on large open space areas.

Public Places	Regular User Groups	Level of Use of Public Place	Type of Pesticide Use
a) Public Gardens and Parks	School groups Sporting groups and associations Fitness and exercise groups Families with children Tourists and visitors to the area General recreational users (e.g. joggers, dog walkers)	High	Spot herbicides Spot insecticides Spot turf growth regulators Broadside selective herbicides Broadside non selective herbicide Bait rodenticides Nematicides
b) Sporting Fields and Ovals	Sporting groups and associations School sports groups General recreational users (e.g. joggers, dog walkers)	High	Spot herbicides Spot insecticides Spot turf growth Regulators Spot fungicide Broad scale fungicide Nematicides
c) Playground areas within parks (within fenced playground area or within confines of soft fall if not fenced)	Children Young families General recreational users	High	Spot herbicides Spot insecticides Broad scale selective herbicides Broad scale non-selective herbicides
d) Road verges, Nature- strips, Footpaths	Local residents Tourist and visitors to the area People who work in the area Shoppers	Medium to high	Spot herbicides Broad scale selective herbicide Broad scale non-selective herbicide Spot termiticides
e) Laneways, pathways, roadways, public accessible easements,	Local residents People who work in the area Tourists and visitors to the area	Medium to high	Spot herbicides Broad scale non-Selective herbicides Spot algaecide's Sport turf growth

Public Places	Regular User Groups	Level of Use of Public Place	Type of Pesticide Use
foreshore paved areas			regulators
f) Aquatic centres (building exteriors/interior)	Local residents People who work in the area School groups Visitors	High	Spot herbicides Spot insecticides Spot algaecide's Broad scale selective herbicide Broad scale non-selective herbicide
g) Other public facilities (building exteriors/interior)	Library users Young children and Their Carers (childcare facilities) Parent groups, playgroups community associations Visitors General members of the public	High	Spot herbicides Spot insecticides Spot termiticides Spot rodenticides

3. NOTIFICATION ARRANGEMENTS

This section of the plan describes how and when Inner West Council will provide notice of pesticide use in public places, including special measures for sensitive places that are adjacent to public places, arrangements for emergency pesticide applications and circumstances where notice will not be given.

These notification requirements are based on Inner West Council's assessment of:

- The visitation rates and trends for the public places where pesticides may be applied
- The likelihood that regular users of the public space may be particularly sensitive to pesticides (e.g. young children, sick, pregnant, or elderly people)
- The possibility of direct contact with pesticides due to the activities commonly undertaken at the various types of public spaces (such as sporting facilities involving contact with the ground.
- The type of pesticide used.

Notice of pesticide use will be provided by one or a combination of:

- Signs
- Notice within a local community newspaper
- Letters
- Phone contact and/or Fax/email
- Letterbox drops and/or door knocking
- Inner West Council's web page

Council will also allow members of the community and organisations to have their details placed on a register which would allow them to be notified of certain types of pesticide uses in specific places or circumstances, as described in this section of the plan.

Inner West Council (or its lessees) uses small quantities of some pesticides that are widely available in retail outlets and ordinarily used for domestic purposes. An example of such use is the control of woody weeds in park reserves using small quantities of glyphosate herbicide. Council does not intend to provide notice for such pesticide applications other than by way of this description in this plan. However, operators applying these pesticides will make available general product details at the place and time of application in the event that members of the community require further information.

4. HOW AND WHEN NOTICE OF PESTICIDE USE WILL BE PROVIDED

The notification arrangements described below will apply to the following public place categories owned or controlled by council within the Inner West local government area (LGA):

- Public Gardens & Parks
- Sporting fields & ovals
- Playground areas
- Road verges, Nature-strips, Footpaths
- Laneways, pathways, roadways, public assessable easements, foreshore paved areas
- Aquatic centres (building exteriors and grounds)
- Other public facilities

In these public places, signs will be provided for the general community near the application area or at the main entrances prior to application for the following pesticide uses:

- Spot turf growth regulators
- Broad scale turf growth regulators
- Broad scale selective herbicides
- Broad scale non-selective herbicides
- Spot insecticides
- Broad scale insecticides
- Spot fungicide
- Broad scale fungicide
- Bait rodenticides

Council conducts an annual broad scale selective herbicide program to control broadleaf weeds within turf areas of parks and sports fields. Additional notice of this pesticide application program will be provided to the general community within a local community newspaper and on council's website at least seven days prior to the first application (first park sprayed).

Parks and public gardens

Signs to give the general community notice of the proposed pesticide use will be provided near the application area prior to application for the following pesticides uses:

- Broad scale herbicides

- Broad scale insecticides
- Fungicides
- Termiticides

Notice will not be given for the following pesticide applications:

- Spraying of glyphosate using a hand spray bottle, wand, or spray lance
- Spot insecticides
- Bait rodenticides or ant control

Sporting grounds

In these public spaces, signs to give the general community notice of the proposed pesticide use will be provided near the application area prior to application for the following pesticides uses:

- Broad scale herbicides
- Broad scale insecticides
- Fungicides

Sporting groups that register interest with Council for the purpose will also have notice of the above pesticide use faxed or emailed to the group's secretary and/or public officer prior to the application.

Notice will not be given for the following pesticide applications:

- Spraying of glyphosate using a hand spray bottle, wand, or spray lance
- Spot insecticides
- Bait ant control

Playground areas

For playgrounds within Council parks and reserves, signs to give the general community notice of the proposed pesticide use will be provided near the application area prior to application for the following pesticides uses:

- Broad scale herbicides
- Broad scale insecticides
- Fungicides
- Bait ant control

Notice will not be given for the following pesticide applications:

- Spot herbicides
- Spot insecticides using a spray can

Outdoor public thoroughfares and certain easements accessible to the public

The notification arrangements described below will apply to the following public place categories owned or controlled by council within the Inner West LGA:

- Road verges
- Nature-strips

- Footpaths
- Laneways
- Roadways
- Publicly accessible easements
- Foreshore paved areas

In these public places, signs will be provided for the general community at the place and for the duration of application only for the following pesticide uses:

- Broad scale herbicides
- Spot turf growth regulators
- Spot Algaecides

Notice will not be given for the following pesticide applications:

- Spot herbicides
- Spot insecticides
- Bait rodenticides or ant control

Aquatic centre (building exteriors and grounds)

Notification of pesticide use within Inner West Aquatic Centres shall consist of signs placed at the entrance prior to application for the following pesticide uses:

- Broad scale herbicides
- Broad scale insecticides
- Broad scale turf growth regulators
- Fungicides
- Termiticides

Notice will not be given for the following pesticide applications:

- Spot herbicides
- Spot insecticides
- Bait rodenticides or ant control

Other public facilities (building exteriors)

Information for the general community on the following types of pesticide use shall consist of signs posted near the entrances to properties beforehand:

- Broad scale herbicides
- Broad scale insecticides
- Fungicides
- Termiticides

Notice will not be given for the following pesticide applications:

- Spot herbicides
- Spot insecticides
- Bait rodenticides or ant control

Special measures for sensitive places

Clause 18 of the Pesticides Regulation 2009 defines a sensitive place to be any:

- School or pre-school
- Kindergarten
- Childcare centre
- Hospital
- Community health centre
- Nursing home
- Any other place declared to be a sensitive place by the Environment Protection Authority (now a part of the Department of Environment and Conservation).

Special notification measures will exist for programmed pesticide use in public outdoor areas adjacent to all sensitive places. The occupiers will be provided prior targeted notice by phone, email, or letterbox drop (whichever is most practicable) for the following pesticide uses:

- Spot turf growth regulators
- Broad scale turf growth regulators
- Broad scale herbicides
- Spot insecticides
- Broad scale insecticides
- Spot fungicide
- Broad scale fungicide
- Spot termiticides
- Spot Algaecides
- Bait rodenticides or ant control

Notification of emergency pesticide applications

In cases where emergency pesticide applications in public places are required to deal with biting or dangerous pests such as wasps, bees, venomous spiders, fleas, bird mites or rodents (that pose an immediate health hazard), Council will, where possible, display signs at the place and time of the pesticide application. Council will also ensure that the operator applying the pesticide provides verbal notice to the public in the vicinity of the application.

Pesticide contractors and lessees of public places

Where Council uses contractors to apply pesticides on its behalf, Council will ensure that notification is made in accordance with the notification requirements of this plan.

Where persons or organisations hold a lease on publicly accessible Council land that remains a public place and if they use pesticides in this area, Council will require community notification of any pesticide application in accordance with the requirements of this plan. In this instance, the notification requirements will be the responsibility of the lessee.

5. WHAT INFORMATION WILL BE PROVIDED

In accordance with clause 20(h) of the Pesticides Regulation, notice of pesticide uses will include the following information:

- The full product name of the pesticide to be used, and

- The purpose of the use, clearly setting out what pest or pests are being treated,
- The proposed date/s or date range of the pesticide use, and
- The places where the pesticide is to be used, and
- Contact telephone number and email address of the Council I officer who people can contact to discuss the notice, and
- Any warnings regarding re-entry to or use of the place, if specified on the pesticide product label or the APVMA¹ permit.
- Signs will be of a standardized design that will be easily recognisable to the public and workers.

¹ The Australian Pesticides and Veterinary Medicines Authority (APVMA) , the national government body responsible for assessing and registering (or otherwise approving) all pesticide products in Australia and for their regulation up to and including the point of retail sale.

6. HOW THE COMMUNITY WILL BE INFORMED OF THIS PLAN

Inner West Council will advise residents of this plan and its contents by:

Placing a copy of the plan on its website, www.innerwest.nsw.gov.au

7. FUTURE REVIEWS OF THE PLAN

The notification plan will be reviewed every three (3) years or when circumstances require a review of the plan. The review will include:

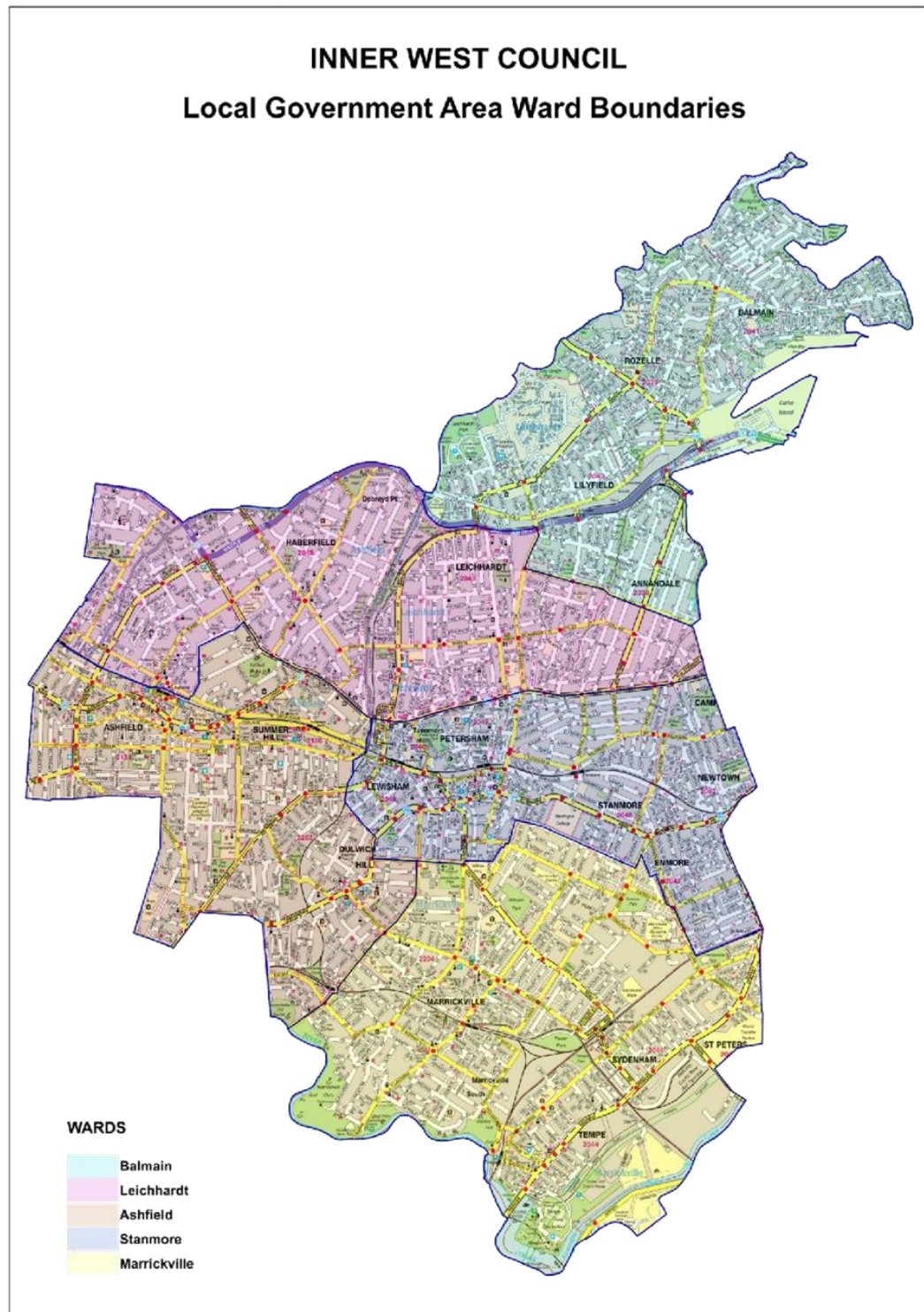
- Placing the plan on public exhibition, and calling for any public submissions.
- The consideration of public submissions and making recommendations for alterations (if applicable) to the plan

8. CONTACT DETAILS

Anyone wishing to contact Inner West Council to discuss the notification plan or to obtain details of pesticide applications in public places should contact:

Inner West Council
PO Box 14
Petersham NSW 2049
Phone: 9392 5000
Fax: 9392 5911
Email: council@innerwest.nsw.gov.au
or access Council's website at www.innerwest.nsw.gov.au

APPENDIX 1. Map of Inner West Council



Item 5

Attachment 3



Noxious Weeds Policy

March 2012

This policy will be reviewed triennially by:
Next review date: **March 2015**



Ashfield Council

Noxious Weeds Policy

Title:	Noxious Weeds Policy
Summary:	This policy provides a summary of Council's legislative obligations for noxious weed control and the delegated authority for Council staff to implement the policy.
Record Number:	
Date of Issue:	March 2012
Approval:	
Version Control:	Version 1
Contact Officer:	Manager Operations
Relevant References:	
Main Legislative or Regulatory References:	Noxious Weeds Act 1993
Applicable Delegation of Authority:	Noxious Weeds Officer General Manager
Related Ashfield Council Policy:	
Related Ashfield Council Procedure:	



Ashfield Council

Noxious Weeds Policy***Policy Background***

Council is required under the Noxious Weeds Act 1993 to control and reduce noxious weeds in the municipality from:

- a) Land occupied or owned by Council;
- b) Roads under Councils control within the local government boundary
- c) The obligation to control noxious weeds on roads is a joint obligation with any occupier required to control such weeds under section 17.

Council has the authority and requirement under the Noxious Weeds Act to enforce the sections relating to the control and reduction of noxious plants on private lands

Policy Purpose

The purpose of this policy is to set out the Council's noxious weeds control policy and define the authorised staff to enforce this policy.

Policy Objectives

The objectives of this policy are:

- a) To control and reduce the population of noxious weeds on private land achieving maximum co operation of private landholders;
- b) To place emphasis on weeds, which are already causing problems, or weeds which will, if introduced, cause greater problems.
- c) To treat all land and roads controlled by Council that are infested with noxious weeds, with the objective of containing and reducing all infestations.
- d) To raise awareness of the potential threat of noxious weeds to the environment and the community.

Implementation and access

- Council works towards the control and reduction in the numbers of noxious weeds on Council owned land by the inspection of roads and the treatment of infestations found;
- Council expects owners and occupiers of land to comply with the requirements of the Local Government Act and Noxious Weeds Act 1993 in respect to noxious weeds.
- Residents are invited to contact Council on any noxious weeds matter direct or through Council's Weeds Officer. Council Weeds Officer is available at the Depot, or by appointment at any suitable time to discuss and advise the methods of weed control or Council requirements.
- Council maintains contact with other Departments in regard to noxious plant matter

Private Land

Council's method of implementing noxious weed control is by the following steps:

- 1) An inspection notice may be issued stating a reasonable time to treat a particular area.
- 2) If no effective weed control is evident on a property, a Notice under section 18 of the Noxious Weeds Act of 1993 will be issued.
- 3) Failure to comply with section 18 notice to Council's satisfaction may result in legal proceedings being instituted.



Ashfield Council

Noxious Weeds Policy

Council has delegated the power to the Weeds Officer to issue Inspector's Notices and to the General Manager to issue section 18 Notices.

Noxious Weeds Officer

Council Tree Technical Officer also undertakes the role of Noxious Weeds Officer whose duties are:

- a) To inspect all land, private and other, to locate noxious plants.
- b) To organize the control and reduction of noxious weeds on Council occupied land.
- c) To implement Council's noxious weeds policy with regard to private lands.
- d) To alert Council of any significant change in the noxious weeds situation, particularly in regard to new weeds or control methods.
- e) Liaise with Department of primary Industries who are involved in noxious weed control.
- f) Undertake grant application preparations and budgets.
- g) Liaising with general public with regard to weed matters and promotion of public awareness and responsibilities under the Noxious Weeds Act.
- h) Provide instruction to weed spray staff when required.
- i) Provide advice on weed control to landowners and occupiers e.g.: biological, chemical, and physical.
- j) Conducting all noxious weed control on Council owned property and roadsides.

Delegation

- a) The General Manager be authorised to serve notices on owner/occupiers in accordance with the Noxious Weeds Act 1993 on the advice of the Noxious Weeds Inspector.

POLICY REGISTER

TITLE: WEED POLICY

STRATEGIC PROGRAM: NATURAL ENVIRONMENT

DIVISION: INFRASTRUCTURE & SERVICE DELIVERY

POLICY: That Council continue to demonstrate its commitment to ecologically sustainable development & minimising chemical pollution by maintaining its policy of non-toxic weed control.

That Council adopt the integrated weed management strategies as outlined in part 6 of this report - all subject to strict adherence with the relevant safety controls & staff training requirements & on the basis that the cultural program commences with passive turf areas & not playing fields; & also that the use of Roundup Biactive be prohibited within 50 metres of watercourses or wetlands.

That Council seek open tenders for a further 3-year chemical free weed control contract (eg. hot water treatment or other non chemical means) based upon increased treatment in parks and roadside garden beds and treatment reduction in those streets where area based teams currently maintain grass verges & undertake mechanical weed control.

A Recommended Integrated Weed Management Programme

Set out below is a recommended weed management programme, which takes on board all of the aforementioned strategies and blends these into a workable solution to the problem of weeds in the Leichhardt area.

1. Continue with the hot water treatment for the footpaths and roadways, excepting those streets, which contain grass verges and are maintained by the area based teams. This will include the advertising for a new 3-year contract for the non-chemical control of unwanted vegetation
2. Continue the area based teams use of mechanical removal of weeds in the footpaths and roadways in those streets not treated by the hot water system

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3. Extend the use of the hot water system and handweeding to the parks and roadway garden beds wherever possible.
4. Develop a cultural programme for commencing with the playing fields and extending, dependant on budget availability to passive turf areas to increase the health and vigour of the turf and reduce the dependency on the chemical control of broadleaf weeds. This will be started at King George Oval that will have an automated watering system and an upgrading of the playing surface installed early in 1999.
5. Allow for the controlled use of selective and non selective chemicals subject to the following strict guidelines:

Spraying restrictions for selective herbicide usage on turf areas.

Prior to any chemical being applied to turf areas, a number of strict usage procedures would need to be implemented. As contractors mainly undertake this work, these operating procedures would be written into the specification.

- a) Prior notice of an intention to spray certain areas with selective herbicides be sent to the respective precinct committees to be reviewed at their monthly meetings
- b) Notices are to be placed at the entrances to areas, which are to be sprayed the day prior to spraying being carried out.
- c) Preference is to be given to chemicals, which are less persistent in the environment.
- d) Spraying is to be undertaken on windless mornings only and where there no rain forecast that day.
- e) A non-toxic marker dye is to be mixed with the chemical to show the areas, which have been treated.
- f) The areas sprayed will be cordoned off to prevent public access for the quarantine period of the chemical used. The Total Environment Centre recommends that this be for 48 hours.
- g) In the case of sportsfields, schools and other users of the area are to be notified and bookings of these areas will not be taken during this period.

Spraying restrictions for the use of non-selective herbicide

Certain restrictions would also need to be applied to the use of chemicals in these situations. These would be:

Item 5

- a) Only the use of a less persistent chemical such as Roundup Biactive be allowed in these situations.
- b) A marker dye is used in conjunction with the chemical to denote where it has been used.
- c) If the garden beds adjoin residences then the residents are informed prior to the chemical being used.
- d) Only wiper wands and shielded spray heads be used to apply the chemical.
- e) A record of the use of the chemical be kept by the Coordinators
- f) Only suitably trained staff be allowed to apply this chemical.

RESOLUTION: Minute No. C328/99 Ordinary Meeting

Attachment 5

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ES.9
WEED CONTROL

Division:	technical services	Date Adopted:	Nov 1995
Section:	engineering	Date Last Changed:	
File Ref:	7661.02	Last Review Date:	Nov 1995

POLICY STATEMENT

- (i) To control the growth of weeds in road reserves and nature strips to an **acceptable** level.
- (ii) To give priority to maintenance of weed growth in higher profile areas during the peak growing season.
- (iii) To provide for a neat and tidy streetscape.

RELATED LEGISLATION, POLICIES AND PROCEDURES

- (i) Position Statement dated June 1995.

POLICY STATEMENT

1. Council carries out the regular spraying of weeds on grassed nature strips, verges and other areas within the road reserve.
2. The total minimum number of spray cycles per year is four (4).
3. The desirable target **maximum** weed height and spread is 100mm and 100mm respectively.
4. Council will continue to carry out this service as it is committed to providing a neat and tidy streetscape.



Pesticide Use Notification Plan 2015-2018

July 2015

This policy will be reviewed triennially by:
Next review date: **July 2018**



Ashfield Council

Pesticide Use Notification Plan 2015-2018

Title:	Pesticide Use Notification Plan 2015-2018
Summary:	This plan provides a summary of Council's legislative obligations for pesticide use and the delegated authority for Council staff to implement the plan.
Record Number:	
Date of Issue:	July 2015
Approval:	
Version Control:	Version 1
Contact Officer:	Manager Operations
Relevant References:	
Main Legislative or Regulatory References:	Pesticide Regulation 2009
Applicable Delegation of Authority:	General Manager
Related Ashfield Council Policy:	
Related Ashfield Council Procedure:	



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Pesticide Use Notification Plan 2015-2018

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1. INTRODUCTION

This pesticide use notification plan has been prepared in accordance with the requirements of the Pesticides Regulation 2009 (the Regulation) under the Pesticides Act 2009.

The aim of this plan is to meet the community's general right to know about pesticide applications made to outdoor public places that are owned or controlled by public authorities. The Plan does **not** apply to outdoor public places that are not owned or controlled by Council.

The plan allows members of the community to avoid contact with pesticides, if they wish. Council ensures that pesticides are applied to public places in a safe and responsible manner, minimising harm to the community and /or the environment. In addition, Council's application of pesticides is in accordance with the relevant material safety data sheets.

The plan sets out how Ashfield Council will notify members of the community of pesticide applications it makes, or allows to be made, to public places.

The plan describes:

- What public places are covered by the plan
- Who regularly uses these public places and an estimate of the level of use
- How and when Council will provide the community with information about its pesticide applications in public spaces (i.e. what notification arrangements will be used)
- How the community can access this plan and get more information about Council's notification arrangements
- How future reviews of the plan will be conducted
- Contact details for anyone wishing to discuss this plan with Council.

The majority of pesticide use by Council consists of applying herbicides for weed control. Programmed herbicide use on sports fields range from 1-2 applications per year for general park turf surfaces and up to 8 times per year for public thoroughfares. All other herbicides and insecticides used for the control of weeds and insects in Councils parks are as required and are generally less than four times a year. Bait insecticides and rodenticides are used for termite, ant and rodent control to protect structures and public safety whenever this is considered an effective control.

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2. PUBLIC PLACES COVERED BY THIS PLAN

Ashfield Council proposes to use or allow the use of pesticides in the following categories of outdoor public places that it owns or controls within its LGA area boundaries.

- Public gardens and parks
- Sporting fields and ovals
- Playground areas within public parks (within fenced playground area or within the confines of the playground soft-fall if not fenced)
- Road verges, nature-strips, footpaths
- Laneways, pathways, roadways, public accessible easements, foreshore paved Areas
- Aquatic centres (building exteriors and grounds)
- Other public facilities (building exteriors & interiors)

Ashfield Council's estimate of the level of community use, regular user groups, and type of pesticide use in each of these categories of public places is summarised in the following table. For the purpose of this plan, spot pesticide use refers to small applications using handheld equipment while broad scale applications typically involve the use of covered boom spray equipment on large open space areas.

Public Places	Regular User Groups	Level of Use of Public Place	Type of Pesticide Use
a)Public Gardens and Parks	<ul style="list-style-type: none"> • School groups • Sporting groups and associations • Fitness and exercise groups • Families with children • Tourists and visitors to the area • General recreational users (e.g joggers, dog walkers) 	High	<ul style="list-style-type: none"> • Spot herbicides • Spot insecticides • Spot turf growth regulators • Broadside selective herbicides • Broadside non selective herbicide • Bait rodenticides • Nematicides
b) Sporting Fields and Ovals	<ul style="list-style-type: none"> • Sporting groups and associations • School sports groups • General recreational users (e.g joggers, dog walkers) 	High	<ul style="list-style-type: none"> • Spot herbicides • Spot insecticides • Spot turf growth Regulators • Spot fungicide • Broadscale fungicide • Nematicides

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Public Places	Regular User Groups	Level of Use of Public Place	Type of Pesticide Use
c) Playground areas within parks (within fenced playground area or within confines of soft fall if not fenced)	<ul style="list-style-type: none"> Children Young families General recreational users 	High	<ul style="list-style-type: none"> Spot herbicides Spot insecticides Broadscale selective herbicides Broadscale non-selective herbicides
d) Road verges, Nature-strips, Footpaths	<ul style="list-style-type: none"> Local residents Tourist and visitors to the area People who work in the area Shoppers 	Medium to high	<ul style="list-style-type: none"> Spot herbicides Broadscale selective herbicide Broadscale non-selective herbicide Spot termiticides
e) Laneways, pathways, roadways, public accessible easements, foreshore paved areas	<ul style="list-style-type: none"> Local residents People who work in the area Tourists and visitors to the area 	Medium to high	<ul style="list-style-type: none"> Spot herbicides Broadscale non-selective herbicides Spot algicides Sport turf growth regulators
f) Aquatic centres (building exteriors/interiors)	<ul style="list-style-type: none"> Local residents People who work in the area School groups Visitors 	High	<ul style="list-style-type: none"> Spot herbicides Spot insecticides Spot algicides Broadscale selective herbicide Broadscale non-selective herbicide
g) Other public facilities (building exteriors/interiors)	<ul style="list-style-type: none"> Library users Young children and Their Carers (childcare facilities) Parent groups, playgroups community associations Visitors General members of the public 	High	<ul style="list-style-type: none"> Spot herbicides Spot insecticides Spot termiticides Spot rodenticides



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3. NOTIFICATION ARRANGEMENTS

This section of the plan describes how and when Ashfield Council will provide notice of pesticide use in public places, including special measures for sensitive places that are adjacent to public places, arrangements for emergency pesticide applications and circumstances where notice will not be given.

These notification requirements are based on Ashfield Council's assessment of:

- The visitation rates and trends for the public places where pesticides may be applied
- The likelihood that regular users of the public space may be particularly sensitive to pesticides (e.g. young children, sick, pregnant, or elderly people)
- The possibility of direct contact with pesticides due to the activities commonly undertaken at the various types of public spaces (such as sporting facilities involving contact with the ground.
- The type of pesticide used.

Notice of pesticide use will be provided by one or a combination of:

- Signs
- Notice within a local community newspaper
- Letters
- Phone contact and/or Fax/email
- Letterbox drops and/or door knocking
- Ashfield Council's web page

Council will also allow members of the community and organisations to have their details placed on a register which would allow them to be notified of certain types of pesticide uses in specific places or circumstances, as described in this section of the plan.

Ashfield Council (or its lessees) uses small quantities of some pesticides that are widely available in retail outlets and ordinarily used for domestic purposes. An example of such use is the control of woody weeds in park reserves using small quantities of glyphosate herbicide. Council does not intend to provide notice for such pesticide applications other than by way of this description in this plan. However, operators applying these pesticides will make available general product details at the place and time of application in the event that members of the community require further information.



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How and when notice of pesticide use will be provided

The notification arrangements described below will apply to the following public place categories owned or controlled by council within the Ashfield local government area (LGA):

- Public Gardens & Parks
- Sporting fields & ovals
- Playground areas
- Road verges, Nature-strips, Footpaths
- Laneways, pathways, roadways, public assessable easements, foreshore paved areas
- Aquatic centres (building exteriors and grounds)
- Other public facilities

In these public places, signs will be provided for the general community near the application area or at the main entrances prior to application for the following pesticide uses:

- Spot turf growth regulators
- Broadscale turf growth regulators
- Broadscale selective herbicides
- Broadscale non-selective herbicides
- Spot insecticides
- Broadscale insecticides
- Spot fungicide
- Broadscale fungicide
- Bait rodenticides

Council conducts an annual broadscale selective herbicide program to control broadleaf weeds within turf areas of parks and sports fields. Additional notice of this pesticide application program will be provided to the general community within a local community newspaper and on council's website at least seven days prior to the first application (first park sprayed).

a) Parks and public gardens

Signs to give the general community notice of the proposed pesticide use will be provided near the application area prior to application for the following pesticides uses:

- Broadscale herbicides
- Broadscale insecticides
- Fungicides
- Termiticides

Notice will **not** be given for the following pesticide applications

- Spraying of glyphosate using a hand spray bottle, wand, or spray lance
- Spot insecticides
- Bait rodenticides or ant control

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b) Sporting fields and ovals

In these public spaces, signs to give the general community notice of the proposed pesticide use will be provided near the application area prior to application for the following pesticides uses:

- Broadscale herbicides
- Broadscale insecticides
- Fungicides

Sporting groups that register interest with Council for the purpose will also have notice of the above pesticide use faxed or emailed to the groups secretary and/or public officer prior to the application.

Notice will **not** be given for the following pesticide applications:

- Spraying of glyphosate using a hand spray bottle, wand, or spray lance
- Spot insecticides
- Bait ant control

c) Playground areas

For playgrounds within Council parks and reserves, signs to give the general community notice of the proposed pesticide use will be provided near the application area prior to application for the following pesticides uses:

- Broadscale herbicides
- Broadscale insecticides
- Fungicides
- Bait ant control

Notice will **not** be given for the following pesticide applications:

- Spot herbicides
- Spot insecticides using a spray can

d) Outdoor public thoroughfares and certain easements accessible to the public

The notification arrangements described below will apply to the following public place categories owned or controlled by council within the Ashfield LGA:

- Road verges
- Nature-strips
- Footpaths
- Laneways
- Roadways
- Publicly accessible easements
- Foreshore paved areas



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In these public places, signs will be provided for the general community at the place and for the duration of application only for the following pesticide uses:

- Broadscale herbicides
- Spot turf growth regulators
- Spot Algicides

Notice will **not** be given for the following pesticide applications:

- Spot herbicides
- Spot insecticides
- Bait rodenticides or ant control

e) Aquatic centre (building exteriors and grounds)

Notification of pesticide use within Ashfield Aquatic Centre shall consist of signs placed at the entrance prior to application for the following pesticide uses:

- Broadscale herbicides
- Broadscale insecticides
- Broadscale turf growth regulators
- Fungicides
- Termiticides

Notice will **not** be given for the following pesticide applications:

- Spot herbicides
- Spot insecticides
- Bait rodenticides or ant control

f) Other public facilities (building exteriors)

Information for the general community on the following types of pesticide use shall consist of signs posted near the entrances to properties beforehand.

- Broadscale herbicides
- Broadscale insecticides
- Fungicides
- Termiticides

Notice will not be given for the following pesticide applications:

- Spot herbicides
- Spot insecticides
- Bait rodenticides or ant control

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g) Special measures for sensitive places

Clause 18 of the *Pesticides Regulation 2009* defines a sensitive place to be any:

- School or pre-school
- Kindergarten
- Childcare centre
- Hospital
- Community health centre
- Nursing home
- Any other place declared to be a sensitive place by the Environment Protection Authority (now a part of the Department of Environment and Conservation).

Special notification measures will exist for programmed pesticide use in public outdoor areas adjacent to all sensitive places. The occupiers will be provided prior targeted notice by phone, email, fax, or letterbox drop (whichever is most practicable) for the following pesticide uses:

- Spot turf growth regulators
- Broadscale turf growth regulators
- Broadscale herbicides
- Spot insecticides
- Broadscale insecticides
- Spot fungicide
- Broadscale fungicide
- Spot termiticides
- Spot Algicides
- Bait rodenticides or ant control

Notice will not be given for the following pesticide applications:

- Spot herbicides

h) Notification of emergency pesticide applications

In cases where emergency pesticide applications in public places are required to deal with biting or dangerous pests such as wasps, bees, venomous spiders, fleas, bird mites or rodents (that pose an immediate health hazard), Council will, where possible, display signs at the place and time of the pesticide application. Council will also ensure that the operator applying the pesticide provides verbal notice to the public in the vicinity of the application.



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i) Pesticide contractors and lessees of public places

Where Council uses contractors to apply pesticides on its behalf, Council will ensure that notification is made in accordance with the notification requirements of this plan.

Where persons or organisations hold a lease on publicly accessible Council land that remains a public place and if they use pesticides in this area, Council will require community notification of any pesticide application in accordance with the requirements of this plan. In this instance, the notification requirements will be the responsibility of the lessee.

4. WHAT INFORMATION WILL BE PROVIDED

In accordance with clause 20(h) of the Pesticides Regulation, notice of pesticide uses will include the following information:

- The full product name of the pesticide to be used, and
- The purpose of the use, clearly setting out what pest or pests are being treated,
- The proposed date/s or date range of the pesticide use, and
- The places where the pesticide is to be used, and
- Contact telephone number and email address of the Council officer who people can contact to discuss the notice, and
- Any warnings regarding re-entry to or use of the place, if specified on the pesticide product label or the APVMA1 permit.
- Signs will be of a standardised design that will be easily recognisable to the public and workers.

1 The Australian Pesticides and Veterinary Medicines Authority (APVMA), the national government body responsible for assessing and registering (or otherwise approving) all pesticide products in Australia and for their regulation up to and including the point of retail sale.

5. HOW THE COMMUNITY WILL BE INFORMED OF THIS PLAN

Ashfield Council will advise residents of this plan and its contents by:

- Placing a copy of the plan on its website, www.ashfield.nsw.gov.au

6. FUTURE REVIEWS OF THE PLAN



The notification plan will be reviewed every three (3) years or when circumstances require a review of the plan. The review will include:

- Placing the plan on public exhibition, and calling for any public submissions.
- The consideration of public submissions and making recommendations for alterations (if applicable) to the plan

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7. CONTACT DETAILS

Anyone wishing to contact Ashfield Council to discuss the notification plan or to obtain details of pesticide applications in public places should contact:

Ashfield Council
PO Box 1145
Ashfield NSW 1800
Phone: 9716 1800
Fax: 9716 1911
Email: info@ashfield.nsw.gov.au
or access Council's website at www.ashfield.nsw.gov.au



The Leichhardt Pesticide Notification Plan**6.1 INTRODUCTION**

This pesticide use notification plan has been prepared in accordance with the requirements of the Pesticides Regulation 1995 (the Regulation). The plan sets out how Leichhardt Council will notify members of the community of pesticide applications it makes or allows to be made to public places that it owns or controls.

The aim of this plan is to meet the community's general right to know about pesticide applications made to outdoor public places that are owned or controlled by public authorities. The plan allows members of the community to take action to avoid contact with pesticides, if they wish. Council ensures that pesticides are applied to public places in a safe, responsible manner, minimising harm to the community or the environment.

6.2 PUBLIC PLACES COVERED BY THIS PLAN

Leichhardt Council proposes to use or allow the use of pesticides in the following categories of outdoor public places that it owns or controls in the Leichhardt Council Area :

public gardens

parks

playgrounds

picnic areas

sporting fields and ovals

public land owned or controlled by the Leichhardt Council, including:

road verges and reserves

laneways and pathways

roads accessible to the public

drains

commons

other public places (specify)

Although not required by the Regulation, this notification plan will also provide information on how notice will be provided to the community of pesticide use in the interiors of the following Leichhardt Council buildings or throughout the listed facilities:

Town Halls

Community Centres

Childcare Centres

Public Amenities

Leichhardt Council's estimate of the level of community use, regular user groups and types of pesticide use in each of these categories of public places is summarised in the following table.

Public places	Regular user groups	Level of use of public place	Type of pesticide use
Public gardens	<ul style="list-style-type: none"> Children and young families Elderly people General recreational users (e.g. joggers, dog walker's picnickers). 	Very High frequency of use by multiple users with short to medium length stays	<ul style="list-style-type: none"> Spot herbicides or insecticides Broadscale selective or non-selective herbicides Broadscale insecticides Fungicides Spray termiticides Spray ant control Bait termiticides, Bait bird control Rodenticides
Parks	<ul style="list-style-type: none"> Children and young families Elderly people General recreational users (e.g. joggers, dog walker's picnickers). 	Very High frequency of use by multiple users with short to medium length stays	<ul style="list-style-type: none"> Spot herbicides or insecticides Broadscale selective or non-selective herbicides Broadscale insecticides Fungicides Spray termiticides Spray ant control Bait termiticides, Bait bird control Rodenticides
Picnic areas	<ul style="list-style-type: none"> Children and young families Elderly people General recreational users (e.g. joggers, dog walker's picnickers). 	Very High frequency on weekend, public holidays and school holidays	<ul style="list-style-type: none"> Spot herbicides or insecticides Broadscale selective or non-selective herbicides Broadscale insecticides Spray termiticides Spray ant control Bait termiticides,
Playgrounds	<ul style="list-style-type: none"> Children and young families 	Very High frequency of use by multiple users with short to medium length stays	<ul style="list-style-type: none"> Spot herbicides or insecticides Broadscale selective or non-selective herbicides Broadscale insecticides Fungicides Spray termiticides Spray ant control Bait termiticides,
Sporting fields and ovals	<ul style="list-style-type: none"> Sporting associations School sports groups General recreational users (e.g. joggers, dog walker's picnickers) 	High	<ul style="list-style-type: none"> Spot herbicides or insecticides Broadscale selective or non-selective herbicides Broadscale insecticides Fungicides Spray termiticides Spray ant control Bait termiticides, Bait bird control Rodenticides

Public places	Regular user groups	Level of use of public place	Type of pesticide use
Road verges and reserves	<ul style="list-style-type: none"> Local residents People who walk in the area Visitors to the area 	Medium to high	<ul style="list-style-type: none"> Spot herbicides
Laneways and pathways	<ul style="list-style-type: none"> Local residents 	Low to medium	<ul style="list-style-type: none"> Spot herbicides
Easements accessible to the public (e.g. road, rail, water, sewer, electricity)	<ul style="list-style-type: none"> Local residents and people who work in the area 	Low to medium	<ul style="list-style-type: none"> Spot herbicides Spray termiticides Spot insecticides
Drains	<ul style="list-style-type: none"> Local residents who live nearby Staff who maintain service 	Low to medium	<ul style="list-style-type: none"> Spot herbicides or insecticides Spray termiticides Rodenticides
Other outdoor public places (specify) Public Amenities	<ul style="list-style-type: none"> Local residents People who walk in the area Visitors to the area 	Medium to high	<ul style="list-style-type: none"> Spot herbicides or insecticides Fungicides Spray termiticides Spray ant control Bait termiticides Bait bird control Rodenticides
Interiors of public buildings	<ul style="list-style-type: none"> Library users (including young children, school groups and the elderly) young children and their carers (childcare facilities) parents groups playgroups community associations church groups general members of the public 	High	<ul style="list-style-type: none"> Spot insecticides Bait rodenticides Spray termiticides Spray ant control Bait termiticides Bait ant control Bait bird control
Swimming pool buildings and grounds	<ul style="list-style-type: none"> Local residents young children and their carers parents groups playgroups Sporting associations School sports groups 	High	<ul style="list-style-type: none"> Spot herbicides or insecticides Fungicides Spray termiticides Spray ant control Bait termiticides Bait bird control Rodenticides

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6.3 NOTIFICATION ARRANGEMENTS

This section of the plan describes how and when Leichhardt Council will provide notice of pesticide use in public places, including special measures for sensitive places that are adjacent to public places, arrangements for emergency pesticide applications and circumstances where notice will not be given.

These notification requirements are based on Leichhardt Council's, assessment that:

- The level of usage of public places where pesticides may be used
- The extent to which members of the public who are most likely to be sensitive to pesticides (e.g. young children, sick, pregnant and elderly people) and are likely to use these areas regularly
- The extent to which activities generally undertaken in these areas could lead to some direct contact with pesticides (such as picnic areas where food is consumed; sporting or other recreational activities that result in contact with the ground)
- Type of pesticide used.

Notice of pesticide use will be provided by a combination of:

- Signs
- Information on Council's website (which will describe programmed, reactive and emergency pesticide use in public places) and will be publicised in rate notices;

Council uses small quantities of some pesticides that are widely available in retail outlets and ordinarily used for domestic purposes (including home gardening). Council does not intend to provide notice for such pesticide applications other than by way of this description in this plan (or general information on Council's website). This will apply to minor control of indoor and outdoor insect pests using baits or aerosol spray cans and spot weed control using a wand or hand-held spray bottle.

a) Outdoor recreation areas

The notification arrangements described below will apply to the following public place categories owned or controlled by Council within the local government area (LGA):

- Public parks and gardens
- Playgrounds
- Picnic areas
- Sporting fields, ovals and related sporting facilities.

In these public places, signs will be provided to the general community near the application area or main entrance at least 24 hours prior to application and remain for at least 48 hours afterwards for the following pesticide uses:

- Broadscale selective herbicides
- Broadscale non-selective herbicides
- Broadscale insecticides
- Fungicides (on the relevant garden beds)
- Spray termiticides and ant control
- Bait termiticides (where part of an ongoing program, first use of pesticide only)
- Bait bird control (where part of an ongoing program, first use of pesticide only)
- Bait rodenticide (where part of an ongoing program, first use of pesticide only)

Where any of the above pesticide uses occur adjacent to sensitive places (see definition of 'sensitive places', under subsection d) Special measures for sensitive places) the occupiers will be provided with 48 hours prior targeted notice by phone, mail or letterbox drop (whichever is most practicable).

For playgrounds and picnic areas only, prior notice will be extended to 1 day by placing signs for all the above pesticide uses. For these areas only, signs will also be placed for at least 48 hours after spot herbicide or insecticide use or placement of ant control baits.

For sporting fields, ovals and related sporting facilities, sporting groups and occupiers of adjacent sensitive places who register interest with Council can also have notice of the above pesticide uses faxed or emailed at least 48 hours prior to application.

Council has an annual program for the treatment of broadleaf weeds throughout Council's parks and reserves. Council currently undertakes a forward program to plan the treatment of these areas in line with the sporting season changes.

Information will be available to the general community on council's website about the forward program for the above applications (updated every three months), and on the following pesticide uses in outdoor recreation areas:

- Spot herbicides
- Spot insecticides
- Bait ant control.

b) Outdoor public thoroughfares and certain easements accessible to the public

The notification arrangements described below will apply to the following categories of public place owned or controlled by Council within the LGA:

- Laneways and pathways
- Road shoulders, verges, road reserves and footpaths
- Road, sewer and electricity easements accessible to the public
- Drains.

In these public places, information on the forward program for broadscale herbicide will be posted on Council's website every 3 months. For drains only, information on the forward program for use of herbicides will also be included in Council's regular box advertisements in local newspapers every three months. A letterbox drop of adjacent properties will occur at least 5 days before the expected date or dates of broadscale herbicide application for all of the above pesticide uses.

Information on the programmed and reactive spot use of herbicides will also be posted on Council's website every three months. Where programmed spot herbicide applications occur on outdoor public thoroughfares and the above easements, adjacent to sensitive places, and/or for parties who register interest with Council, prior notice by mail or letterbox drop will be provided at least 5 days beforehand. Notice will not be given where occupiers of properties adjacent to Council public places use pesticides on parts of these public places near their properties.

c) Certain Council buildings

For pesticide use in Council chambers, Council owned libraries, community halls and centres and childcare facilities that are owned or controlled by Council, signs will be

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provided near the application area or main entrance at least 24 hours prior to application and remain for at least 48 hours afterwards for the following pesticide uses:

- Spot use of insecticides
- Bait rodenticides
- Spray termiticides
- Spray ant control.

Information for the general community will be posted on Council's web-site every 3 months about the above applications and on the following pesticide uses in the above Council buildings:

- Bait termiticides
- Bait ant control
- Bait bird control.

In addition, 5 days prior notice of all programmed pesticide use in Council childcare facilities will be given to operators of the facilities

d) Special measures for sensitive places

Clause 11J (1) of the Pesticides Regulation defines a sensitive place to be any:

- school or pre-school
- kindergarten
- childcare centre
- hospital
- community health centre
- nursing home
- Place declared to be a sensitive place by the Environment Protection Authority (EPA) – now a part of the Department of Environment and Conservation (DEC).

Special notification measures for programmed pesticide use in outdoor public places adjacent to sensitive places for each category of public place have already been noted.

For non-emergency reactive pesticide use in outdoor public places next to sensitive places, Council will provide concurrent notice shortly before use to the occupier by phone, door-knock or letterbox drop, depending upon what is practicable.

If a pesticide must be used to deal with an emergency in an outdoor public place that is adjacent to a sensitive place, Council will organise a door-knock in that sensitive place, preferably at least 30 minutes before, so people are aware that a pesticide is about to be used to deal with a dangerous pest infestation.

e) Emergency pesticide applications

In cases where emergency pesticide applications in public places are required to deal with biting or dangerous pests such as wasps, bees, venomous spiders, fleas, bird mites or rodents (that pose an immediate health hazard), Council will, where possible, provide notice by posting signs nearby at the time of the application. If this is not possible, Council will provide information via its Council infoline 9637 9222 or by request to the person applying the pesticide.

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f) Pesticide contractors and lessees of public places

Where Council uses contractors to apply pesticides on its behalf, Council will ensure that notification is made in accordance with the notification requirements of this plan. Where persons or organisations hold an existing lease on Council land that remains a public place and if they use pesticides in this area, Council will still require notification in accordance with the requirements of this plan.

6.4 WHAT INFORMATION WILL BE PROVIDED

In accordance with clause 11L (2) (g) of the Pesticides Regulation, notices of pesticide use must include **all** the following information:

- The full product name of the pesticide to be used
- The purpose of the use, clearly setting out what pest or pests are being treated
- The proposed date/s or date range of the pesticide use
- The place where the pesticide is to be used
- Contact telephone number and email address of the Council officer who people
- can contact to discuss the notice
- Any warnings regarding re-entry to or use of the place of application specified on the product label or the Australian Pesticides and Veterinary Medicines Authority (APVMA) permit.
- Signs will be of a standardised design that will be easily recognisable to the public and workers.

As already noted, Council's website will have a dedicated area that describes its programmed, reactive and, if practicable, emergency pesticide use in public places with a link to this notification plan. The relevant website address will be publicised in rate notices and by regular inclusions in Council's regular weekly block newspaper advertisement in local newspapers.

6.5 HOW THE COMMUNITY WILL BE INFORMED OF THIS PLAN

Leichhardt Council will advise residents of this plan and its contents by:

- making a copy of the plan available for viewing, free of charge, at its main office at 7-15 Wetherill Street Leichhardt NSW
- placing a copy of the plan on the its website
- placing a notice in the local newspaper
- placing a notice in the NSW Government Gazette

6.6 FUTURE REVIEWS OF THE PLAN

The notification plan will be reviewed every 3 years or when circumstances require a review of the plan. The review will include:

- A report on progress of implementing the plan
- Placing the plan on public exhibition, with any proposed changes and calling for
- Public submissions
- In the light of public submissions, making recommendations for alterations (if applicable) to the plan.

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6.7 CONTACT DETAILS

Anyone wishing to contact Leichhardt Council to discuss the notification plan or to obtain details of pesticide applications in public places should contact:

The Parks Technical Officer

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PESTICIDE USE NOTIFICATION PLAN

[Amended Draft July](#)[Final September](#) 2007 |

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APPENDIX A - NOTICES

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- A2 Example of specific notice

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1. INTRODUCTION

This pesticide use notification plan has been prepared in accordance with the requirements of the Pesticides Regulation 1995 (the Regulation).

The aim of this plan is to meet the community's general right to know about pesticide applications made to outdoor public places that are owned or controlled by public authorities. The plan allows members of the community to take action to avoid contact with pesticides, if they wish. Council ensures that pesticides are applied to public places in a safe, responsible manner, minimising harm to the community or the environment.

The plan sets out how Council will notify members of the community of pesticide applications made by Council to public places.

The plan describes:

- what public places are covered by the plan;
- who regularly uses these public places and an estimate of the level of use;
- how and when Council will provide the community with information about its pesticide applications in public places (i.e. what notification arrangements will be used);
- how the community can access this plan and get more information about Council's notification arrangements;
- how future reviews of the plan will be conducted; and
- contact details for anyone wishing to discuss this plan with Council.

Council only uses pesticides in public places when necessary to eliminate noxious weeds, to protect public property from pest damage and to protect the users of public places from nuisance or danger.

The majority of pesticide use consists of applying herbicides for weed control and applying insecticides to manage certain insect pests. Frequency of programmed applications range from 8-10 times per year for public thoroughfares, 6-8 times per year for sports fields and 2-5 times per year for parks and gardens. Bait insecticides are used for termite and ant control to protect structures and public safety wherever this is considered an effective solution. Other pesticides used include fungicides, rodenticides, bird baits and large vertebrate baits. Further information on Council's pesticide use can be obtained by calling Council's Citizens Service Centre on 02 9335 2222 or by visiting Council's website at www.marrickville.nsw.gov.au.

2. PUBLIC PLACES COVERED BY THIS PLAN

Council proposes to use or allow the use of pesticides in the following categories of outdoor public places within this Council's local government area:

Outdoor Recreation Areas:

- parks and public gardens;
- playgrounds;
- picnic and BBQ areas;
- sporting fields and ovals;
- golf courses; and
- bowls and croquet lawns.

Public Thoroughfares:

- roads and footpaths; and
- drainage reserves;

Child Care Facilities;

Swimming Pools;

Town Halls and Community Facilities;

Libraries;

Administration Centre;

Works Depot;

New Civic Centre Site (old Marrickville Hospital);

Public car parks; and

Tom Foster Community Care Centre.

This plan will also provide information on how notice will be provided to the community of pesticide use in the interiors of the following Council buildings: Administration Centre, libraries, community halls/centres and childcare facilities.

Council's estimate of the level of community use, and regular user groups for each of these public place categories is summarised in Table 1. Although not required by the Regulation, a summary of the type of pesticide that may be used in each category of public place is also provided.

3. NOTIFICATION ARRANGEMENTS

Table 1 also describes how and when Council will provide notice of pesticide use in public places. These notification arrangements are based on Council's assessment of:

- the level of usage of public places where pesticides may be used;
- the extent to which members of the public who are most likely to be sensitive to pesticides (e.g. young children, sick, pregnant and elderly people) and are likely to use these areas regularly;
- the extent to which activities generally undertaken in these areas could lead to some direct contact with pesticides (such as picnic areas where food is consumed; sporting or other recreational activities that result in contact with the ground); and
- type of pesticide used.

Notice of pesticide use will be provided by a combination of:

- signs;
- information on Council's website (which will describe programmed, reactive and emergency pesticide use in public places)
- letters;
- fax and email;
- letterbox drops;
- door knocking;
- phone contact;
- community notice boards; and
- library notice boards.

Council will also allow persons and organisations to nominate to have their details placed on a central register which would allow them to be notified of certain types of pesticide uses in particular places, as described in this section of the plan.

Council uses small quantities of some pesticides that are widely available in retail outlets and ordinarily used for domestic purposes (including home gardening). Council does not intend to provide notice for such pesticide applications other than by way of this description in this plan (or general information on Council's website). This will apply to minor control of indoor and outdoor insect pests using baits or aerosol spray cans and spot weed control using a wand or hand-held spray bottle.

a) Outdoor recreation areas

The notification arrangements described below will apply to the following public place categories owned or controlled by Council within the local government area (LGA):

Parks and Reserves:

- parks and public gardens;
- playgrounds;
- picnic and BBQ areas;
- sporting fields and ovals;
- golf courses; and
- bowls and croquet lawns.

In these public places, signs will be provided to the general community near the application area or main entrance prior to application and remain for at least 48 hours afterwards for the following pesticide uses:

- broadscale selective herbicides;
- broadscale non-selective herbicides;
- broadscale insecticides;
- fungicides (on the relevant garden beds);
- spray termiticides and ant control;
- bait termiticides (where part of an ongoing program, first use of pesticide only);
- bait bird control (where part of an ongoing program, first use of pesticide only); and
- bait rodenticide (where part of an ongoing program, first use of pesticide only).

Where any of the above pesticide uses occur adjacent to sensitive places (see definition of 'sensitive places', under subsection d) Special measures for sensitive places) the occupiers will be provided with 48 hours prior targeted notice by phone, mail or letterbox drop (whichever is most practicable).

Information will be available to the general community on council's website about the forward program for the above applications (updated every three months), and on the following pesticide uses in outdoor recreation areas:

- spot herbicides;
- spot insecticides; and
- bait ant control.

b) Outdoor public thoroughfares and certain easements accessible to the public

The notification arrangements described below will apply to the following categories of public place owned or controlled by Council within the LGA:

- laneways and pathways; and
- road shoulders, verges, road reserves and footpaths.

A general notice of Council's Weed Control Program will be permanently available online at Council's website.

If an occupant does not want herbicide use to take place adjacent to their property, the occupant must ensure that weeds are not present in these areas at the time pest control is carried out. Occupants of sensitive places will be sent a letter every 3 years reminding them that Council will not spray adjacent to their property so long as weed control is otherwise maintained by the occupant.

c) Certain Council buildings

For pesticide use in Council's Administration Centre, Council owned libraries, community halls and childcare facilities that are owned or operated by Council, signs will be provided near the application area or main entrance prior to application and remain for at least 48 hours afterwards for the following pesticide uses:

- spot use of insecticides;
- bait rodenticides;
- spray termiticides; and
- spray ant control.

Information for the general community will be posted on Council's web-site about the above applications and on the following pesticide uses in the above Council buildings:

- bait termiticides;
- bait ant control; and
- bait bird control.

In addition, 5 days prior notice of all programmed pesticide use in Council childcare facilities will be given to operators of the facilities

d) Special measures for sensitive places

Clause 11J(1) of the Pesticides Regulation defines a sensitive place to be any:

- school or pre-school;
- kindergarten;
- childcare centre;
- hospital;
- community health centre;
- nursing home; and
- place declared to be a sensitive place by the Environment Protection Authority (EPA) – now a part of the Department of Environment and Conservation (DEC).

Notification measures for programmed pesticide use in outdoor public places adjacent to sensitive places for each category of public place have already been noted in section (b).

For non-emergency reactive pesticide use in outdoor public places next to sensitive places, Council will provide concurrent notice shortly before use to the occupier by suitable signage, phone, door-knock or letterbox drop, depending upon what is practicable.

If a pesticide must be used to deal with an emergency in an outdoor public place that is adjacent to a sensitive place, Council will contact affected sensitive place occupants prior to pesticide use so that people are aware that a pesticide is about to be used to deal with a dangerous pest infestation. Contact may be provided by phone, door knock, letter or postcard, depending upon what is practicable.

e) Emergency pesticide applications

In cases where emergency pesticide applications in public places are required to deal with biting or dangerous pests such as wasps, bees, venomous spiders, fleas, bird mites or rodents (that pose an immediate health hazard), Council will, where possible, provide notice by posting signs nearby at the time of the application. If this is not possible, Council will provide information via Council's Citizens Service Centre on phone 9335 2222, or by request to the person applying the pesticide.

f) Pesticide contractors and lessees of public places

Where Council uses contractors to apply pesticides on its behalf, Council will ensure that notification is made in accordance with the notification requirements of this plan.

Where persons or organisations hold an existing lease on Council land that remains a public place and if they use pesticides in this area, Council will still require notification in accordance with the requirements of this plan.

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4. WHAT INFORMATION WILL BE PROVIDED

In accordance with clause 11L(2)(g) of the Pesticides Regulation, notices of pesticide use must include **all** the following information:

- the full product name of the pesticide to be used;
- the purpose of the use, clearly setting out what pest or pests are being treated;
- the proposed date/s or date range of the pesticide use;
- the place where the pesticide is to be used;
- contact telephone number and email address of the Council officer who people can contact to discuss the notice; and
- any warnings regarding re-entry to or use of the place of application specified on the product label or the Australian Pesticides and Veterinary Medicines Authority (APVMA) permit.

Signs will be of a standardised design that will be easily recognisable to the public and workers. As already noted, Council's website will have a dedicated area that describes its programmed, reactive and, if practicable, emergency pesticide use in public places with a link to this notification plan. The relevant website address will be publicised in rate notices and by regular inclusions in Council's regular weekly block newspaper advertisement in local newspapers.

5. HOW THE COMMUNITY WILL BE INFORMED OF THIS PLAN

Council will advise residents of the initial plan and its contents by:

- making a copy of the plan available for public viewing free of charge in Council's libraries and Administration Centre at 2-14 Fisher Street, Petersham 2049 during office hours;
- placing a copy of the plan on the Council website at www.marrickville.nsw.gov.au;
- placing a notice in The Sydney Morning Herald) and The Inner Western Courier; and
- placing a notice in the NSW Government Gazette.

6. FUTURE REVIEWS OF THE PLAN

The notification plan will be reviewed every 3 years. The review will include:

- a report on progress of implementing the plan;
- placing the plan on public exhibition, with any proposed changes and calling for public submissions; and
- in the light of public submissions, making recommendations for alterations (if applicable) to the plan.

7. CONTACT DETAILS

Anyone wishing to discuss the notification plan or to obtain details of specific details of pesticide applications in public places should contact: Council's Citizens Service Centre on 9335 2222 or visit Council's website at www.marrickville.nsw.gov.au.

Table 1 Pesticide Notification by Location

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use	Proposed Notification
Public Parks and Reserves	<ul style="list-style-type: none"> • children and young families • elderly people • general recreational users (e.g. joggers, dog-walkers, picnickers). 	Very high (frequent use by multiple users, with short to medium length stays)	<ul style="list-style-type: none"> • spot herbicides • spot insecticides • broadscale selective herbicides • broadscale non-selective herbicides • broadscale insecticides • fungicide (usually garden beds) • spray termiticides, ant control • bait termiticides, • bait bird control • bait rodent control 	<p>1. Who will be notified? Users</p> <p>2. What type of notice? Notice will be provided in the following ways:</p> <ul style="list-style-type: none"> • website information of a generic nature • temporary specific signs displayed at or near the pesticide application area <p>other - specify</p> <ul style="list-style-type: none"> • bait termiticides (where part of an ongoing program, first use of pesticide only) • bait bird control (where part of an ongoing program, first use of pesticide only) • bait rodenticide (where part of an ongoing program, first use of pesticide only) <p>3. When the notice will be provided?</p> <ul style="list-style-type: none"> • temporary signs Of a specific nature (during and after application - remaining for 2 days) <p>4. Sensitive Place Notification</p> <ul style="list-style-type: none"> • <i>Jarvie Park child care facilities</i> • <i>-Pathways Early Intervention</i> • <i>-Crusader Kindergarten</i> • <i>Tillman Park child care facility</i> • <i>Ferncourt School</i> • <i>Enmore Park Resources Centre</i>

Parks and Reserves

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Table 1 Cont'd Pesticide Notification by Location

				<p><i>What special notification will be undertaken?</i> Provide written information of a generic nature on an annual basis (a letter to management)</p> <p>The occupiers will be provided with 48 hours prior targeted notice by phone, mail or letterbox drop (whichever is most practicable).</p> <p>Provide a temporary sign of a specific nature in an agreed location visible to adjacent residents (during and after application - remaining for 2 days)</p>
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Table 1 Cont'd Pesticide Notification by Location

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use	Proposed Notification
Playgrounds	<ul style="list-style-type: none"> • children • families 	High	<ul style="list-style-type: none"> • spot herbicides • spot insecticides • spray ant control • bait ant control • bait termiticides, • bait bird control • bait rodent control 	<p>1. Who will be notified? Users</p> <p>2. What type of notice? Notice will be provided in the following ways:</p> <ul style="list-style-type: none"> • website information • permanent signs in a prominent location in the park • temporary signs displayed at or near the pesticide application area <p>other - specify</p> <ul style="list-style-type: none"> • bait termiticides (where part of an ongoing program, first use of pesticide only) • bait bird control (where part of an ongoing program, first use of pesticide only) • bait rodenticide (where part of an ongoing program, first use of pesticide only) <p>3. When the notice will be provided?</p> <ul style="list-style-type: none"> • permanent signs - of a generic nature (before, during and after application) • temporary signs - of a specific nature (during and after application - remaining for 2 days) <p>4. Sensitive Place Notification</p> <ul style="list-style-type: none"> • <i>Jarvie Park child care facilities</i> -Pathways Early Intervention -Crusader Kindergarten • <i>Tillman Park child care facility</i>

Parks and Reserves

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Table 1 Cont'd Pesticide Notification by Location

				<p><i>What special notification will be undertaken?</i> Provide written information of a generic nature on an annual basis (a letter to management)</p> <p>The occupiers will be provided with 48 hours prior targeted notice by phone, mail or letterbox drop (whichever is most practicable).</p> <p>Provide a temporary sign of a specific nature in an agreed location visible to adjacent users and staff (during and after application - remaining for 2 days)</p>
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Table 1 Cont'd Pesticide Notification by Location

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use	Proposed Notification
Picnic/BBQ areas	<ul style="list-style-type: none"> families other social groups (eg. ethnic, religious, clubs) 	High (particularly on weekends, public holidays and school holidays)	<ul style="list-style-type: none"> spot herbicides spot insecticides bait rodenticides fungicide (usually on garden beds) spray termiticides spray ant control bait termiticides bait ant control bait bird control bait rodent control 	<p>1. Who will be notified? Users</p> <p>2. What type of notice? Notice will be provided in the following ways:</p> <ul style="list-style-type: none"> website information permanent signs in a prominent location in the park temporary signs displayed at or near the pesticide application area <p>other - specify</p> <ul style="list-style-type: none"> bait termiticides (where part of an ongoing program, first use of pesticide only) bait bird control (where part of an ongoing program, first use of pesticide only) bait rodenticide (where part of an ongoing program, first use of pesticide only) <p>3. When the notice will be provided?</p> <ul style="list-style-type: none"> permanent signs - of a generic nature (before, during and after application) temporary signs - of a specific nature (during and after application - remaining for 2 days) <p>4. Sensitive Place Notification</p> <ul style="list-style-type: none"> No Sensitive Places identified adjacent to assets. <p>What special notification will be undertaken N/A</p>

Table 1 Cont'd Pesticide Notification by Location

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use	Proposed Notification
Sporting fields, ovals and related sporting facilities	<ul style="list-style-type: none"> sporting clubs and associations school sports groups general recreational users (e.g. joggers, dog-walkers) 	High	<ul style="list-style-type: none"> spot herbicides spot insecticides broadscale selective herbicides broadscale non-selective herbicides broadscale insecticides spray or bait termiticides on facilities rodenticides near facilities, bait bird control 	<p>1. Who will be notified? Users</p> <p>2. What type of notice? Notice will be provided in the following ways:</p> <ul style="list-style-type: none"> website information permanent signs in a prominent location on an amenity/toilet building in the park temporary signs displayed at or near the pesticide application area <p>other - specify</p> <ul style="list-style-type: none"> bait termiticides (where part of an ongoing program, first use of pesticide only) bait bird control (where part of an ongoing program, first use of pesticide only) bait rodenticide (where part of an ongoing program, first use of pesticide only) <p>3. When the notice will be provided?</p> <ul style="list-style-type: none"> permanent signs - of a generic nature (before, during and after application) temporary signs - of a specific nature (during and after application - remaining for 2 days) <p>4. Sensitive Place Notification</p> <ul style="list-style-type: none"> No Sensitive Places identified adjacent to assets. <p>What special notification will be undertaken N/A</p>

Table 1 Cont'd Pesticide Notification by Location

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use	Proposed Notification
Golf Course	<ul style="list-style-type: none"> • amateur and professional golfers 	High	<ul style="list-style-type: none"> • spot herbicides • spot insecticides • broadscale selective herbicides • broadscale non-selective herbicides • broadscale insecticides • fungicides • spray and bait ant control • large vertebrate baiting • bait termiticides, • bait bird control • bait rodent control 	<p>1. Who will be notified? Users</p> <p>2. What type of notice? Notice will be provided in the following ways:</p> <ul style="list-style-type: none"> • website information • permanent signs in a prominent location near the clubhouse • temporary signs displayed at or near the pesticide application area <p>other - specify</p> <ul style="list-style-type: none"> • bait termiticides (where part of an ongoing program, first use of pesticide only) • bait bird control (where part of an ongoing program, first use of pesticide only) • bait rodenticide (where part of an ongoing program, first use of pesticide only) <p>3. When the notice will be provided?</p> <ul style="list-style-type: none"> • permanent signs - of a generic nature (before, during and after application) • temporary signs - of a specific nature (during and after application - remaining for 2 days) <p>4. Sensitive Place Notification</p> <ul style="list-style-type: none"> • No Sensitive Places identified adjacent to assets. <p>What special notification will be undertaken N/A</p>

Table 1 Cont'd Pesticide Notification by Location

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use	Proposed Notification
Bowling and croquet greens and lawn tennis courts	<ul style="list-style-type: none"> amateur bowls and croquet players 	High	<ul style="list-style-type: none"> spot herbicides spot insecticides broadscale selective herbicides broadscale non-selective herbicides broadscale insecticides fungicides spray and bait ant control large vertebrate baiting bait termiticides, bait bird control bait rodent control 	<p>1. Who will be notified? Users</p> <p>2. What type of notice? Notice will be provided in the following ways:</p> <ul style="list-style-type: none"> website information permanent signs in a prominent location in the park temporary signs displayed at or near the pesticide application area <p>other - specify</p> <ul style="list-style-type: none"> bait termiticides (where part of an ongoing program, first use of pesticide only) bait bird control (where part of an ongoing program, first use of pesticide only) bait rodenticide (where part of an ongoing program, first use of pesticide only) <p>3. When the notice will be provided?</p> <ul style="list-style-type: none"> permanent signs - of a generic nature (before, during and after application) temporary signs - of a specific nature (during and after application - remaining for 2 days) <p>4. Sensitive Place Notification</p> <ul style="list-style-type: none"> Identify Sensitive Places adjacent to your assets. <p>What special notification will be undertaken Provide written information of a generic nature on an annual basis (a letter to management) Provide a temporary sign of a specific nature in an agreed location visible to adjacent residents (during and after application - remaining for 2 days)</p>

Table 1 Cont'd Pesticide Notification by Location
Child Care Services/ building operated by Marrickville Council and Council responsible for pest control

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use	Proposed Notification
Addison Rd CCC Property leased from state government 142 Addison Rd Marrickville	Parents, carers, children, staff and general public accessing the service	High used daily between 6.30am and 6.00pm	Every 6 months Completed by licenced pest controller Insecticide surface spray aerosol Rodenticide Insect growth regulator insecticide	<p>Who will be notified? Staff, parents and visitors, general community Property owner</p> <p>What type of notice? Council's website - general Staff –A notice on display at centre entry door Parents – Notice on centre door and advised on orientation that pest control is conducted and will be provided with 1 weeks notice. Parents generally in fees/conditions letter. Visitors - Notice on centre door Property owner – an annual letter attached to lease advising timetable of pest control A notice and letter will be designed for CFS services and be a standard template.</p> <p>When the notice will be provided? 1 week prior to schedule pest control and notice on display until one week after pest control is completed. A folder containing MSDS charts of pesticides used will be available at the centre.</p>

Table 1 Cont'd Pesticide Notification by Location

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use	Proposed Notification
<p>Cavendish Street CCC</p> <p>Property owned by Council 142 Cavendish Street, Stanmore</p>	<p>Parents, carers, children, staff and general public accessing the service</p>	<p>High used daily between 6.30am and 6.00pm</p>	<p>Every 6 months</p> <p>Completed by licenced pest controller</p> <p>Insecticide surface spray aerosol</p> <p>Rodenticide</p> <p>Insect growth regulator insecticide</p>	<p>Who will be notified? Staff, parents and visitors, general community</p> <p>What type of notice? Council's website - general</p> <p>Staff -A notice on display at centre door</p> <p>Parents – Notice on centre door and advised on orientation that pest control is conducted and will be provided with 1 weeks notice. Parents generally in fees/conditions letter</p> <p>Visitors - Notice on centre door</p> <p>A notice will be designed for CFS services and be a standard template</p> <p>When the notice will be provided? 1 week prior to schedule pest control and notice on display until one week after pest control is completed. A folder containing MSDS charts of pesticides used will be available at the centre.</p>

Table 1 Cont'd Pesticide Notification by Location

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use	Proposed Notification
Deborah Little Child Care Centre Property owned by Council 1 Macarthur Parade, Dulwich Hill	Parents, carers, children, staff and general public accessing the service	High used daily between 6.30am and 6.00pm	Every 6 months Completed by licenced pest controller Insecticide surface spray aerosol Rodenticide Insect growth regulator insecticide	<p>Who will be notified? Staff, parents and visitors, general community</p> <p>What type of notice? Council's website - general Staff -A notice on display at centre door Parents – Notice on centre door and advised on orientation that pest control is conducted and will be provided with 1 weeks notice. Parents generally in fees/conditions letter Visitors - Notice on centre door A notice will be designed for CFS services and be a standard template</p> <p>When the notice will be provided? 1 week prior to schedule pest control and notice on display until one week after pest control is completed. A folder containing MSDS charts of pesticides used will be available at the centre.</p>

Table 1 Cont'd Pesticide Notification by Location

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use	Proposed Notification
<p>Enmore Children's Centre</p> <p>Property owned by Council</p> <p>303-305 Enmore Road, Marrickville</p>	<p>Parents, carers, children, staff and general public accessing the service</p>	<p>High used daily between 6.30am and 6.00pm</p>	<p>Every 6 months</p> <p>Completed by licenced pest controller</p> <p>Insecticide surface spray aerosol</p> <p>Rodenticide</p> <p>Insect growth regulator insecticide</p>	<p>Who will be notified? Staff, parents and visitors, general community</p> <p>What type of notice? Council's website - general.</p> <p>Staff -A notice on display at centre door</p> <p>Parents – Notice on centre door and advised on orientation that pest control is conducted and will be provided with 1 weeks notice. Parents generally in fees/conditions letter.</p> <p>Visitors - Notice on centre door</p> <p>A notice will be designed for CFS services and be a standard template.</p> <p>When the notice will be provided? 1 week prior to schedule pest control and notice on display until one week after pest control is completed. A folder containing MSDS charts of pesticides used will be available at the centre.</p>

Table 1 Cont'd Pesticide Notification by Location

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use	Proposed Notification
<p>Globe Wilkins Pre-School and Wilkins OSHC centre</p> <p>Property owned by Department of Education and Training Mcrae st Marrickville</p>	<p>Parents, carers, children, staff and general public accessing the service</p>	<p>High used daily between 6.30am and 6.00pm</p>	<p>Every 6 months</p> <p>Completed by licenced pest controller</p> <p>Insecticide surface spray aerosol</p> <p>Rodenticide</p> <p>Insect growth regulator insecticide</p>	<p>Who will be notified? Staff, parents and visitors, general community</p> <p>What type of notice? Council's website - general. Staff -A notice on display at centre door Parents – Notice on centre door and advised on orientation that pest control is conducted and will be provided with 1 weeks notice. Parents generally in fees/conditions letter. Visitors - Notice on centre door A notice will be designed for CFS services and be a standard template.</p> <p>When the notice will be provided? 1 week prior to schedule pest control and notice on display until one week after pest control is completed. A folder containing MSDS charts of pesticides used will be available at the centre.</p>

Table 1 Cont'd Pesticide Notification by Location

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use	Proposed Notification
<p>May Murray Child Care Centre</p> <p>Property owned by Council 35 Premier Street, Marrickville</p>	<p>Parents, carers, children, staff and general public accessing the service</p>	<p>High used daily between 6.30am and 6.00pm</p>	<p>Every 6 months</p> <p>Completed by licenced pest controller</p> <p>Insecticide surface spray aerosol</p> <p>Rodenticide</p> <p>Insect growth regulator insecticide</p>	<p>Who will be notified? Staff, parents and visitors, general community</p> <p>What type of notice? Council's website - general.</p> <p>Staff -A notice on display at centre door</p> <p>Parents – Notice on centre door and advised on orientation that pest control is conducted and will be provided with 1 weeks notice. Parents generally in fees/conditions letter.</p> <p>Visitors - Notice on centre door</p> <p>A notice will be designed for CFS services and be a standard template.</p> <p>When the notice will be provided? 1 week prior to schedule pest control and notice on display until one week after pest control is completed. A folder containing MSDS charts of pesticides used will be available at the centre.</p>

Table 1 Cont'd Pesticide Notification by Location

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use	Proposed Notification
<p>Tillman Park CCC</p> <p>Property owned by Council</p> <p>79 Unwins Bridge Road, Tempe</p>	<p>Parents, carers, children, staff and general public accessing the service</p>	<p>High used daily between 6.30am and 6.00pm</p>	<p>Every 6 months</p> <p>Completed by licenced pest controller</p> <p>Insecticide surface spray aerosol</p> <p>Rodenticide</p> <p>Insect growth regulator insecticide</p>	<p>Who will be notified? Staff, parents and visitors, general community</p> <p>What type of notice? Council's website - general.</p> <p>Staff -A notice on display at centre door</p> <p>Parents – Notice on centre door and advised on orientation that pest control is conducted and will be provided with 1 weeks notice. Parents generally in fees/conditions letter.</p> <p>Visitors - Notice on centre door</p> <p>A notice will be designed for CFS services and be a standard template.</p> <p>When the notice will be provided? 1 week prior to schedule pest control and notice on display until one week after pest control is completed. A folder containing MSDS charts of pesticides used will be available at the centre.</p>

Table 1 Cont'd Pesticide Notification by Location

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use	Proposed Notification
Enmore Resource Centre Corner of Enmore Road and Victoria Road Enmore. Located on Enmore Park	Parents, carers, children, staff and general public accessing the service	High/ irregular use between 6.30am and 6.00pm daily	Every 6 months Completed by licenced pest controller Insecticide surface spray aerosol Rodenticide Insect growth regulator insecticide	<p>Who will be notified? Staff, parents and visitors, general community</p> <p>What type of notice? Council's website - general. Staff -A notice on display at centre door Parents – Notice on centre door and advised on orientation that pest control is conducted and will be provided with 1 weeks notice. Parents generally in fees/conditions letter. Visitors - Notice on centre door A notice will be designed for CFS services and be a standard template.</p> <p>When the notice will be provided? 1 week prior to schedule pest control and notice on display until one week after pest control is completed. A folder containing MSDS charts of pesticides used will be available at the centre.</p>

Table 1 Cont'd Pesticide Notification by Location
Child Care Services operated by Marrickville Council and Department of Education and Training responsible for pest control

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use	Proposed Notification
Camdenville OSHC Wells St Enmore Located at Camdenville Public School Property leased annually	Parents, carers, children, staff and general public accessing the service	High used daily between 6.30am and 6.00pm	Annually Refer Department of Education & Training	Refer Department of Education & Training
Ferncourt OSHC Premier St Marrickville Located at Ferncourt Public School. Property leased annually	Parents, carers, children, staff and general public accessing the service	High used daily between 6.30am and 6.00pm	Annually Refer Department of Education & Training	Refer Department of Education & Training
Stanmore OSHC Cavendish St Stanmore Located at Stanmore Public school	Parents, carers, children, staff and general public accessing the service	High used daily between 6.30am and 6.00pm	Annually Refer Department of Education & Training	Refer Department of Education & Training

**A Council building/ property leased to a child care services operated by external agency
Pest control conducted by the tenant consistent with this Notification Plan**

Table 1 Cont'd Pesticide Notification by Location

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use	Proposed Notification
Petersham Kindergarten 92a Brighton Street, Petersham	Parents, carers, children, staff and general public accessing the service	High used daily between 6.30am and 6.00pm	Every 6 months Completed by licenced pest controller Insecticide surface spray aerosol Rodenticide Insect growth regulator insecticide	<p>Who will be notified? The Manager of Children and Family services will write to the lessee advising them of their responsibilities in relation to the pesticide notifications. Lease / Licence agreement to be updated and incorporate in the responsibility of the licensee by the Manager of Children and Family Services The lessee / licensee is responsible for notifying Parents, carers, children, staff and general public accessing the service</p> <p>What type of notice? The lessee / licensee responsible</p> <p>When the notice will be provided? The lessee / licensee responsible</p>

Table 1 Cont'd Pesticide Notification by Location

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use	Proposed Notification
Marrickville Day Nursery School 251 Illawarra Road, Marrickville	Parents, carers, children, staff and general public accessing the service	High used daily between 6.30am and 6.00pm	Every 6 months Completed by licenced pest controller Insecticide surface spray aerosol Rodenticide Insect growth regulator insecticide	<p>Who will be notified? The Manager of Children and Family services will write to the tenant advising them of their responsibilities in relation to the pesticide notifications.</p> <p>Lease/ Licence agreement to be updated and incorporate in the responsibility of the licensee by the Manager of Children and Family Services</p> <p>The licensee is responsible for notifying Parents, carers, children, staff and general public accessing the service</p> <p>What type of notice? The lessee / licensee responsible</p> <p>When the notice will be provided? The lessee / licensee responsible</p>

Table 1 Cont'd Pesticide Notification by Location

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use	Proposed Notification
Pathways CCC Yabsley Avenue, Marrickville	Parents, carers, children, staff and general public accessing the service	High used daily between 6.30am and 6.00pm	Every 6 months Completed by licenced pest controller Insecticide surface spray aerosol Rodenticide Insect growth regulator insecticide	<p>Who will be notified? The Manager of Children and Family services will write to the tenant advising them of their responsibilities in relation to the pesticide notifications. Lease/ Licence agreement to be updated and incorporate in the responsibility of the licensee by the Manager of Children and Family Services The licensee is responsible for notifying Parents, carers, children, staff and general public accessing the service</p> <p>What type of notice? The lessee / licensee responsible</p> <p>When the notice will be provided? The lessee / licensee responsible</p>

Table 1 Cont'd Pesticide Notification by Location

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use	Proposed Notification
Crusader Kindergarten 53 Malakoff Street, Marrickville	Parents, carers, children, staff and general public accessing the service	High used daily between 6.30am and 6.00pm	Every 6 months Completed by licenced pest controller Insecticide surface spray aerosol Rodenticide Insect growth regulator insecticide	<p>Who will be notified? The Manager of Children and Family services will write to the tenant advising them of their responsibilities in relation to the pesticide notifications.</p> <p>Lease/ Licence agreement to be updated and incorporate in the responsibility of the licensee by the Manager of Children and Family Services</p> <p>The licensee is responsible for notifying Parents, carers, children, staff and general public accessing the service</p> <p>What type of notice? The lessee / licensee responsible</p> <p>When the notice will be provided? The lessee / licensee responsible</p>

Table 1 Cont'd Pesticide Notification by Location

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use	Proposed Notification
<p><i>Swimming Pools - Fanny Durack Pool (Petersham Park) & Annette Kellerman Aquatic Centre (Enmore Park)</i></p> <p><i>Debbie & Abbey Borgia Community Recreation Centre (Steel Park)</i></p>	<p><i>Swimming pool members, school bookings,</i></p> <p><i>Facility lessee (PCYC), school bookings, groups hiring facilities, Steel Park Café lessee, 1st Marrickville Scouts, Marrickville Air League</i></p>	<p><i>High</i></p> <p><i>High</i></p>	<ul style="list-style-type: none"> • spot herbicides • spot insecticides • broadscale selective herbicides • broadscale non-selective herbicides • broadscale insecticides • fungicide (usually garden beds) • spray termiticides, ant control • bait termiticides, • bait bird control • <i>bait rodent control</i> 	<p>1. Who will be notified?</p> <p><i>All groups leasing/hiring the facilities</i></p> <p><i>All persons entering the facilities</i></p> <p>2. What type of notice?</p> <p><i>Notice would be provided in any of the following ways:</i></p> <ul style="list-style-type: none"> • signs displayed at the entrances to the facilities • website information <p><i>Other</i></p> <ul style="list-style-type: none"> • <i>Notice of Pesticide Application Plan to be included in Hall Booking form</i> • <i>Where Broadscale insecticide and herbicide are to be used on leased premises, Lessee to be notified by phone, email or letter (whichever is most practical) if not covered by lease documents.</i> <p>3. When the notice will be provided?</p> <ul style="list-style-type: none"> • <i>Before/during/after application</i> • <i>The time period that notification will remain</i>

Table 1 Cont'd Pesticide Notification by Location

<i>Australia Street Hall (Camperdown Park) and Jarvie Park Youth Facility</i>	<i>Facility hirers, including Portuguese Ethnographic Museum, Portuguese Welfare Centre, Aldeias De Portugal</i>	<i>Med</i>		4. Sensitive Place Notification <ul style="list-style-type: none"> There is a child care centre adjacent to Fanny Durack Pool (Petersham Park) which will require special notification by letter at least 2 days prior to pesticide application
<i>Chrissie Cotter Gallery</i>	<i>General Public</i>	<i>Low</i>		
<i>Herb Greedy Hall Seaview Street Hall</i>	<i>Regular and Casual Hirers</i>	<i>High</i>		
<i>Petersham Town Hall St Peters Town Hall Marrickville Town Hall</i>	<i>Regular and Casual Hirers</i>	<i>High</i>		
<i>Silver Street Hall 228 Illawarra Road Coptic Church</i>	<i>Vacant</i>	<i>Low</i>		

Table 1 Cont'd Pesticide Notification by Location

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use	Proposed Notification
Marrickville Library Services at <ul style="list-style-type: none"> Marrickville Town Hall Dulwich Hill Branch Stanmore Branch St Peters Town Hall 	General public and staff	High	<ul style="list-style-type: none"> spot herbicides or insecticides broadscale selective & non-selective herbicides broadscale insecticides fungicides spray termiticides spray ant control bait termiticides, spray ant control bait bird control rodenticides large vertebrate baiting 	<p>1. Who will be notified? General public and staff</p> <p>2. What type of notice? Notice will be provided in the following ways:</p> <ul style="list-style-type: none"> signs displayed at the entrances to libraries website information Council's website and Corporate Information web page <p>3. When the notice will be provided?</p> <ul style="list-style-type: none"> Before, during and after application The time period that notification will remain - min 1 week <p>4. Sensitive Place Notification No sensitive places adjacent to libraries</p>

Table 1 Cont'd Pesticide Notification by Location

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use	Proposed Notification
Administration Centres including Petersham Town Hall offices Newtown Town Hall offices Marrickville Town Hall offices	Council Staff and General Public	medium	<ul style="list-style-type: none"> Spray termiticides Spray ant control Bait termiticides Rodenticides Large vertebrate baiting 	<p>1. Who will be notified?</p> <ul style="list-style-type: none"> Council staff and general public will be notified <p>2. What type of notice?</p> <ul style="list-style-type: none"> Signs placed at all entrances to building including lift foyers on a permanent basis Council's website and Corporate Information web page <p>3. When the notice will be provided</p> <ul style="list-style-type: none"> Signs will be placed prior and remain during pesticide application and for 2 days after.
Council Depot	Council Staff and Visitors to site	medium	<ul style="list-style-type: none"> Spray termiticides Spray ant control Bait termiticides Rodenticides Large vertebrate baiting 	<p>1. Who will be notified?</p> <ul style="list-style-type: none"> Council staff and visitors will be notified <p>2. What type of notice?</p> <ul style="list-style-type: none"> Signs placed at all entrances to building and gates including lift access points on a permanent basis Council's website and Corporate Information web page <p>3. When the notice will be provided</p> <ul style="list-style-type: none"> Signs will be placed prior and remain during pesticide application and for 2 days after.

Table 1 Cont'd Pesticide Notification by Location

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use	Proposed Notification
New Civic Centre	Council Staff , site occupiers and General Public	medium	<ul style="list-style-type: none"> Spray termiticides Spray ant control Bait termiticides Rodenticides Large vertebrate baiting 	<p>1. Who will be notified?</p> <ul style="list-style-type: none"> Council staff and general public will be notified <p>2. What type of notice?</p> <ul style="list-style-type: none"> Signs placed at all entrances to building and gates including lift access points on a permanent basis Council's website and Corporate Information web page <p>3. When the notice will be provided</p> <ul style="list-style-type: none"> Signs will be placed prior and remain during pesticide application and for 2 days after.
Car Parks	General Public	low	<ul style="list-style-type: none"> Spot herbicides or insecticides Rodenticides Large vertebrate baiting 	<p>1. Who will be notified?</p> <ul style="list-style-type: none"> General public will be notified <p>2. What type of notice?</p> <ul style="list-style-type: none"> Signs placed at all entrances to car parks and gates including access points on a permanent basis Council's website <p>3. When the notice will be provided</p> <ul style="list-style-type: none"> Signs will be placed prior and remain during pesticide application and for 2 days after.

Table 1 Cont'd Pesticide Notification by Location

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use	Proposed Notification
Tom Foster Community Care	<ul style="list-style-type: none"> ▪ Tom Foster Seniors ▪ Tom Foster Chinese Group ▪ Inner West Carer Group ▪ Boarding House group ▪ Former Yugoslav Gardening Group ▪ Arabic Speaking Group ▪ Vietnamese speaking Group ▪ Visitors ▪ Other outside users(hirers) ▪ Staff ▪ Volunteers ▪ Clients 	medium	<ul style="list-style-type: none"> • Annual pest control; • Rat poisoning; • Insect spray; • Cockroach baits; 	<p>1. Who will be notified?</p> <ul style="list-style-type: none"> • Everyone who comes into the centre including groups, staff, volunteers, clients and visitors. <p>2. What type of notice?</p> <ul style="list-style-type: none"> • Signs will be placed at entrance and around the centre; • Signs will also be translated for groups; • Letters to groups and clients who attend the centre; <p>3. When the notice will be provided</p> <ul style="list-style-type: none"> • Notices will be provided before, during and after application and will be kept in the Centre for up to a week. <p>4. Sensitive Place</p> <ul style="list-style-type: none"> • Clients include older people, the frail aged, and people with a disability and, therefore, Tom Foster is deemed a sensitive place.

Table 1 Cont'd Pesticide Notification by Location

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use	Proposed Notification
<p>Weed control is generally carried out in the road reserve.</p> <p>Road pavements (Note very little weed control is required on road pavements), mainly local roads and lanes, very occasionally state & regional roads), kerb & gutter, median islands, roundabouts, occasionally drains.</p>	<p>Mostly vehicular traffic on roadways, occasional pedestrian traffic eg. at pedestrian refuge islands, Council staff on occasion</p>	<p>Dependant on type of roadway eg</p> <p><u>High</u> vehicular usage for busy roads (state & regional) during peak periods. Very little weed control required here.</p> <p><u>Medium to Low</u> vehicular usage for most local roads and lanes. More weed control required here.</p> <p><u>Low</u> pedestrian usage eg. at pedestrian refuge islands. Occasional weed control required here.</p>	<p>Non-selective herbicide for weed and unwanted vegetation control.</p>	<p>1. Who will be notified? The general public and where possible locally affected citizens</p> <p>2. What type of notice? <u>Online:</u> General notice of Council's Weed Control in Road Reserves to be permanently listed on Council's Website - viewable by all with internet access <u>Signage on day of work:</u> For vehicles/citizens/pedestrians: Signage eg. "Weed Spraying in Progress" to be erected on weed spraying vehicle and maintained by Council's contractor throughout duration of work. Pamphlets will also be available to residents who wish further information</p> <p>3. When the notice will be provided? General notice of Weed Control in Road Reserves to be online on Council's Website at all times</p> <p>4. Sensitive Place Notification If an occupant does not want herbicide use to take place adjacent to their property, the occupant must ensure that weeds are not present in these areas.</p> <p>Occupants of sensitive places will be sent a letter every 3 years reminding them that Council will not spray adjacent to their property so long as weed control is otherwise maintained by the occupant.</p>

Table 1 Cont'd Pesticide Notification by Location

Public places owned or controlled by Council	Regular user groups	Level of use of public place	Type of pesticide use	Proposed Notification
Footpaths including grass verges, around power poles, bollards, posts, occasionally along fences and retaining walls.	Mostly pedestrians, ranging from citizens to visitors to the Marrickville LGA. Council staff on occasion, students of local schools	<p><u>Low</u> - most footpaths are located in local road reserves</p> <p><u>Low</u> - most lanes. Note many lanes do not have footpaths.</p> <p><u>High</u> - most footpaths in shopping precincts. (High traffic commercial precincts are excluded from spraying)</p>	Non-selective herbicide for weed and unwanted vegetation control.	<p>1. Who will be notified? General public, and stakeholders in the immediate area at the time of works (pedestrians/citizens/students etc)</p> <p>2. What type of notice? <u>Online:</u> General notice of Council's Weed Control Program permanently online at Council's website <u>Signage on day of work:</u> For vehicles/citizens/pedestrians: Signage eg. "Weed Spraying in Progress" to be erected on weed spraying vehicle and maintained by Council's contractor throughout duration of work. Pamphlets will also be available to residents who wish further information</p> <p>3. When the notice will be provided? General notice of Weed Control in Road Reserves to be online on Council's Website at all times</p> <p>4. Sensitive Place Notification If an occupant does not want herbicide use to take place adjacent to their property, the occupant must ensure that weeds are not present in these areas.</p> <p>Occupants of sensitive places will be sent a letter every 3 years reminding them that Council will not spray adjacent to their property so long as weed control is otherwise maintained by the occupant.</p>

APPENDIX A NOTICES

Notices of a Generic Nature will include the following information:

- General type of pesticide(s) used, purpose(s) and location(s)
- Information that a Sign of a Specific Nature will be displayed immediately prior to application of a pesticide, the nature and location of the sign(s) and that the sign will remain for 2 days
- Contact details for further information

See attached example of General Notice

Notices of a Specific Nature will include the following information:

- Day, date and time of application
- Purpose of application
- location of application and approximate size of treatment area
- Application method
- Commercial name of pesticide
- Active ingredient of pesticide

See attached example of Specific Notice

Appendix A1 Example of Generic Notice



Notice of Pesticide Use

General notice is hereby given under the Pesticides Regulation 1995 that pesticides will be used in this(eg park, playground, child care centre etc)

Council only uses pesticides in public places when necessary to eliminate noxious weeds, to protect public property from pest damage and to protect the users of public places from nuisance or danger. However, Council is required to give public notification of all proposed pesticide use.

The types of pesticides to be used in this park (eg park, playground, child care centre etc) include:

<u>Generic Type of Pesticide</u>	<u>Purpose</u>	<u>Location</u>
Non-selective herbicide	Eradication of noxious weeds in garden beds	Garden beds adjacent to main pathway
Broadscale selective herbicide	Eradication of Bindii in lawns	All lawn areas
Broadscale insecticide	Eradication of Black Beetle larvae in lawns	Specific lawn areas being damaged by Black Beetle larvae

Further Specific Notification

A notice providing specific information about each use of pesticide will be displayed immediately prior to its application. These notices will be located in a conspicuous location either at the entrance or adjacent to the area of pesticide use and will remain for 2 days.

In accordance with clause 11L(2)(g) of the Pesticides Regulation, these notices of pesticide use will include the following information:

- the full product name of the pesticide to be used
- the purpose of the use, clearly setting out what pest or pests are being treated
- the proposed date/s or date range of the pesticide use
- the place where the pesticide is to be used
- contact telephone number and email address of the Council
- any warnings regarding re-entry to or use of the place of application specified on the product label or the Australian Pesticides and Veterinary Medicines Authority (APVMA) permit.

For further information contact Council's Citizens Service Centre on (02) 9335 2222 or visit Council's website at www.marrickville.nsw.gov.au.

Appendix A2 Example of Specific Notice

**Notice of Pesticide Use**

Notice is hereby given under the Pesticides Regulation 1995 that on:

.....day.....date.....time,

the following pesticide use will be undertaken:

Purpose of application

Location of application and approximate size of treatment area

Application method

Commercial name of pesticide

Active ingredient of pesticide

Other Information / Warnings

For further information contact Council's Citizens Service Centre on (02) 9335 2222 or visit Council's website at www.marrickville.nsw.gov.au.

Item No: C0219(3) Item 6**Subject:** **SIGNIFICANT MAJOR PROJECTS GOVERNANCE****Prepared By:** Brooke Martin - Group Manager Properties, Major Building Projects and Facilities**Authorised By:** Elizabeth Richardson - Deputy General Manager Assets and Environment**SUMMARY**

Council is responsible for managing community resources in accordance with the Integrated Planning and Reporting requirements. The Inner West Council implement a robust process in the preparation of the Community Strategic Plan and the Resourcing Strategy incorporating the Asset Management Plans. Major projects governance is integral in delivering value for money projects for the community. This report identifies reporting and project assurance requirements for major project delivery.

RECOMMENDATION**THAT:**

1. All significant major projects over \$10 million follow the Office of Local Government Capital Expenditures Guidelines December 2010;
3. Council receive a quarterly project progress report for Dawn Fraser Baths 'Essential Maintenance' Project and the Greenway project;
4. Council receive monthly project progress reports for Ashfield Aquatic Centre Redevelopment;
4. The project progress reports to include an update to the regular Council meeting on progress, costs, budget variances, issues and risks;
5. Council receive quarterly briefings for Ashfield Aquatic Centre redevelopment, Greenway and the Dawn Fraser Baths 'Essential Maintenance' project; and
6. Implement an independent project assurance strategy for significant project milestones for all projects over \$10 million plus Dawn Fraser Baths 'Essential Maintenance' Project.

BACKGROUND

At its meeting of the 21st August 2018 Council resolved the following, regarding the establishment of a Major Projects Steering Committee:

THAT a report be prepared on the establishment of a Major Project Steering Committee with membership including councillors, staff and industry experts.

Council undertakes a range of capital works projects that provide maintenance, renewal and upgrade of existing assets, together with the creation of assets. These works are identified as part of the Integrated Planning & Reporting requirements, in particular in the Asset Management Plans, the 4 Year Delivery Program and Annual Operational Plan.

Most major projects require a minimum of a 3 year delivery plan, for example year 1 (Project Initiation and Concept Design) year 2 (Detailed Design and Procurement) and year 3 (Construction and Completion).

Capital Expenditures Guidelines

The Office of Local Government (OLG) issued the Capital Expenditures Guidelines ('Guideline') December 2010, Attachment 1, pursuant to Section 23A of the Local Government Act 1993. Councils must take any relevant guidelines issued under section 23A of the *Local Government Act 1993* into consideration before exercising any of its functions.

In the case of the Inner West Council, these guidelines apply to capital projects in excess of 10% of council's annual ordinary rate revenue ie approximately \$12 million (based on IWC \$119M rate revenue for 2018/19). There are also additional requirements for projects that are forecast to exceed \$10 million (excl GST). There are a number of exclusions to these guidelines, including projects for key infrastructure such as roads, footpaths and stormwater drainage.

There are suggested reporting requirements under the Guideline. These include in brief summary of the attached Guideline:

- Identify project in the Community Strategic Plan and Delivery Program;
- Complete Preliminary Business Case;
- Complete the Capital Expenditure Review incorporating public consultation.
- Notify the OLG of the commencement of the project.
- Notify the OLG of the project costs and reasons where there is an increase of 10%.

Significant Major Projects

It is recommended that Council follow the OLG Guideline and have an increased oversight for all significant major projects over \$10 million. Council may also identify other projects that are significant due to heritage or other sensitivities.

Current projects over \$10 million include:

- Ashfield Aquatic Centre Redevelopment (AAC)
- Greenway

Whilst the Dawn Fraser Baths 'Essential Maintenance' project is under \$10 million in value, it is recommended that this project also be considered a significant major project due to the heritage and environmental sensitivities.

Council Meetings, Briefings and Oversight

The proposed reporting and oversight requirements for significant major projects include:

- Report quarterly (monthly for AAC) to the council on the project progress, costs and impact on the overall project of any budget variances.
- Report to Councillors at any time where issues or risks may have an adverse impact on the project (this may include monetary and non-monetary inputs and outcomes).
- Report capital works projects in Council's Annual Report, and provide monthly budget monitoring through Council's web page
- Brief Councillors quarterly on significant major projects or more regular where a major risk or issue is identified.
- Report to Council the preliminary Business Case for any proposed new significant major projects on the horizon.

Project Control Group

All major capital works projects have a Project Control Group (PCG) responsible for monitoring budget, time, risk, quality and scope.

The members of project control groups include senior staff and technical experts in project management, infrastructure maintenance and construction, service delivery and finance.

The PCG are responsible for inviting industry experts as required eg quantity surveyors, contractors and consultants to provide advice on aspects of individual projects.

Independent Project Assurance

Independent Project Assurance provides technical oversight on specific milestones to identify issues and resolve early so as to mitigate or escalate any adverse impacts to the project.

As part of the project assurance review of Ashfield Aquatic Centre Redevelopment project in June 2018 it was recommended that the PCG include independent project assurance milestones for the remainder of the project. Similarly, Council resolved at the meeting on the 14 August 2018 that an independent project assurance advisor be appointed for the Greenway project.

It is recommended that all Significant Major Projects implement an independent project assurance programme at significant project milestones. An example of the milestones is provided below however, these milestones may change depending on the type project.

- Concept Design
- Detailed Design
- Tender documentation
- Tender Assessment
- Contract negotiation
- In-ground works
- Shop Drawings
- Building lock up
- Commissioning
- Post implementation

Audit Risk and Improvement Committee (ARIC)

It is proposed to provide all reports to Council on the significant major projects progress to the ARIC along with a dashboard project risk register. The ARIC has community members skilled in risk management that can provide an additional oversight for the projects.

Major Projects Steering Committee

As has been outlined above, Council has a rigorous governance framework for the delivery of its major projects. Additional reporting measures are proposed in this report.

It is not recommended to form a Major Projects Steering Committee at this time to oversee the current identified significant major projects. It is preferred that Council briefings are held to provide regular information to Councillors on current and future significant projects. Regular Council reports will enable decisions making as required, whereas a steering committee will still need to report to Council for any decisions.

The Council, the ARIC and the internal Project Control Groups have the authority and capacity to interrogate the projects to ensure that value for money is delivered to the community.

FINANCIAL IMPLICATIONS

Independent project assurance has been included in the budget preparation for the three identified projects.

OTHER STAFF COMMENTS

This report was prepared in consultation with Deputy General Manager Assets & Environment, Chief Financial Officer, Group Manager Roads & Stormwater, Group Manager Trees, Parks & Streetscapes, Group Manager Property, Major Building Projects & Facilities.

PUBLIC CONSULTATION

Nil

CONCLUSION

Council delivers value for money projects for the community through a strong governance structure. This includes oversight by Project Control Groups, Independent Project Assurance, Council meetings/briefings and Audit Risk Improvement Committee. It is recommended to adopt the recommendations for project steering, reporting and briefing as identified in this report.

ATTACHMENTS

1. [↓](#) Office of Local Government Capital Expenditure Guidelines 2010



Division of Local Government
Department of Premier and Cabinet

Capital Expenditure Guidelines



December 2010

These are Director General's Guidelines issued pursuant to section 23A of the *Local Government Act 1993*.

ACCESS TO SERVICES

The Department of Premier and Cabinet, Division of Local Government is located at:

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NOWRA NSW 2541

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Fax 02 4428 4199
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Level 9, 323 Castlereagh Street
SYDNEY NSW 2000

Locked Bag A5045
SYDNEY SOUTH NSW 1235

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Acknowledgement: These Guidelines draw on information published by the Government of Western Australia, Department of Treasury and Finance, Project Evaluation Guidelines; Victorian Government, Local Government Victoria, Local Government Asset Investment Guidelines.

1 Purpose and Scope of Guidelines

These Guidelines have been developed to assist NSW councils prepare Capital Expenditure Reviews. Capital expenditure is incurred when a council spends money to buy, construct, renovate or acquire an asset.

The Guidelines have been designed to:

- encourage councils to evaluate major capital expenditure by means of a consistent methodology
- improve the quality of council's analysis performed in supporting all forms of project funding and capital expenditure
- enable the financial impact of projects on a council to be quantified, identified and controlled.

The Guidelines aim to ensure that a council's evaluation of the proposed capital expenditure is consistent and rigorous, the merits of projects can be compared and resource allocation can be made on an informed basis. It is important that the evaluation of the project is carried out in a clear, transparent and systematic way. The process of evaluation and reporting methods outlined in these Guidelines will enhance the transparency and rigour of capital expenditure project evaluation.

Capital Expenditure Review is a necessary part of a council's capital budgeting process and as such should be undertaken as part of the Integrated Planning and Reporting requirements in the preparation of the Community Strategic Plan and Resourcing Strategy.

2 Overview

As councils are responsible for the prudent management of community resources, it is important that as part of council's normal planning process, councils undertake a Capital Expenditure Review before committing to any major capital project.

3 What projects do the guidelines apply to?

These guidelines apply to capital projects for infrastructure facilities, including renovations and extensions that are expected to cost in excess of 10% of council's annual ordinary rate revenue or \$1 million, whichever is the greater (GST exclusive).

In addition to the minimum requirements for a Capital Expenditure Review, a council is also required to complete additional requirements in cases where a project's cost is forecast to exceed \$10 million (GST exclusive).

Councils may consider it prudent to undertake Capital Expenditure Reviews for projects under the threshold, but this will be at a council's discretion.

4 What projects are exempt from the guidelines?

The guidelines do not apply to:

- capital expenditure on land purchases, land remediation, water supply networks, sewerage networks, stormwater drainage, domestic waste management facilities, roads, footpaths, bridges;
- projects where funding has been approved under the *Public Reserves Management Fund Act 1987*;
- projects that are classified as Public-Private Partnerships;
- project designs and feasibility studies that do not commit council to the project (the cost of such studies are to be included if council subsequently proceeds with the project).

While the guidelines do not apply to the projects described above, capital expenditure on such things as land purchase for an applicable project should be included as part of the capital expenditure review of that project.

Although a project may be exempt from the submission of a capital expenditure review to the Division, it is expected, that in accordance with best practice, councils should apply the principles of these guidelines to all capital projects.

5 Unplanned asset replacement arising from premature failure

From time to time, councils may be required to undertake emergency work to replace assets due to premature failure, fire, flood or accidental damage.

In these circumstances, council should take the opportunity to review and assess the assets. In undertaking this assessment, council should consider these guidelines in conjunction with council's asset management plans, the asset's prior serviceability and community requirements prior to replacement.

6 s23A Guidelines

These guidelines have been issued by the Chief Executive of the Department of Premier & Cabinet, Division of Local Government (under delegated authority) in accordance with section 23A of the *Local Government Act 1993* (the Act). As such councils are required to take them into consideration before exercising any of their functions.

7 When do councils need to notify the Division and notification requirements

Councils are required to notify the Division of all capital expenditure projects to which these Guidelines apply, prior to the commencement of the project.

Notification to the Division will include:

- A brief description of the project
- The estimated cost of the project and proposed funding sources
- Anticipated start and completion dates
- A brief commentary on how the council has fulfilled each of the Capital Expenditure Review requirements relevant to the project based on cost.

Council may be requested to provide additional information to the Division in some instances. The Division reserves the right to assess the process undertaken by the council for the capital expenditure project, but it will not approve or endorse the project itself.

If a council is requiring special variation funding for the capital expenditure, council must complete the capital expenditure review and submit this to the Division prior to submission of the special variation application.

If project costs increase by 10% of the initial costs at any time, council must notify the Division of the revised project cost and give a brief explanation as to the reasons for the increase and the council's process and plans to meet these increases. Council should also keep the community informed of cost increases and associated reasons.

8 Council Responsibilities

Councils have a responsibility to their community for the prudent management of community assets and finances.

To establish the project costs, all elements of the project must be taken into account. This includes feasibility studies, project design and scoping costs, the provision of non-monetary goods and/or services and any costs associated with the development application and its conditions.

Where a project is conducted in stages, it is to be considered as one project. Councils are not to break a project up into smaller parts in order to avoid the threshold requirements contained in these Guidelines.

9 Preliminary Business Case

Before a council undertakes a capital expenditure project a preliminary business case must be prepared to determine whether the proposal is necessary, consistent with council's community strategic plan, delivery program and operational plans,

offers value for money and that the council has the capacity to deliver and maintain their current and future community services in the long term. The council must demonstrate that its decision to carry out the capital expenditure is based on sound strategic and financial planning, supported by valid data and research; and that it reflects the views, priorities and objectives of the broader community.

Councils are required to prepare a preliminary business case for each council project to which these Guidelines apply. It is also appropriate to prepare a preliminary business case for any project assessed or considered as high risk.

The preliminary business case describes the high level objectives for the project and identifies possible alternative proposals. It should outline the risks, sustainability issues, costs and benefits relevant to these alternatives, as well as identify any assumptions on which the proposal(s) are based.

Cost estimates should be reasonably reliable but not to the level of accuracy as required in the capital expenditure review. The more accurate the costing is, the more useful it will be for the decision making process.

It is expected that the cost estimate in the preliminary business case be within 15% of the project's final cost.

The ongoing costs relating to the capital works project (ie, lifecycle costs), should also be identified.

The amount of detail in the preliminary business case should reflect the proposed project's scale, cost and risk.

The governance model and internal controls, which will be utilised to manage project risks and assist the successful completion of the project, should also be identified. For example, preliminary business cases should include information relating to the project's Steering Committee, Project Team, monitoring and review systems and if necessary, Probity Advisor and internal audit program.

The preliminary business case should be supported by evidence and evaluate the service needs, options and implementation of the proposal. The evidence must be based on quantitative and qualitative data, use established methodologies that assess costs and benefits and link resources to services and results via evidence-based results logic. It is important that any assumptions on which supporting data is based are clearly identified.

Once a council is satisfied that sufficient information and evidence has been provided in the preliminary business case and has resolved to continue with the project, a Capital Expenditure Review should be prepared.

10 Capital Expenditure Review Minimum Requirements

The following are the minimum requirements for a Capital Expenditure Review. It is recommended that councils undertake this review as part of their internal control processes for all material or high risk capital expenditure projects, irrespective of the funding source.

It is also considered best practice for councils to complete a capital expenditure review for projects exempt from these guidelines.

10.1 Outline proposed Project

- Council should give a brief outline of the project.

10.2 Justify the Need

Justify the need for the proposal based on firm estimates of future needs, including:

- demonstration of a clear relationship between the proposal and council's community strategic plan, delivery program and operational plan
- completion of a business case / feasibility study
- analysis of community needs and expectations based on community consultation, which should identify how the project will address specific community needs and any issues of public access and equity

- an outline of the projected costs in council's long term financial plan and asset management plans.

10.3 Assess the Capacity of Council

Assess the capacity of council to manage the project to completion and into the future by:

- determining the capacity of council's management and skill base to undertake the project
- identifying the responsibilities of council to the project on a year-by-year basis throughout the project's lifetime. These responsibilities must be itemised and costed (see 10.6 Financial Implications)
- undertaking a risk assessment of the project including:
 - assessment of the governance and management structures in place to effectively minimise project risks. The appropriate structure will depend on the type and complexity of the project and the stakeholders involved. It would be expected that council has an internal audit function as part of its governance structure.
 - assessment of compliance requirements including but not limited to the *Local Government Act 1993*, *Environmental Planning and Assessment Act 1979*, *Heritage Act 1977* and any other legislation considered appropriate for the project
- considering the appointment of a Steering Committee
- designating a project manager. Councils should ensure that candidates for this position have the appropriate skills, expertise and experience to manage the project. A rigorous and open recruitment process should be undertaken by council to ensure that an appropriate candidate is found. Once a project manager has been designated, council should ensure that sufficient delegations are granted to allow the manager to undertake the work.

10.4 Priorities

Determine the priority of the project in relation to existing capital commitments and future works by:

- assessing the impact of the project's funding on existing and future capital works and services in accordance with council's long term financial plan
- reviewing the community strategic plan, delivery program and operational plan to ensure the proposal is aligned to council's objectives, and
- reviewing the asset management plan/s to ensure that other assets do not require the funding as a higher priority

In accordance with the Integrated Planning and Reporting framework, councils will also have developed and put in place, current asset management plans that give consideration to future infrastructure needs. Proposed capital expenditure for infrastructure must be included in these plans, including appropriate linkages to council's delivery program and operational plan.

10.5 Alternatives

Consider the full range of project alternatives, including:

- the preparation of a project plan with appropriate economic appraisals of council's preferred and alternative options
- an assessment of alternative service delivery methods
- an assessment of alternative methods of acquisition. Possible alternatives to consider include renting, renovating, constructing, or acquiring an existing building
- the consequences of not proceeding with the proposal.

10.6 Financial Implications

Project costs should be considered from a 'whole of life' perspective. They should also be included in a council's long term financial plan as part of council's Integrated Planning and Reporting framework. These costs should include, but not be limited to:

- (i) design costs
 - (ii) the costs of land acquisitions
 - (iii) the costs of land disposals
 - (iv) land and property development costs
 - (v) raw materials costs
 - (vi) maintenance and other ongoing operational costs
 - (vii) depreciation and/or provisions for replacement costs
 - (viii) labour costs
 - (ix) opportunity costs
 - (x) overhead costs, such as project management
 - (xi) payments and fees, including expenses and allowances, to external providers and council's consultants and advisers
 - (xii) loan and/or other financing establishment costs
 - (xiii) plant and equipment costs
- sourcing of funds:
 - (i) where funds are to be borrowed council must comply with Part 12, Chapter 15 of the Act and with the Ministerial Borrowing Order, which can be located in the Code of Accounting Practice and Financial Reporting on the Division's website at www.dlg.nsw.gov.au
 - (ii) where funds are to be sourced by way of internal loans council must obtain Ministerial approval and comply with s410(3) and s410(4) of the Act
 - (iii) where funds are to be sourced by way of a special variation, approval must be sought under Part 2, Chapter 15 of the Act
 - identification of any potential increase in council's actual or prospective expenditures, whether in terms of one-off capital amounts or recurrent expenditures. This includes consequential recurrent costs such as maintenance, debt servicing, staffing, etc

- identification of systems in place to monitor and control increases in project costs
- identification of any potential loss in the value of council's assets or a potential loss in actual or prospective revenue
- consideration of the possible inability of council to discharge its Charter obligations to provide adequate, equitable and appropriate services and facilities for the community
- cash flow analysis. This should detail council's ability to repay any loans required for the project. The cost of funds and the effect of debt servicing, including internal reserves, should also be considered
- Net Present Value calculations – cost/benefit. Break even analysis for best, worst and likely scenarios.

It is expected that in the capital expenditure review there will be a higher level of accuracy in relation to estimated costs than the preliminary business case. It is expected that the cost estimate in the capital expenditure review will be within 5% of the final cost.

When calculating future costs it is appropriate that project costs are indexed based on prudent and reasonable assumptions. These assumptions should be documented and able to be provided on request or provided as part of the project's capital expenditure review.

10.7 Public Consultation Process

Councils must undertake public consultation and engagement processes prior to making any commitment to the project. Like other aspects of council business, councils are strongly encouraged to involve the community in decision making around capital projects. It is a requirement under these guidelines, that councils prepare a report on the public consultation process undertaken to bring the project to the review state as well as providing details on the process, for ongoing reporting on the project to the council and the community. The report should include:

- how council conveyed the social, economic, employment, financial and environmental impacts of the project to the community
- confirmation that the project is included in the council's community strategic plan, delivery program and operational plan
- details of the consultation processes council has in place to allow participation by affected groups and consideration of their views
- a public interest evaluation showing a positive outcome for the broader community, which includes but is not limited to; effectiveness, accountability and transparency, equity, public access, consumer rights, security and privacy.
- details of the methods used by council to inform the broader community of the proposed project, its key elements and decisions made in relation to the project. This may include community newsletters, community surveys, newspaper or radio advertisements, etc.
- council's planning process to enable the community be provided with sufficient information to be adequately informed. To be considered sufficient the delivery program and operational plan should include:
 - purpose of project and benefits to the community
 - costs and funding sources, and
 - construction time frames
- details of the public reaction to the proposal including any statistics on the outcome of surveys, any correspondence received from the community, etc
- details on any public meetings held in regard to the proposal

11 Capital Expenditure Review Additional Requirements – project costs in excess of \$10M (ex GST)

In addition to the minimum requirements set out above, a council is also required to complete the following additional requirements in cases where a project's cost is forecast to exceed \$10 million (GST exclusive). For projects below the \$10 million threshold, the additional requirements are optional. They are considered best

practice and councils are encouraged to complete them for all projects which are considered high risk or of material costs.

Where the project costs fall into the above category, councils are also required to carry out a more intensive community consultation process. This may include additional consultation with specific groups and/or the community in relation to the detailed components of the project. It could involve community meetings, surveys and information sessions.

11.1 Business/Management Project Plan

Councils must complete a comprehensive business/management project plan. The plan should contain the key elements and deliverables of the project and outline the costs and revenues associated with them. Details should include, but not be limited to:

- the business structure, if appropriate
- key personnel and their relevant experience
- description of the proposal and its product/service
- current market position and the potential for growth
- the business objectives both in the short and long term
- the reason the proposal will be successful
- financial projections.

The financial projections should include:

- both direct and indirect costs, separately identified
- both capital costs and ongoing recurrent costs, as well as any other expenses that are expected to occur once the project has been delivered and is operational
- inclusion of these projections in council's long term financial plan and asset management plan.

A report on all financial implications is to be prepared, including:

- an economic/market appraisal which includes:
 - (i) a cost/benefit analysis test (where major benefits can be quantified)

The analysis needs to be conducted with objectivity and balance. The cost benefit analysis has to account for benefits to the public as a whole. It is important that the views and assumptions used in the analysis are thoroughly tested for validity and reasonableness. In particular, it should be ensured that views of the wider community are considered.

The analysis of the benefits and costs needs to be unbiased and the conclusion transparent. This helps ensure that the conclusion has not been predetermined. The analysis must be rigorous, where conclusions follow logically from the analysis and the evidence considered.

The economic/market appraisal should show a positive result in terms of monetary or community benefit. In the case of business undertakings, full competitive neutrality pricing requirements should be applied and all ongoing expenses taken into account.

- (ii) an analysis of cost effectiveness (where outputs are not readily measured in monetary terms)

The analysis should consider but not be limited to issues such as:

- Environment – effects on land, flora, fauna, air and water
- Heritage – impacts that effect the existence or integrity of an historical site
- Quality of Life – impacts that alter the population's enjoyment of life
- Health & Safety – that the community is not exposed to unnecessary health or safety risks

- Law & Order – change in the maintenance of law and order in the community

11.2 Risk Management Plan

Council must develop and put into operation an appropriate risk management plan for the project. The plan should be reviewed, updated and amended as and when required during the development of the project. All potential risks must be identified and addressed. Risks may not only be measured in monetary or financial terms. Possible risks may include:

Investment/Planning Risk

- Investment/planning risk relates to the quality of the planning that has contributed to the investment proposal. It can help to identify critical issues that may not have been considered as part of the planning process or potential costs and benefits that have been incorrectly estimated. There is also the risk that community needs have been misunderstood or that the services to be delivered by the project will not meet needs or expectations.

Design Risk

- Design risk relates to the level of complexity of the project, the extent to which proven technology will be used to achieve the projects aims and the realism associated with the time period estimated for completion
- External approvals risk relates to issues associated with obtaining approval for the proposal to proceed including public consultation, planning approval, environmental approvals, heritage approvals, etc.

Demand/Market Risk

- The demand or market risk relates to whether there is sufficient demand for the proposed project in order for it to succeed or that the proposed fees and charges will adversely affect demand.

Management/Operations Risk

- Management risk relates to the role management plays in ensuring that the investment delivers the expected outcomes. Where the management team named in the proposal has no experience in dealing with similar projects, this increases the risk and lessens the likelihood of success. Operations risk relates to the operational problems that may occur if the project is not planned and managed correctly
- As part of the assessment of operations risk, council should also consider whether it has adequate insurance coverage for the project and whether or not it has obtained adequate legal advice, if necessary for the project to be delivered.

Reputation Risk

- Reputation risk looks at issues relating to council's reputation being effected if the project is not completed or does not meet its targets or the expectation of the community. Other issues to be considered as part of this analysis could include such things as cost overrun, time over run, impractical designs and looking closely at council's community consultation to ensure the project is supported by the community and wider public.

Compliance Risk

- Compliance risk relates to the risk that the project fails to comply with any relevant regulations, legislation or policies, eg planning, heritage or environmental.

Completion/Construction Risk

- The completion/construction risk relates to the risk that the proposed project will not be completed in accordance with the specifications and within the stipulated timeframe and/or budget. In assessing such a risk, consideration will need to be given to the potential external and financial impacts of such outcomes.

Environmental Risk

- Environmental risk refers to the impact of the proposal on the environment and will encompass the criteria previously considered.

Occupational Health and Safety Risk

- All occupation health and safety issues need to be considered such as construction material, noise and site safety.

Other Risks

- Any other proposal implementation risk not identified under the above headings should be documented and assessed
- Councils should also consider what actions will be undertaken if the project is not meeting and or achieving milestones or costs, eg cost blowouts, builder insolvency, unexpected economical situations, unexpected excavation costs

11.3 Probity Plan

Councils must develop a probity plan for the project. A probity plan is needed to ensure:

- that the project process is transparent, that conflict of interests are avoided, pecuniary interests declared and that the project complies with competition laws and principles
- if land is to be rezoned, that the development application process is outlined with particular attention paid to the separation of council's roles as landowner and consent authority
- the plan may need to include documentation of the relationship between the parties involved in the project, eg, the independence of parties from the project, council or prospective private sector bidders for the project.

11.4 Tender Evaluation

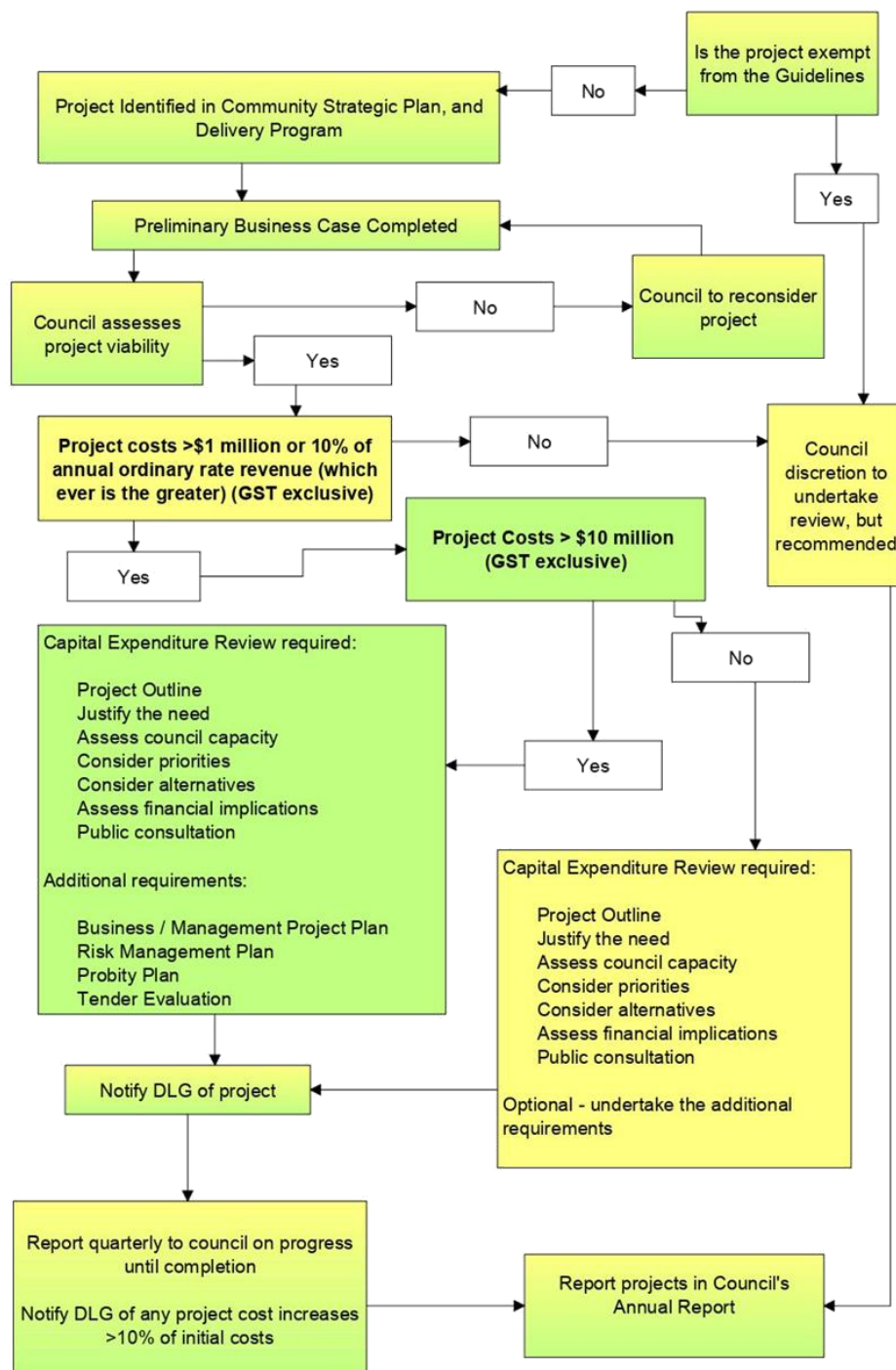
The tendering process should be in accordance with the Division's Tendering Guidelines. The *Local Government (General) Regulation 2005* and the *Local Government Act 1993*. Councils should detail how the tendering/contracting process

will be conducted, ie, tender stages, details of assessment panels, assessment process (including proposed evaluation criteria) and short listing.

12 Reporting

Councils must put mechanisms in place to report on all aspects of the project. Minimum reporting requirements for all capital expenditure projects include:

- quarterly reporting to the council on the progress of the project
- quarterly reporting to the council on the costs and budget variances regarding the project. Where costs and budget variances are reported by line item, the report should also include the impact on the total project
- any issue that may have an adverse impact on the project (this may include monetary and non-monetary inputs and outcomes). The risk management plan may be relevant in this regard
- reporting capital works projects in council's annual report, which is considered to be best practice.

13 Summary Flow Chart


Item No: C0219(3) Item 7**Subject:** INCREASE IN COURT APPEALS SINCE MERGER**Prepared By:** Harjeet Atwal - Group Manager Development Assessment & Regulatory Services**Authorised By:** Elizabeth Richardson - Deputy General Manager Assets and Environment**SUMMARY**

Council, at its meeting of 3 July 2018, resolved to investigate the increase in court appeals since the Council amalgamation, the reasons for the change, the resourcing cost and potential ways to respond to the increase in appeals. This report responds to the resolution.

RECOMMENDATION**THAT:**

1. Council receive and note the report.
2. The Development Advisory & Assessment Policy be reviewed and the outcomes be reported to Council for consideration by June 2019.

EXECUTIVE SUMMARY

It is apparent from statistics held by Council that development appeals have increased materially since amalgamation.

Determining the cause for increased appeals, however, is no easy task. Absent inquiring of applicants as to the reason they appeal, Council must rely on statistics it holds regarding appeals and Development Applications generally and how they compare to local, metropolitan and statewide trends.

Analysis of those statistics, however, does not provide a robust answer to the question at hand as it does not answer the core question of “why” appeal numbers are increasing. Rather, the underlying data has been used to underpin an intellectual analysis into what the likely causes are.

Such analysis has led to the identification of several factors that are intertwining to cause the increase in appeals. In summary, there has been a lack of resources and integrated systems within the development application system which has led to increased staff workloads and lengthened application processing times. When coupled with a burgeoning development cycle (which is now beginning to wane) and a Development Advisory and Assessment Policy that does not encourage outcomes focused negotiations with applicants at DA stage (with preference for providing pre-lodgement advice), this appears to be a key reason for appeal numbers increasing.

There is an undoubted cost to the Council associated with appeal numbers increasing. Whilst the legal fees associated with appeals have been managed quite well through internal resourcing, the fees associated with engaging experts have been substantial. In any event, whilst internal legal resources are keeping legal fees low, it does mean that those resources are not available to be deployed to other organisational objectives (particularly in the strategic planning and regulatory enforcement space) which potentially impacts on the achievement of strategic goals in those areas.

The solution to reducing appeal numbers is multifaceted. It will require improved resourcing of and systems within the Development Assessment section (which is currently in train) together with better practices and procedures so that high quality customer service and meritorious development outcomes are balanced with the performance benchmarks for application processing times.. This will take some time.

With respect to policies, Council will be receiving a report sometime in June 2019 which reviews the performance of the Development Advisory and Assessment Policy. That report will provide a detailed analysis of the performance of the policy (which has been outside the scope of this report) and recommendations about how that policy can assist in aligning with the outcomes noted above.

BACKGROUND

Council at its meeting of 3 July 2018 resolved the following:

“THAT:

- 1. Council report on the increase in appeals to the Land and Environment Court since the Council merger. The report should identify the reasons for the increase (as well as the potential for further increase), the additional costs and resources impacting on Council and it should address ways to best respond to the increase in appeals; and*
- 2. The Inner West Planning Panel be required to report to Council every 6 months to identify any policy issues.”*

In accordance with part one of the resolution a review of the appeals lodged with the Land and Environment Court has been carried out in consultation with Council's Legal Services team who provided input into this report. The review looked at raw data collated from Council's records, reviewed data from the Land and Environment Court, and compiled comparisons. The review period was confined to the 2016-2017, 2017-2018 and first quarter of 2018-2019 financial years, the only years with where consistent data could be obtained. As discussed in the executive summary, possible causes for the increase in appeals have been investigated. Council's Legal Services have provided advice on the costs incurred to Council in relation to the appeals. Finally, a focus on possible solutions to the suggested causes of increase in appeals is identified.

In accordance with part two of the resolution a report on the operations of the Inner West Local Planning Panel (IWLPP) was considered by Council on the 27 November 2018. A report will be provided to Council every 6 months in relation to the IWLPP.

In addition to the above Council resolution, Council at its meeting of 23 May 2017 resolved to review the Development Advisory and Assessment Policy no later than 12 months from its commencement. It is acknowledged that the review has not been finalised due to resourcing issues within the Development Assessment section (as discussed further in this report under the heading *“Possible Solutions”*). It is considered that the review of the policy is outside the scope of this report. However, the research and data which informed this report provides information to assist in the review of the policy. The review is currently taking place in conjunction with the Development Assessment section structure review and will be reported to Council by June 2019.

DATA REVIEW

Inner West Council trends

Council's Development Assessment section undertook an extensive research project into all appeals lodged against the Inner West Council in 2016-2017, 2017-2018 and first quarter of 2018-2019 financial years. These were the only years where data was consistently available.

The data shows that between the three former Local Government Areas (LGAs) the amount of appeals have increased within the former Leichhardt, Marrickville and Ashfield LGAs as a percentage of DAs lodged.

Tables 1-3: *The amount of Development Applications lodged vs number of appeals received vs amount of Development Applications refused within the review periods.*

FY 2016-2017	Marrickville	Leichhardt	Ashfield	Total	% of DAs lodged
Lodged DAs	670	658	255	1583	-
No. Appeals	30	31	11	72	5%
Refused DAs	89	77	22	188	12%

FY 2017-2018	Marrickville	Leichhardt	Ashfield	Total	% of DAs lodged
Lodged DAs	585	650	289	1524	-
No. Appeals	56	51	14	121	8%
Refused DAs	60	53	25	138	9%

Q1 FY 2018-2019	Marrickville	Leichhardt	Ashfield	Total	% of DAs lodged
Lodged DAs	120	165	77	362	-
No. Appeals	8	12	3	23	6%
Refused DAs	13	7	4	24	7%

Tables 1-3 demonstrate:

- There has been a small reduction (3.8%) in the total amount of DAs lodged between FY2016-2017 and FY2017-2018. Figures for 2018-2019 also appear stable;
- The number of DAs that were refused during that period have had a substantial reduction (27%)
- The number of Land and Environment Court (LEC) appeals filed has increased from FY2016-2017 (5% of total DAs lodged) to FY2017-2018 (8% of total DAs lodged); and
- Appeals for Q1 2018-2019 appear to more closely reflect the figures of 2016-2017

A reduction in the amount of DAs refused indicates that the Development Assessment section has been supporting a greater volume of outstanding applications.

Analysis of LEC Appeals Lodged

Appeal Type

The increase in appeals relate to 'deemed refusals', which is where an applicant lodges an appeal to the LEC before an application has been determined by Council. The following Figures 1 and 2 demonstrate the increase in 'deemed refusal' appeals over the review period. The remainder of the appeals were associated with applications that Council had refused or appeals where the applicant contested conditions of development consent.

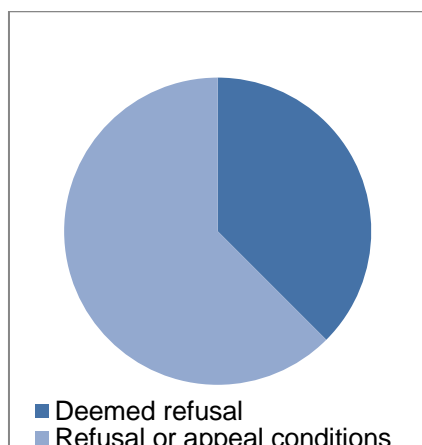


Figure 1: Breakdown of type of appeals lodged 2016-2017

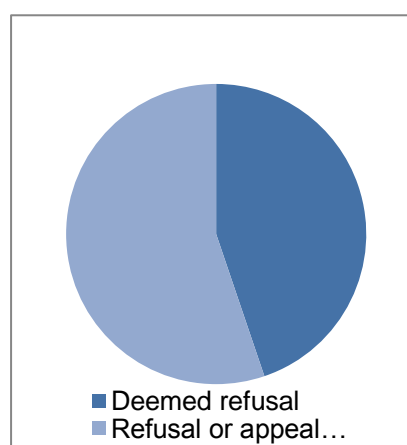


Figure 2: Breakdown of type of appeals lodged 2017-2018

Development Type

The type of development that became an appeal also changed within the review period. More appeals were lodged against boarding houses, residential flat buildings and against applications for alterations and additions to existing dwellings over the review period.

A correlation was noted between the type of development that became an appeal and the more dominate type of application within each former LGAs. As indicated in the tables below, the former Leichhardt LGA has a larger volume of appeals for alterations and additions to existing dwellings, the former Marrickville LGA has a higher number of residential flat buildings appeals and the former Ashfield LGA has a number of boarding house appeals.

Tables 4-5: Development type that became an Appeal during the review period

FY 2016-2017	Marrickville	Leichhardt	Ashfield	Inner West Total
Residential Flat Buildings	14	9	0	23
Subdivision	9	3	2	14
Boarding House	4	0	2	6
Alterations and Additions to Dwellings	2	16	2	20
Child Care Centre	1	0	1	2
Other	5	3	4	12

FY 2017-2018	Marrickville	Leichhardt	Ashfield	Inner West Total
Residential Flat Buildings	14	7	4	25
Subdivision	6	9	1	16
Boarding House	8	2	4	14
Alterations and Additions to Dwellings	4	26	2	32
Child Care Centre	0	0	0	0
Other	4	9	3	16

Appeal Outcomes

The final outcome and resolution of the appeals changed over the review period with more applications being settled at Section 34 conciliation conferences as shown in Figure 3 below. All appeals are generally first brought to a Section 34 conciliation conference before a hearing date is set. At the conference a Commissioner presides over discussions between applicant (the developer) and Council. If an agreement can be reached court orders are made. Where an agreement cannot be reached a hearing date is set for the matter to go before the Court and a commissioner will make a determination.

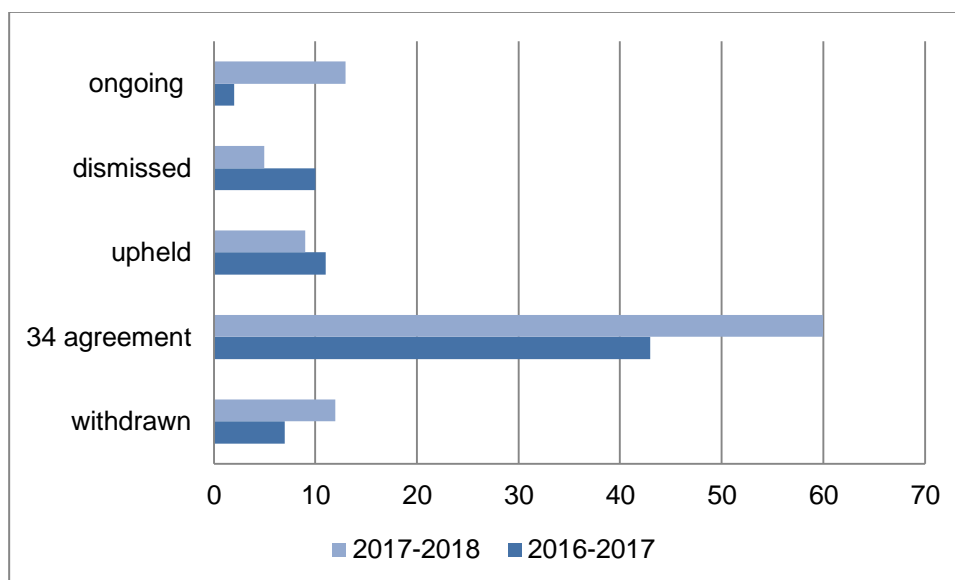


Figure 3: Appeals outcomes (combined) for all former LGAs

NSW trends

The best comparison to gain an understanding of how the changes in the Inner West LGA are reflected is to look at the LEC, which keeps statistics on matters commenced, settled and litigated. The most recent Annual Report released May 2018 deals with the 2017 calendar year.

In the year of the amalgamation (2016), the Court had 842 Class One registrations (that is, 842 applications made during the calendar year). By the close of the year, 398 were “pending” (had not been settled or determined).

In 2017 by contrast, the Court dealt with 1009 registrations, of which 578 had not been finalised by the end of the reporting period.

This should also be seen in the context of continuous and profound increases in appeals from 2013 (521 registrations); to 2014 (692 registrations); and 2015 (794 registrations). The Inner West figures in this context are on par with the increase in the State.

These increases are generally consistent with the number of appeals being lodged with the Court and represent an increase in the amount of development work being undertaken, rather than any endemic failure due to amalgamation.

2018 figures are not yet available, and will not be compiled until May 2019, but another metric for determination is waiting times. Council has a number of examples where a conciliated outcome is taking some six months. Contested hearings are taking longer with 10 months not being uncommon.

FINANCIAL & RESOURCE IMPLICATIONS

The increase in appeals has inevitably resulted in additional costs to Council.

In FY2016-2017, the total spend on development appeals was approximately \$1,700,000. The word approximately is used as the Ashfield costs reports do not distinguish between planning appeals and other types of proceedings. Accordingly, it is likely that the figure would be closer to \$1,600,000. It should be noted that, during this phase, the Legal section was significantly under-resourced in the planning law space.

In FY2017-2018, noting that the Legal Team's resources were by then filled, the spend reduced to \$805,000. Of this, the majority has actually been incurred on expert witnesses as opposed to direct legal costs (ie. \$713,000 as opposed to \$94,000). This is a consequence of the under resourcing in the Development Assessment section which hinders their ability to allocate time to all Court appeals (as discussed below under the heading "*Possible Causes*"). With regards to the direct legal costs components, whilst there have been occasions where matters are briefed externally, the vast majority of matters have been dealt with by internal legal staff. Having said that, given the volume of appeals, there is a drain on those legal resources which results in less opportunity for the resources to be deployed towards value add aspects of the organisation, such as enforcement (including prosecutions), assistance on the strategic planning front and internal training for development staff.

Based upon current trends, it is expected that costs for FY2018-2019 will be similar to FY2017-2018.

POSSIBLE CAUSES

Staff Resources

During the review periods Council's Development Assessment section were under resourced in terms of town planners especially at the senior experienced level for an extended period of time. At times, the team was carrying up to 9 full time equivalent (FTE) vacancies, with additional staff also seconded to integration and project work. Attracting and retaining staff, especially those at a senior level is sector-wide concern and affects many other councils, not just Inner West.

The lack of staff resources inevitably increases workload and pressures on the existing staff and delayed the determination of applications, especially those of a larger or more complex nature. The delays in processing applications will inevitably increase the number of 'deemed refusal' appeals, with applicants seeking to expedite an outcome on their proposals.

Computer Systems & Planning Controls

Currently the Development Assessment section is unable to maximise efficiency or redistribute staff or workload where required as each of the planning teams of the former LGAs within the section operate on the three different computer systems of the three legacy Councils. This lack of integration has made the flexible or equitable distribution of workloads very difficult and has limited the team from implementing improvements which rely on technology. Full harmonisation of processes and procedures is yet to occur. This makes simple tasks, such as responding to general enquiries, considerably more difficult and time consuming. In addition, the existing operating systems of each of the former Councils are no longer maintained due to licencing restrictions as such the systems are unreliable and are prone to breaking down.

The planning controls of three legacy councils are yet to be consolidated, and this will inevitably take some years yet to finalise. Until that work is complete, DAs will continue to be assessed under the three sets of Local Environmental Plans (LEPs) and Development Control Plans(DCPs). Again, this impacts on the ability of Development Assessment section to efficiently assess DAs.

Market Changes

With the changing property market, many developers have tried to short cut the assessment process by lodging an appeal with the Land and Environment Court. This is evident by the increase in deemed refusal appeals where the applicant is not waiting for an outcome with Council. Majority of these appeals are associated with the complex development types such as boarding houses and residential flat buildings.

Procedural Matters

In May 2017, Council introduced the Development Advisory and Assessment Policy which was aimed at improving development assessment practices and processing times. The Policy introduced a series of expanded and improved up-front advice channels, that encourages pre-lodgement advice to be obtained. This is consistent with the 'Development Assessment Best Practice Guide', issued by the NSW Department of Planning and Environment. Application of the Policy essentially results in applicants being requested to withdraw their DA if issues cannot be resolved through minor amendments. The DA is refused should the application not be withdrawn.

The Policy is currently under review and is slated to be brought to Council by June 2019. It has been beyond the scope of this report to engage in a comprehensive assessment of the Policy and its operational impacts.

A desktop analysis has been carried out and indicates that application of the Policy is contributing in part to the increase in appeals. In carrying out such analysis, attention was distilled into 2 categories:

1. appeals that were determined by way of a section 34 agreement in circumstances where the underlying DA was under assessment in and around the time the Policy came into effect.
2. all other appeals lodged and finalised after the Policy commenced where the relevant letter had not been issued.

Since the date the Policy commenced, there have been approximately 46 agreements struck under the section 34 conciliation regime. Of those, 25 were preceded by the Policy letter. This equates to over 50%. In other words, there was a solution available to Council but which was not taken up resulting in an appeal that was ultimately conciliated without the need for a contested hearing.

It is difficult absent contacting applicants directly to determine whether the Policy approach is actually causing applicants to lodge appeals where they otherwise may not have. Anecdotal evidence from lawyers and experts acting for applicants, however, indicate that there are instances where that is the case.

Ultimately, what this appears to mean is that, whilst the Policy's intention is to improve development practices, it does appear to be contributing in part to the greater numbers of appeals. This was flagged as a possible outcome when the Policy was reported to Council at the time of its adoption, and was to be the subject of review.

The review of the Policy which is underway is assessing impacts to both Council and customers, including in terms of application processing times and resourcing impacts on the Development Assessment section (for example, by providing more facilitated DA outcomes), impacts on appeal numbers, the customer experience, and budget implications.

POSSIBLE SOLUTIONS

Staff Resources

Ongoing recruitment campaigns have recently filled majority of the positions on a full-time basis within the Development Assessment section. There has been a review of recruitment packages with Council's Human Resources Group to attract and retain planners and to make Inner West Council an employer of choice within the industry. Further with the commencement of the suite of TechOne capabilities (as they related to development assessment) (expected Q1 2019/2020), including with online lodgement and tracking of applications and in-field technology, Inner West Council will be able to position itself as leaders in the sector and representing best-practice in development assessment. This will assist in attracting and retaining staff.

A program of attracting emerging and junior planners is also in place to develop skills and build the teams from within.

It is noted that during a portion of the review periods the Development Assessment section did not have a permanent Group Manager of Development Assessment and Regulatory Services and Development Assessment Manager. These roles have been recently appointed which will provide stable management and leadership for the section.

In addition from January 2019, the Executive Planner position within the Development Assessment section has been appointed. This position has been vacant since the Development Assessment structure had been implemented. The purpose of this role is to deal with complex DAs, assist Council's Legal team with appeals and undertake business improvement and excellence. The Executive Planner will be further facilitating and finalising the review of the Development Advisory and Assessment Policy.

Computer Systems & Planning Controls

A new combined computer system (Tech One Property and Rating) is expected to be released in Q1 2019/2020. This system will allow a more harmonised approach to the assessment of DAs, on-line lodgement and tracking of DAs, efficient remote access and greater capability for referral bodies to feed into the development assessment process. This will assist the Development Assessment section in expediting the determination of applications.

Also, the continuous work towards harmonising the policies and procedures of each of the planning teams within the Development Assessment section is occurring with the aim of having a consistent approach to development assessment between each of the former LGAs.

The Strategic Planning group are currently in the process of putting together the Inner West Council LEP and DCP. The adoption and implementation of these documents are vital to establishing consistent development outcomes within the LGA.

Procedural Matters & Policy Review:

A review of the Development Advisory and Assessment Policy has commenced and will be reported to Council by June 2019.

As stated above, it is outside the scope of this report to recommend any changes to the Policy. It will be, however, within the scope of the forthcoming review to identify changes that might result in lower appeal numbers.

It is expected that the review will consider whether a more outcomes focused approach is warranted rather than the procedural, numbers based focus of the existing Policy.

Although the Policy review is overdue since the adoption of the policy the Development Assessment section structure has never been filled, and therefore a comprehensive review of the Policy will not have had the benefit of the fully resourced team to implement it.

In addition to the Policy review the Development Assessment section have undertaken workshops facilitated by an external management consultant to review current processes and procedures and mechanisms to improve customer service. A Business Plan is being prepared as a result of the workshop findings to establish and implement improvements.

Inner West Local Planning Panel:

There are a significant volume of applications (due to the mandatory delegations set by the State Government) required to be determined by the IWLPP. The IWLPP can only consider a limited amount of applications per month due to the availability of the panel members to attend meetings and budget restrictions. This has caused a significant amount of backlog and delays currently being experienced.

The Development Assessment section has been proactively reviewing delegations with the IWLPP to reduce the backlog in the applications. As a result, the IWLPP has recently given delegations back to the Development Assessment section to determine DAs associated with:

- Minor works to heritage items (this includes tree pruning);
- Minor modifications to IWLPP determinations; and
- Breaches of the site coverage control in the Leichhardt LEP.

These delegations will facilitate the determination of DAs in a timely manner.

Delays within the Court:

The court lists for a hearing date within the Land and Environment Court are currently extensive with any new appeal not receiving dates within 6 months of lodging an appeal. It is expected there may be a slight decrease in appeals were the developer seeks to short cut the assessment process.

OTHER STAFF COMMENTS

This report has been written in conjunction with input from Council's Legal Services team.

CONCLUSION

Short term measures are being introduced to address these issues were possible while longer term strategies, such as reviewing the Development Advisory and Assessment Policy, are explored. It is expected that appeals will continue to increase during the introduction of new computer systems however once the systems are established and staff resources are maintained, the number of appeals should stabilise.

ATTACHMENTS

Nil.

Item No: C0219(3) Item 8

Subject: **LOCAL TRAFFIC COMMITTEE MEETING HELD ON 4 DECEMBER 2018
AND 4 FEBRUARY 2019**

Prepared By: John Stephens - Traffic and Transport Services Manager

Authorised By: Wal Petschler - Group Manager Footpaths, Roads, Traffic and Stormwater

SUMMARY

The minutes of the Local Traffic Committee Meeting held on 4 December 2018 and 4 February 2019 are presented for Council consideration.

RECOMMENDATION

THAT the Minutes of the Local Traffic Committee Meeting held on 4 December 2018 and 4 February 2019 be received and the recommendations be adopted.

ITEMS BY WARD – 4 DECEMBER 2018 MEETING

Ward	Item	Page Number
Leichhardt	LTC1218 Item 5 Ash Lane at Wolseley Street and Northcote Street, Haberfield - Proposed 'No Stopping' Restrictions (Leichhardt Ward/ Summer Hill Electorate/ Burwood PAC)	Page 6
Leichhardt	LTC1218 Item 7 Croydon Road, Croydon - Proposed Pedestrian and Traffic Calming treatments. (Leichhardt Ward/Strathfield Electorate/Burwood PAC)	Page 7
Leichhardt	LTC1218 Item 8 Croydon Road and Church Street, Croydon - Proposed improvements to intersection. (Leichhardt Ward/Strathfield Electorate/Burwood PAC)	Page 10
Leichhardt	LTC1218 Item 11 Unnamed Laneway (Rear of Nos.55A-57 Albert Street), Leichhardt - Proposed Extension of 'No Stopping' Zone (Leichhardt Ward/ Balmain Electorate/ Leichhardt LAC)	Page 14
Leichhardt	LTC1218 Item 19 168 Norton Street, Leichhardt (D/2018/490) - Development Application (Leichhardt Ward/ Balmain Electorate/ Leichhardt LAC)	Page 21
Leichhardt	LTC1218 Item 21 Funding for a pedestrian refuge in Darley Street, Leichhardt	Page 22
Ashfield	LTC1218 Item 16 Holden Street, Ashfield - Proposed relocation of Bus Zone to outside the Ashfield Baptist Church. (Ashfield Ward/Summer Hill Electorate/Burwood PAC)	Page 19
Ashfield	LTC1218 Item 17 Forbes Street, Croydon Park – Introduction of short term parking restrictions (Ashfield Ward / Summer Hill Electorate / Burwood PAC)	Page 20

Balmain	LTC1218 Item 3 Darling Street at Denison Street, Rozelle - Intersection Improvements - Design Plan 10046 (Balmain Ward/ Balmain Electorate/ Leichhardt LAC)	Page 4
Balmain	LTC1218 Item 4 Warayama Place and Yara Avenue, Rozelle - Proposed 'No Stopping' Restrictions (Balmain Ward/ Balmain Electorate/ Leichhardt LAC)	Page 5
Balmain	LTC1218 Item 6 Cheltenham Street at Foucart Street and Brockley Street at Denison Street, Rozelle - Proposed 'No Stopping' Restrictions (Balmain Ward/ Balmain Electorate/ Leichhardt LAC)	Page 6
Balmain	LTC1218 Item 12 James Lane, Balmain East - Proposed Extension of 'No Parking' Restriction (Balmain Ward/ Balmain Electorate/ Leichhardt LAC)	Page 15
Balmain	LTC1218 Item 18 Wharf Road, Birchgrove - Extension of 'No Parking' restrictions (Balmain Ward/ Balmain Electorate/ Leichhardt LAC)	Page 21
Stanmore	LTC1218 Item 1 Draft Newtown Local Area Traffic Management Strategy (Stanmore Ward/Newtown Electorate/Inner West PAC)	Page 2
Stanmore	LTC1218 Item 2 Draft Newington Local Area Traffic Management Strategy (Stanmore Ward/Newtown Electorate/Inner West PAC)	Page 3
Stanmore	LTC1218 Item 9 Lennox Street, Newtown – Proposed Redesign and Upgrade Works at Lennox Street Car Park - Amended Design Plan 6088_A (Stanmore Ward/ Newtown Electorate / Inner West PAC)	Page 12
Stanmore	LTC1218 Item 10 31 Fort Street, Petersham - Proposed 'No Parking' and P15 minute 7am-3pm restrictions (Stanmore Ward/Newtown Electorate/Inner West PAC)	Page 13
Stanmore	LTC1218 Item 20 Construction truck movements in Newtown	Page 22
Marrickville	LTC1218 Item 13 Silver Street at Unwins Bridge Road, St Peters - Proposed installation of 'No Stopping' restrictions (Marrickville Ward/Heffron Electorate/Inner West LAC)	Page 15
Marrickville	LTC1218 Item 15 Tramway Street, Tempe - Proposed 'No Parking' in the cul de sac (Marrickville Ward/Heffron Electorate/ Inner West PAC)	Page 18
All Wards	LTC1218 Item 14 Minor Traffic Facilities (All Wards/ All Electorates/ All LACs)	Page 16

ITEMS BY WARD – 4 FEBRUARY 2019 MEETING

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Leichhardt	LTC0219 Item 19 Chapman Lane (rear of Nos.129 - 133 Annandale Street), Annandale - Proposed Extension of 'No Parking' zone (Leichhardt Ward/Balmain Electorate/Leichhardt PAC)	Page 17
Leichhardt	LTC0219 Item 24 Susan Lane, Annandale - Extension of Existing Resident Parking Scheme (Leichhardt Ward/Balmain Electorate/ Leichhardt PAC)	Page 22
Leichhardt	LTC0219 Item 26 Rawson Street, Haberfield - Proposed '15 Minute' Parking Zone (Leichhardt Ward/Summer Hill Electorate/Burwood PAC	Page 24
Leichhardt	LTC0219 Item 27 Parramatta Road, Leichhardt - Proposed '1 hour' Parking Zone (Leichhardt Ward/Balmain Electorate/Leichhardt PAC)	Page 24
Leichhardt	LTC0219 Item 28 Young Street at Collins Street, Annandale - Proposed modification to existing 'No Stopping' zone (Leichhardt Ward/Balmain Electorate/Leichhardt PAC)	Page 25
Leichhardt	LTC0219 Item 36 Traffic at the intersection of Martin Street and Ramsay Street, Haberfield	Page 30
Ashfield	LTC0219 Item 12 Longport Street, Lewisham - Proposed extension of Peak Hour Parking Restrictions (Ashfield Ward/Summer Hill Electorate/Inner West PAC)	Page 12
Ashfield	LTC0219 Item 18 Grove Street, Dulwich Hill - Extension of Existing Resident Permit Scheme Hours (Ashfield Ward/Summer Hill Electorate/Inner West PAC)	Page 16
Ashfield	LTC0219 Item 20 Short Street, Dulwich Hill- Proposed Permit Parking restrictions (Ashfield Ward/Summer Hill Electorate/LAC)	Page 19
Ashfield	LTC0219 Item 29 Old Canterbury Road, Dulwich Hill- Proposed 'No Stopping' restrictions between Constitution Road and No.275 Old Canterbury Road, Dulwich Hill. (Ashfield Ward/ Summer Hill Electorate/ Inner West PAC)	Page 25
Ashfield	LTC0219 Item 37 Parking for Metro Assist staff in Ashfield	Page 30
Ashfield	LTC0219 Item 38 Pedestrian crossing in front of Dulwich Hill Public School	Page 31
Ashfield	LTC0219 Item 40 Closed footpath on Parramatta Road, Ashfield	Page 31
Balmain	LTC0219 Item 1 Mullens Street, near Beattie Street, Balmain - Raised	Page 2

	Pedestrian (Zebra) Crossing (Balmain Ward/Balmain Electorate/Leichhardt PAC)	
Balmain	LTC0219 Item 3 Darling Street between Mort Street and Curtis Road, Balmain - Road Occupancy - ANZAC Day Dawn Service (Balmain Ward/Balmain Electorate/Leichhardt PAC)	Page 4
Balmain	LTC0219 Item 5 Temporary Road Closure - Cook Street (between Angelini Street and Brockley Street), Rozelle (Balmain Ward/ Balmain Electorate/ Leichhardt PAC)	Page 7
Balmain	LTC0219 Item 11 Rosieville Lane, Balmain - Proposed 'No Parking' Restriction (Balmain Ward/Balmain Electorate/Leichhardt PAC)	Page 12
Balmain	LTC0219 Item 21 Little Theodore Street, Balmain - Proposed Extension of 'No Parking' zone (Balmain Ward/Balmain Electorate/ Leichhardt PAC)	Page 19
Balmain	LTC0219 Item 25 King Lane, Balmain - 'No Parking' zone (Balmain Ward/ Balmain Electorate/Leichhardt PAC)	Page 23
Balmain	LTC0219 Item 35 Proposed Development at 63-65 Pyrmont Bridge Road, Annandale	Page 30
Stanmore	LTC0219 Item 4 Audley Street, Sadlier Crescent, Fisher Street, and parking lanes on New Canterbury Road Petersham – Temporary Full Road Closures For Special Event On Sunday 10 March 2019 – Bairro Portuguese Food and Wine Fair (Stanmore Ward/Newtown Electorate/ Marrickville PAC)	Page 6
Stanmore	LTC0219 Item 9 Lord Street, Newtown - Proposed kerb blister islands (Stanmore Ward, Newtown Electorate, Inner West PAC)	Page 11
Stanmore	LTC0219 Item 15 Cannon Lane, Stanmore - Proposed 'No Stopping' and 'No Parking' restrictions (Stanmore Ward/Newtown Electorate/Inner West PAC)	Page 14
Stanmore	LTC0219 Item 17 Brighton Street, Petersham Intersection with Unnamed Lane - Proposed Parking Restrictions (Stanmore Ward/Newtown Electorate/Inner West PAC)	Page 16
Stanmore	LTC0219 Item 30 Liberty Street and Bedford Street, Stanmore – Temporary full road closure for rail overbridge refurbishment works – notice of change of date of works in March 2019 (STANMORE WARD /NEWTOWN ELECTORATE/ INNER WEST PAC)	Page 26
Stanmore	LTC0219 Item 33 3-7 & 13-17 Regent Street, 287-309 Trafalgar Street & 16-20 Fisher Street, Petersham - DA201800173 – Residential and Mixed Use Development and RSL Relocation over 3 Sites (Stanmore Ward / Newtown Electorate / Inner West PAC)	Page 29

Stanmore	LTC0219 Item 34 Bus Stop outside Camperdown WestConnex site	Page 30
Marrickville	LTC0219 Item 2 Smidmore Street, Marrickville – Road Occupancy - Request by BreastScreen NSW to position a Mobile X-ray Unit on Street between 11 March 2019 and 9 May 2019 (Marrickville Ward / Summer Hill Electorate / Inner West PAC)	Page 2
Marrickville	LTC0219 Item 7 Council Street, St Peters - Proposed Parking Restrictions (Marrickville Ward/ Heffron Electorate/Inner West PAC)	Page 9
Marrickville	LTC0219 Item 8 Gannon Lane, Tempe - Proposed Parking Restrictions (Marrickville Ward/Heffron Electorate/Inner West PAC)	Page 10
Marrickville	LTC0219 Item 10 Unnamed Lane - rear of No.39 Warren Road, Marrickville - Proposed 'No Parking' restriction (Marrickville Ward/Summer Hill Electorate/Inner West PAC)	Page 11
Marrickville	LTC0219 Item 13 Cavey Street, Marrickville - Proposed 'No Parking' in cul de sac (Marrickville Ward/Summer Hill Electorate/Inner west PAC)	Page 13
Marrickville	LTC0219 Item 14 Roach Street, Marrickville - 'Proposed No Parking' in cul de sac (Marrickville Ward/Summer Hill Electorate/Inner West PAC)	Page 14
Marrickville	LTC0219 Item 16 Silver Street, St Peters - Proposed 10m No Stopping at intersection with Edith Lane (Marrickville Ward/Heffron Electorate/Inner West PAC)	Page 15
Marrickville	LTC0219 Item 22 Frampton Lane, Marrickville - Request for 'No Parking' Restrictions (Marrickville Ward / Summer Hill Electorate / Inner West PAC)	Page 20
Marrickville	LTC0219 Item 31 The 'Gear Up Girl' Bicycle Event (Marrickville Ward/Summer Hill & Heffron Electorate/Inner West PAC)	Page 27
Marrickville	LTC0219 Item 32 WestConnex New M5 Operational Parking & Access Strategy Consultation (Marrickville Ward/Heffron Electorate/Inner West PAC)	Page 29
Marrickville	LTC0219 Item 39 Heavy vehicle use on Campbell Street, St Peters	Page 31
All Wards	LTC0219 Item 23 Minor Traffic Facilities (All Wards/All Electorates/All LAC's)	Page 23

BACKGROUND

Meetings of the Inner West Council Local Traffic Committee were held on 4 December 2018 and 4 February 2019 at Petersham. The minutes of the December meeting are shown at **ATTACHMENT 1**. The minutes of the February meeting are shown at **ATTACHMENT 2**.

FINANCIAL IMPLICATIONS

Projects proposed for implementation in 2018/19 are funded within existing budget allocations.

PUBLIC CONSULTATION

Specific projects have undergone public consultation as indicated in the respective reports to the Traffic Committee. Members of the public attended the meeting to address the Committee on specific items.

ATTACHMENTS

1. [↓](#) Minutes of Local Traffic Committee meeting held on 4 December 2018
2. [↓](#) Minutes of Local Traffic Committee meeting held on 4 February 2019

**Minutes of Local Traffic Committee Meeting
Held at Petersham Service Centre on 4 December 2018**

Meeting commenced at 10.01am

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.

COMMITTEE REPRESENTATIVES PRESENT

Clr Marghanita da Cruz	Chair – Councillor – Leichhardt Ward
Bill Holliday	Representative for Jamie Parker MP, Member for Balmain
Chris Woods	Representative for Ron Hoenig MP, Member for Heffron
Cathy Peters	Representative for Jenny Leong, Member for Newtown
Sgt John Micallef	NSW Police – Burwood & Campsie Police Area Command
Marina Nestoriadis	NSW Police – Leichhardt Police Area Command
SC Sam Tohme	NSW Police – Burwood Police Area Command
Ryan Horne	Roads and Maritime Services

OFFICERS IN ATTENDANCE

Asith Nagodavithane	Transit Systems – Inner West Bus Services
Colin Jones	Inner West Bicycle Coalition
Wal Petschler	IWC's Group Manager, Roads, Traffic and Stormwater
John Stephens	IWC's Traffic and Transport Services Manager
Manod Wickramasinghe	IWC's Coordinator Traffic and Parking Services (North)
Felicia Lau	IWC's Engineer – Traffic and Parking Services
David Yu	IWC's Engineer – Traffic and Parking Services
Boris Muha	IWC's Engineer – Traffic and Parking Services
Brinthaban Baskaran	IWC's Student Traffic Engineer
Sunny Jo	IWC's Traffic and Parking Planner
Christina Ip	IWC's Business Administration Officer

VISITORS

Rene Holmes	Item 7 and 8 - Resident
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APOLOGIES:

Clr Vic Macri	(Chair) Deputy Mayor – Marrickville Ward
Jo Haylen MP	Member for Summer Hill
Sarina Foulstone	Representative for Jo Haylen MP, Member for Summer Hill
Sgt Paul Vlachos	NSW Police – Inner West Police Area Command
A/Sgt Charles Buttrose	NSW Police – Leichhardt Police Area Command
SC Tony Kenny	NSW Police – Inner West Police Area Command
George Tsaprounis	IWC's Coordinator Traffic and Parking Services (South)

DISCLOSURES OF INTERESTS:

Nil.

CONFIRMATION OF MINUTES

The representative for the Member for Balmain requested that Item 17 of the minutes for the Local Traffic Committee meeting held on 6 November 2018 be amended to include that Ms Marion Rae stated that one of her neighbours shares a similar issue to her in that she attends the Chris O'Brien Lifehouse Cancer Centre in the early hours of the day when bus services are not currently running.

The minutes of the Local Traffic Committee Meeting held on Tuesday, 6 November 2018 were confirmed with that amendment.

MATTERS ARISING FROM COUNCIL'S RESOLUTION OF MINUTES

The Local Traffic Committee recommendations of its meeting held on 6 November were adopted at Council's meeting held on 27 November 2018.

LTC1218 Item 1 Draft Newtown Local Area Traffic Management Strategy (Stanmore Ward/Newtown Electorate/Inner West PAC)**SUMMARY**

The draft Newtown Local Area Traffic Management (LATM) study and recommendations are attached for the Committee's consideration.

Officer's Recommendation**THAT:**

- 1. The Committee endorse the draft Newtown LATM study and the recommended treatments for community consultation; and**
- 2. The draft report be placed on Public Exhibition, providing a minimum 28 days for submissions.**

DISCUSSION

The RMS representative advised that for RMS to approve the proposed 10km/h shared zones, the full length of the pavement needs to be changed. The representative also stated that there are a number of issues with the shared zones that need to be addressed before RMS can provide in principle support and the proposal be placed on Public Exhibition. The Committee members agreed that the recommendation could be amended to state that RMS principle support for the 10km/h shared zones be obtained before the proposal goes on Public Exhibition.

The representative for the Member for Newtown expressed support for the proposal and asked whether the truck restrictions will extend to Alice Street. The representative stated that there are concerns that King Street, Edgeware Road and Alice Street will experience a further increase in truck movements that could last six years.

Council Officers advised that a gateway treatment is proposed for the southern end of Princes Highway to prevent the intrusion of further traffic in King Street and divert traffic towards Euston Road.

COMMITTEE RECOMMENDATION**THAT:**

1. The Committee endorse the draft Newtown LATM study and the recommended treatments for community consultation;
2. In principle support from RMS be obtained for the proposed 10km/h shared zones in the side streets along King Street and Enmore Road prior to Public Exhibition; and
3. The draft report be placed on Public Exhibition, providing a minimum 28 days for submissions.

For motion: Unanimous**LTC1218 Item 2 Draft Newington Local Area Traffic Management Strategy (Stanmore Ward/Newtown Electorate/Inner West PAC)****SUMMARY**

The draft Newington Local Area Traffic Management (LATM) study and recommendations are provided for the Committee's consideration. Amongst the options listed in the report, it is recommended that Council progress with implementing treatments, mainly the raised thresholds for a 50km/h environment and a number of other treatments.

Officer's Recommendation**THAT:**

1. The Committee endorse the draft Newington LATM study and the following treatments for community consultation:
 - a. Raised threshold in Albert Street near Marr Playground;
 - b. Two raised thresholds in Bright Street near No.26 and No.6 Bright Street;
 - c. Change of priority at the intersection of Tupper Street and Newington Road, including removal of existing speed hump near No.36 Newington Road and No Parking 7am-7pm Mon-Fri opposite Tupper Street in Newington Street;
 - d. Pedestrian refuge island in Addison Road between Denby and Philpott Streets;
 - e. Implementation of mixed traffic bicycle facilities within the study area; and
 - f. Changes at signalised intersections at Enmore Road/Llewelyn Street, Enmore Road/Addison Road and Addison Road/Agar Street/Illawarra Road.
2. The draft report be placed on Public Exhibition, providing a minimum 28 days for submissions.

DISCUSSION

The RMS representative requested that the proposed 40km/h zones not be included in public consultation until technical details are confirmed with Council Officers.

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION**THAT:**

1. The Committee endorse the draft Newington LATM study and the following treatments for community consultation:
 - a. Raised threshold in Albert Street near Marr Playground;
 - b. Two raised thresholds in Bright Street near No.26 and No.6 Bright Street;
 - c. Change of priority at the intersection of Tupper Street and Newington Road, including removal of existing speed hump near No.36 Newington Road and No Parking 7am-7pm Mon-Fri opposite Tupper Street in Newington Street;
 - d. Pedestrian refuge island in Addison Road between Denby and Philpott Streets;
 - e. Implementation of mixed traffic bicycle facilities within the study area; and
 - f. Changes at signalised intersections at Enmore Road/Llewelyn Street, Enmore Road/Addison Road and Addison Road/Agar Street/Illawarra Road.
2. The draft report be placed on Public Exhibition, providing a minimum 28 days for submissions.

For motion: Unanimous

LTC1218 Item 3 Darling Street at Denison Street, Rozelle - Intersection Improvements - Design Plan 10046 (Balmain Ward/ Balmain Electorate/ Leichhardt LAC)

SUMMARY

Design plans have been prepared for the proposed footpath works on the southern side of Darling Street (between Red Lion Street and Denison Street) and for intersection improvements at the intersection of Darling Street and Denison Street, Rozelle. The works will improve road safety for pedestrians and motorists and is part of the Town Centre Upgrade Capital Works Program.

Consultation has been undertaken with owners and occupiers of affected properties in Darling Street, Rozelle regarding the proposal. It is recommended that the proposed detailed design plan be approved (Design Plan – 10046).

Officer's Recommendation

THAT the detailed design plan for intersection improvements, including removing an existing concrete median in Denison Street and installing new line markings at the intersection of Darling Street and Denison Street, Rozelle (as per Design Plan No. 10046) be approved.

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT the detailed design plan for intersection improvements, including removing an existing concrete median in Denison Street and installing new line markings at the intersection of Darling Street and Denison Street, Rozelle (as per Design Plan No. 10046) be approved.

For motion: Unanimous

LTC1218 Item 4 Warayama Place and Yara Avenue, Rozelle - Proposed 'No Stopping' Restrictions (Balmain Ward/ Balmain Electorate/ Leichhardt LAC)

SUMMARY

Council has received a request to signpost a 'No Stopping' restriction on the eastern side of Yara Avenue south of Warayama Place, Rozelle in order to prevent illegal parking and improve sight lines.

Officer's Recommendation

THAT a 12m 'No Stopping' zone be installed on the eastern side of Yara Avenue, south of Warayama Place, Rozelle.

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT a 12m 'No Stopping' zone be installed on the eastern side of Yara Avenue, south of Warayama Place, Rozelle.

For motion: Unanimous

**LTC1218 Item 5 Ash Lane at Wolseley Street and Northcote Street, Haberfield -
Proposed 'No Stopping' Restrictions (Leichhardt Ward/ Summer Hill
Electorate/ Burwood PAC)****SUMMARY**

Council has received a request to signpost the statutory 'No Stopping' restriction at the intersections of Ash Lane/Wolseley Street and Ash Lane/Northcote Street, Haberfield, in order to prevent illegal parking and improve sight lines.

Officer's Recommendation**THAT:**

1. A 10m 'No Stopping' zone be installed on the western side of Ash Lane, south of Wolseley Street, Haberfield;
2. A 10m 'No Stopping' zone be installed on the western side of Ash Lane, north of Northcote Street, Haberfield; and
4. A 10m 'No Stopping' zone be installed on the western side of Ash Lane, south of Northcote Street, Haberfield.

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

For motion: Unanimous

THAT:

1. A 10m 'No Stopping' zone be installed on the western side of Ash Lane, south of Wolseley Street, Haberfield;
2. A 10m 'No Stopping' zone be installed on the western side of Ash Lane, north of Northcote Street, Haberfield; and
3. A 10m 'No Stopping' zone be installed on the western side of Ash Lane, south of Northcote Street, Haberfield.

**LTC1218 Item 6 Cheltenham Street at Foucart Street and Brockley Street at Denison
Street, Rozelle - Proposed 'No Stopping' Restrictions (Balmain Ward/
Balmain Electorate/ Leichhardt LAC)****SUMMARY**

Council has received a request to signpost the statutory 'No Stopping' restrictions at the intersections of Cheltenham Street/Foucart Street and Denison Street/Brockley Street, Rozelle, in order to prevent illegal parking and improve sight lines.

Officer's Recommendation**THAT:**

1. A 10m 'No Stopping' zone be installed on the southern side of Cheltenham Street, east of Foucart Street, Rozelle; and
2. 10m 'No Stopping' zones be installed on the western side of Denison Street, north and south of Brockley Street, Rozelle;

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION**THAT:**

1. A 10m 'No Stopping' zone be installed on the southern side of Cheltenham Street, east of Foucart Street, Rozelle; and
2. 10m 'No Stopping' zones be installed on the western side of Denison Street, north and south of Brockley Street, Rozelle;

For motion: Unanimous

LTC1218 Item 7 Croydon Road, Croydon - Proposed Pedestrian and Traffic Calming treatments. (Leichhardt Ward/Strathfield Electorate/Burwood PAC)**SUMMARY**

The Traffic Committee at its meeting held on 6 November 2018 deferred an item on the 'Proposed pedestrian and traffic calming treatments' along Croydon Road, Croydon (inclusive of proposed improvements to the intersection of Church Street and Croydon Road) for further investigation.

Council's at its meeting on the 22 May 2018 adopted the recommendation of the Local Traffic Committee meeting of 1 May 2018 to support in principle to pursue various conceptual traffic facility proposals, for pedestrian and road safety improvements along Croydon Road from Elizabeth Street to Parramatta Road, Croydon, subject to further detail design and resident consultation. The treatments are proposed at intersections in effort to minimise the impact on parking.

This report provides consultation feedback from the community on the various traffic facilities proposed along Croydon Road, exclusive of the proposed improvement works at the intersection of Croydon Road and Church Street which is being reported separately to the Committee.

In relation to this report, from approximately 2200 consultation letters sent out to the residents of the Croydon/Ashfield area bounded by Parramatta Road to the north, Frederick Street to the east, Elizabeth Street to the south and the Burwood/Inner West Council boundary, 75 submissions were received representing around a 3.5% response rate of overall area surveyed. The majority of residents supported the proposals developed by Council under this report.

It is recommended to proceed to detail design on the various treatments along Croydon

Road, with further consultation to be undertaken with the affected residents at each location.

Officer's Recommendation

THAT:

1. The report be received and noted;
2. The following proposed treatments as listed below be approved in principle subject to detailed design and further consultation with affected residents at each location:
 - a) Provide a speed cushion in Croydon Road on the approach to Elizabeth Street (Figure 2-Location 1);
 - b) Widen the north-west corner of Anthony Street and Croydon Road, provide a refuge facility in Croydon Road south of Anthony Street, and speed cushion in Croydon Road north of Anthony Street (Figure 3-Location 2);
 - c) Provide kerb-blisters in Edwin Street North at the intersection to Anthony Street (Figure 4-Location 3);
 - d) Remove the horizontal deflection device and replace it with a pedestrian refuge island facility in Croydon Road between Kenilworth Street and Gregory Avenue, and provide speed cushions in Croydon Road on both approaches to Kenilworth Street and Gregory Avenue (Figure 5- Location 4);
 - e) Provide a pedestrian refuge in Croydon Road between Ranger Road and John Street, and a 10 metre length double white centreline in John Street at the approach to Croydon Road (Figure 6-Location 5);
 - f) Provide a pedestrian refuge opening in the splitter island in Croydon Road, north of the roundabout intersection with Church Street, and provide a speed cushion in Croydon Road on the southern end approach to Queen Street (Figure 7-Location 6);
 - g) Provide short length painted double white centre lines in Bay Street at the approach to Croydon Road, and in Croydon Road south of Bay Street (Figure 8-Location 8); and
 - h) Provide a central median island in Dalmar Street at Croydon Road (Figure 9- Location 9);
3. The existing 'No Stopping' restriction on the western side of Elizabeth Street be extended by 2-3m from 10m to a distance of approx. 12-13m north of Croydon Road;
4. A 'No Stopping' restriction on the eastern side of Elizabeth Street be installed at a distance of approx. 12-13m north of Croydon Road; and
5. 'No Stopping' restrictions be installed in Anthony Street for a distance of 5 metres west and 7 metres east of the laneway, between Edwin Street and Croydon Road.

DISCUSSION

Public speakers: Rene Holmes attended at 10.13am

Ms Holmes stated that:

- It is likely that motorists will weave around the speed humps proposed to be installed on one side of Croydon Road. This currently happens on Church Street, near Centenary Park, where there is an existing speed hump on one side of the road.
- The proposed median linemarking in Bay Street is not required. There does not seem to have been any issues at the intersection of Bay Street and Croydon Road.
- The proposed cement median is not necessary in Dalmar Street.
- Council needs to consider pedestrian safety on Croydon Road.

Committee members were advised that the centre linemarking in Bay Street is appropriate as it is near a high volume collector road and improves delineation for general vehicle movement in the street.

Police representatives stated that the proposed placement of speed cushions along Croydon Road is suitable with the exception of the speed cushion proposed for the southbound approach to Gregory Avenue where vehicles could easily manoeuvre around. The representatives suggested installing speed cushions across the width of the road. Council Officers stated that this can be investigated during the detailed design phase.

The RMS representative stated that RMS does not support the proposed road level textured/coloured entry threshold treatment on Bay Street and John Street as there is no change in speed or conditions in those streets. Police representatives agreed with the RMS position.

The Committee members agreed with the Officer's recommendation with the addition of a recommendation to investigate extending the speed cushion on Croydon Road near Gregory Avenue and removing the proposed road level textured/coloured entry threshold treatment on Bay Street and John Street from the design.

COMMITTEE RECOMMENDATION

THAT:

- 1. The report be received and noted;**
- 2. The following proposed treatments as listed below be approved in principle subject to detailed design and further consultation with affected residents at each location:**
 - a) Provide a speed cushion in Croydon Road on the approach to Elizabeth Street (Figure 2-Location 1);**
 - b) Widen the north-west corner of Anthony Street and Croydon Road, provide a refuge facility in Croydon Road south of Anthony Street, and speed cushion in Croydon Road north of Anthony Street (Figure 3-Location 2);**
 - c) Provide kerb-blisters in Edwin Street North at the intersection to Anthony Street (Figure 4-Location 3);**
 - d) Remove the horizontal deflection device and replace it with a pedestrian refuge island facility in Croydon Road between Kenilworth Street and Gregory Avenue, and provide speed cushions in Croydon Road on both**

- approaches to Kenilworth Street and Gregory Avenue (Figure 5- Location 4);
- e) Provide a pedestrian refuge in Croydon Road between Ranger Road and John Street, and a 10 metre length double white centreline in John Street at the approach to Croydon Road (Figure 6-Location 5);
 - f) Provide a pedestrian refuge opening in the splitter island in Croydon Road, north of the roundabout intersection with Church Street, and provide a speed cushion in Croydon Road on the southern end approach to Queen Street (Figure 7-Location 6);
 - g) Provide short length painted double white centre lines in Bay Street at the approach to Croydon Road, and in Croydon Road south of Bay Street (Figure 8-Location 8); and
 - h) Provide a central median island in Dalmar Street at Croydon Road (Figure 9- Location 9);
3. The existing 'No Stopping' restriction on the western side of Elizabeth Street be extended by 2-3m from 10m to a distance of approx. 12-13m north of Croydon Road;
 4. A 'No Stopping' restriction on the eastern side of Elizabeth Street be installed at a distance of approx. 12-13m north of Croydon Road; and
 5. 'No Stopping' restrictions be installed in Anthony Street for a distance of 5 metres west and 7 metres east of the laneway, between Edwin Street and Croydon Road.
 6. Speed cushions across the width of Croydon Road on approach to Gregory Avenue be investigated.
 7. The road level textured/coloured entry threshold treatment on Bay Street and John Street be removed from the design.

For motion: Unanimous

LTC1218 Item 8 Croydon Road and Church Street, Croydon - Proposed improvements to intersection. (Leichhardt Ward/Strathfield Electorate/Burwood PAC)

SUMMARY

The Traffic Committee at its meeting held on the 6 November 2018 deferred an item on the 'Proposed pedestrian and traffic calming treatments' along Croydon Road, Croydon (inclusive of proposed improvements to the intersection of Church Street and Croydon Road) for further investigation.

This report provides consultation feedback on two (2) alternate options to modify the existing 'STOP' control at the intersection of Church Street and Croydon Road. These two options were recommended for further resident consultation by the Local Traffic Committee at its meeting held on the 7 September 2017 and was subsequently adopted by Council at its meeting on the 24 April 2018.

The consultation was undertaken in line with other proposed treatment works along Croydon Road. See **Attachment 1** - Consultation letter with locality map (Location 7). The optional treatment works as proposed for the intersection of Croydon Road and Church Street with

community consultation feedback are provided in this report. The proposed works to this intersection would be undertaken separate and independent of other treatment works along Croydon Road.

Option 1 (Figure 5) involves the inclusion of a right turn lane in Church Street (east), provide 'No Stopping' restrictions to the intersection corners and proposes a speed hump in Croydon Road, north of Church Street, to improve the operation, visibility and the speed control around the intersection. Option 2 (Figure 6) retains the existing physical conditions of the intersection, provides 'No Stopping' restrictions to the intersection corners and proposes a speed hump in Croydon Road, north of Church Street, to generally improve the visibility and speed control around the intersection.

From approximately 2200 consultation letters sent out to the residents of the Croydon/Ashfield area bounded by Parramatta Road to the north, Frederick Street to the east, Elizabeth Street to the south and the Burwood/Inner West Council boundary, 75 submissions were received representing around a 3.5% response rate of the overall area surveyed.

There was more support for Option 1 over Option 2.

Also, Council's consultant recommended Option 1 as it provided an improved operation of the intersection, coupled with improved visibility and speed control at the intersection in benefit of the local community.

It is recommended to proceed to detail design on this option, with further consultation to be undertaken with the affected residents at this location.

Also, it is intended to investigate the feasibility of providing a pedestrian facility in Croydon Road near/at the intersection of Church Street separate to the proposed intersection treatment.

Officer's Recommendation

THAT:

- 1. The proposed 'right turn lane' in Church Street (east) with associated 'No Stopping' restrictions at the intersection of Croydon Road and speed hump/cushion in Croydon Road, north of Church Street be approved in principle, subject to detailed design and further consultation with affected residents at this location; and**
- 2. The feasibility of providing a pedestrian facility in Croydon Road near/at its intersection with Church Street be investigated, separate to the proposed treatment in Item 1 above.**

DISCUSSION

Ms Holmes stated that:

- The proposed right turn lane in Church Street may assist turning motorists but it will not improve traffic flow. Traffic flow will be impeded if there are two or three vehicles queued in the right turn lane and vehicles are parked in the left lane obstructing left turning vehicles.
- Safety of pedestrians, cyclists and motorists needs to be addressed as well as issues with traffic flow.
- Public meetings have been held on site, however they have not been held at the peak

periods when traffic is banked from Croydon Road to Frederick Street.

- The change to traffic light sequencing on Frederick Street has impacted the traffic flowing into Church Street and Croydon Road.
- Croydon Road is dangerous to cross and is used frequently by children to access schools.
- Would like to see the vehicle counts taken in 2017 for Croydon Road as she does not believe the figures available publicly, which indicated a small increase in vehicles using Croydon Road since 2008, are correct. Believes the increase in vehicles in Croydon Road stemming from motorists avoiding Frederick Street has made the road more dangerous.

Ms Holmes left at 10.22am.

The RMS representative and Police representatives supported Option 1.

Clr da Cruz asked whether fencing could be provided at the corner of Croydon Road and Church Street where the footpath is proposed to be narrowed to protect pedestrians. Council Officers advised that fencing is not recommended as it would further narrow the footpath.

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT:

1. The proposed 'right turn lane' in Church Street (east) with associated 'No Stopping' restrictions at the intersection of Croydon Road and speed hump/cushion in Croydon Road, north of Church Street be approved in principle, subject to detailed design and further consultation with affected residents at this location; and
2. The feasibility of providing a pedestrian facility in Croydon Road near/at its intersection with Church Street be investigated, separate to the proposed treatment in Item 1 above.

For motion: Unanimous

LTC1218 Item 9 Lennox Street, Newtown – Proposed Redesign and Upgrade Works at Lennox Street Car Park - Amended Design Plan 6088_A (Stanmore Ward/ Newtown Electorate / Inner West PAC)

SUMMARY

Council is planning to redesign and upgrade Lennox Street Car Park to bring it up to current car parking space size and alignment standards. The works will improve safety for drivers and pedestrians and increase car park functionality.

Detailed design plans have now been finalised for the proposed improvements to the car park.

Consultation was undertaken with 25 owners and occupiers of properties in the locality regarding the proposal as well as being advertised on-site with 2 proposal notices and on Council's website. Subsequent to feedback during the consultation process the original design plan (6088) has been slightly amended and is presented in this report – Design Plan 6088_A.

Overall, there is a net loss of 11 legal parking spaces as a result of the proposal to upgrade the existing layout to current Australian Standards. A summary of the consultation results are presented in this report for consideration. It is recommended that the amended detailed design plan be approved.

Officer's Recommendation

THAT the detailed amended design plan (Design Plan No.6088_A) for the proposed upgrade and improvements to the Lennox Street Car Park be APPROVED.

DISCUSSION

The representative for the Member for Newtown expressed concerns with the loss of 11 parking spaces. The representative asked whether it is necessary for the size of the parking spaces to meet standards and whether there is a designated car share space in the car park.

Council Officers advised that there are no car share spaces in the car park and it is up to the car share companies to approach Council with any proposal for a designated car share space. Council Officers also advised that any modifications to parking spaces must meet current Australian Standards.

Clr da Cruz commented that the use of electric cargo bikes are increasing and thus Council should consider how bike parking is installed in terms of access. Clr da Cruz suggested that fencing might be better than installing bike parking vertical to the footpath which could cause obstructions to the footpath. It was also suggested that the bike parking in the Lennox Street car park be installed along the landscaping.

The majority of Committee members agreed with the Officer's recommendation. The representative for the Member for Newtown did not support the recommendation due to the loss of parking.

COMMITTEE RECOMMENDATION

THAT the detailed amended design plan (Design Plan No.6088_A) for the proposed upgrade and improvements to the Lennox Street Car Park be APPROVED, including provision of parking for bicycles.

For motion: Majority

LTC1218 Item 10 31 Fort Street, Petersham - Proposed 'No Parking' and P15 minute 7am-3pm restrictions (Stanmore Ward/Newtown Electorate/Inner West PAC)

SUMMARY

Following community representation, Council is proposing to implement 'No Parking' and short term parking restrictions in Fort Street, Petersham to improve access to parking for the boarding house at No.33 Fort Street which in a charitable capacity, provides free accommodation for people from the Pacific Islands to enable them to receive specialist medical treatment. The boarding house generates a constant turnover of people who are requiring assistance getting in and out of taxis and specialist transport, often with substantial luggage.

The provision of the proposed 'No Parking' zone will increase opportunities for taxis and shuttle buses to pick up and drop off patrons, and the proposed short term parking will enable taxis and other transport vehicles to park and collect people with mobility issues, thus

improving the safety for drivers and patrons by reducing the friction with passing traffic.

Officer's Recommendation

THAT the installation of:

1. A 10m 'No Parking' restriction in Fort Street (southern side) at Kirkpatrick Lane (both sides of lane); and
2. A 8m 'P15 minute 7am-3pm restriction in Fort Street (southern side from proposed 'No Parking' restriction) to property No.31 Fort Street, be approved.

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT the installation of:

1. A 10m 'No Parking' restriction in Fort Street (southern side) at Kirkpatrick Lane (both sides of lane); and
2. A 8m 'P15 minute 7am-3pm restriction in Fort Street (southern side from proposed 'No Parking' restriction) to property No.31 Fort Street, be approved.

For motion: Unanimous

LTC1218 Item 11 Unnamed Laneway (Rear of Nos.55A-57 Albert Street), Leichhardt - Proposed Extension of 'No Stopping' Zone (Leichhardt Ward/ Balmain Electorate/ Leichhardt LAC)

SUMMARY

Council has received concerns regarding parked vehicles obstructing driveway access to off-street parking at the rear of House Nos. 55A and 57 Albert Street in an unnamed Laneway, east of Flood Street, Leichhardt.

Officer's Recommendation

THAT the existing 'No Stopping' restriction on the northern side of the unnamed laneway at the rear of Nos.55A and 57 Albert Street, at the intersection of Flood Street, Leichhardt be extended to 10 metres.

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT the existing 'No Stopping' restriction on the northern side of the unnamed laneway at the rear of Nos.55A and 57 Albert Street, at the intersection of Flood Street, Leichhardt be extended to 10 metres.

For motion: Unanimous

LTC1218 Item 12 James Lane, Balmain East - Proposed Extension of 'No Parking' Restriction (Balmain Ward/ Balmain Electorate/ Leichhardt LAC)**SUMMARY**

Council has received concerns regarding pedestrian accessibility to No.1 James Lane, Balmain East due to vehicles that are parked on the northern side of James Lane directly in front of the property.

Officer's Recommendation

THAT the existing 'No Parking' zone be extended to the west to include the 3.4m unrestricted parking area on the northern side of James Lane, Balmain East (in front of No.1 James Lane).

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT the existing 'No Parking' zone be extended to the west to include the 3.4m unrestricted parking area on the northern side of James Lane, Balmain East (in front of No.1 James Lane).

For motion: Unanimous

LTC1218 Item 13 Silver Street at Unwins Bridge Road, St Peters - Proposed installation of 'No Stopping' restrictions (Marrickville Ward/Heffron Electorate/Inner West LAC)**SUMMARY**

Following community representation, it is proposed to signpost statutory 'No Stopping' restrictions in Silver Street, St Peters, at its intersection with Unwins Bridge Road, in order to prevent illegal parking and improve safety at the entry into Silver Street.

Officer's Recommendation

THAT the installation of 10m 'No Stopping' restrictions on both sides of Silver Street at Unwins Bridge Road, St Peters be approved.

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT the installation of 10m 'No Stopping' restrictions on both sides of Silver Street at Unwins Bridge Road, St Peters be approved.

For motion: Unanimous

LTC1218 Item 14 Minor Traffic Facilities (All Wards/ All Electorates/ All LACs)**SUMMARY**

This report considers minor traffic facility applications received by Inner West Council, including 'Disabled Parking' and 'Works Zone' requests.

Officer's Recommendation**THAT:**

1. A 6m 'Disabled Parking' zone be removed in front of No.9 Foucart Street, Rozelle as it is no longer required;
2. A 5.5m 'Disabled Parking' zone be installed in front of No.50 Henry Street, Lilyfield;
3. A 6m 'Disabled Parking' zone be installed in front of No.16 Loughlin Street, Rozelle replacing the existing resident parking scheme restrictions;
4. A 10m 'Works Zone 7.00am – 5.00pm Mon-Fri and 7.00am – 1.00pm Sat' be installed in front of No.109 Birchgrove Road, Birchgrove for 12 weeks;
5. An 9m 'Works Zone 7.00am – 5.00pm Mon – Fri and 7.00am – 1.00pm Sat' be installed in front of No.406 and No.408 Darling Street, Balmain, subject to the applicant receiving written concurrence from the business owners at No.406 Darling Street, Balmain;
6. A 9m 'Works Zone 7.00am – 5.00pm Mon-Fri and 7.00am – 1.00pm Sat' be installed in front of Nos.219-221 Enmore Road, Enmore for 12 weeks;
7. A 13m 'Works Zone 7.00am – 5.00pm Mon – Fri, 7.00am – 1.00pm Sat' be installed in front of No.52 Florence Street, St Peters for 12 weeks;
8. A 20m 'Works Zone 7.00am – 5.00pm Mon-Fri and 7.00am – 1.00pm Sat' be installed on Applebee Street along the rear boundary of Nos.47-61 Princess Highway, St Peters for 12 weeks;
9. A 6m 'Disabled Parking' zone be installed in front of No.116 Darley Street, Newtown extending across the redundant crossing;
10. A 6m 'Disabled Parking' zone be installed in front of No.93 Silver Street, St Peters;
11. A 6m 'No Parking 4pm-6pm Mon-Fri; Disabled Parking At Other Times' zone be installed in front of No.46 Unwins Bridge Road, St Peters;
12. A 5.5m 'Disabled Parking' zone be installed in front of No.163 Old Canterbury Road, Dulwich Hill, subject to RMS approval as Old Canterbury Road is a classified State Road;
13. A 5.5m 'Disabled Parking' zone be installed in front of No.81 Windsor Road, Dulwich Hill.

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT:

1. A 6m 'Disabled Parking' zone be removed in front of No.9 Foucart Street, Rozelle as it is no longer required;
2. A 5.5m 'Disabled Parking' zone be installed in front of No.50 Henry Street, Lilyfield;
3. A 6m 'Disabled Parking' zone be installed in front of No.16 Loughlin Street, Rozelle replacing the existing resident parking scheme restrictions;
4. A 10m 'Works Zone 7.00am – 5.00pm Mon-Fri and 7.00am – 1.00pm Sat' be installed in front of No.109 Birchgrove Road, Birchgrove for 12 weeks;
5. An 9m 'Works Zone 7.00am – 5.00pm Mon – Fri and 7.00am – 1.00pm Sat' be installed in front of No.406 and No.408 Darling Street, Balmain, subject to the applicant receiving written concurrence from the business owners at No.406 Darling Street, Balmain;
6. A 9m 'Works Zone 7.00am – 5.00pm Mon-Fri and 7.00am – 1.00pm Sat' be installed in front of Nos.219-221 Enmore Road, Enmore for 12 weeks;
7. A 13m 'Works Zone 7.00am – 5.00pm Mon – Fri, 7.00am – 1.00pm Sat' be installed in front of No.52 Florence Street, St Peters for 12 weeks;
8. A 20m 'Works Zone 7.00am – 5.00pm Mon-Fri and 7.00am – 1.00pm Sat' be installed on Applebee Street along the rear boundary of Nos.47-61 Princess Highway, St Peters for 12 weeks;
9. A 6m 'Disabled Parking' zone be installed in front of No.116 Darley Street, Newtown extending across the redundant crossing;
10. A 6m 'Disabled Parking' zone be installed in front of No.93 Silver Street, St Peters;
11. A 6m 'No Parking 4pm-6pm Mon-Fri; Disabled Parking At Other Times' zone be installed in front of No.46 Unwins Bridge Road, St Peters;
12. A 5.5m 'Disabled Parking' zone be installed in front of No.163 Old Canterbury Road, Dulwich Hill, subject to RMS approval as Old Canterbury Road is a classified State Road;
13. A 5.5m 'Disabled Parking' zone be installed in front of No.81 Windsor Road, Dulwich Hill.

For motion: Unanimous

LTC1218 Item 15 Tramway Street, Tempe - Proposed 'No Parking' in the cul de sac (Marrickville Ward/Heffron Electorate/ Inner West PAC)**SUMMARY**

Following community representation and investigation, Council is proposing to implement 'No Parking' restrictions in Tramway Street to improve vehicle access and manoeuvrability in the vicinity of the end of the cul de sac. Concerns were raised by residents at the parking impact of the drivers from the Tempe Bus Depot parking their private vehicles in the cul de sac section of Tramway Street. Following consultation with affected residents, there have been no objections received to the proposal.

Officer's Recommendation

THAT the installation of a 10m 'No Parking' restriction in Tramway Street (southern side) between the end of the street and opposite property No. 8 Tramway Street, Tempe be approved.

DISCUSSION

The representative for the Member for Heffron tabled the following comments:

The Member for Heffron, Ron Hoenig MP supports the recommendation but is concerned about parking problems in the street and is requesting that:

- Council investigate the implementation of a resident parking scheme for Tramway Street.
- Council clarify the use of the Sydney Buses emergency exit gate into Tramway Street. It appears to local residents that the exit is used generally by drivers to access the site and as a result use Tramway Street for parking when the buses are operating.

The representative for Transit Systems will clarify the use of the emergency exit gate and advise the Member for Heffron accordingly.

The Committee members agreed with the Officer's recommendation with the addition of recommendations based on comments from the Member for Heffron.

COMMITTEE RECOMMENDATION**THAT**

1. the installation of a 10m 'No Parking' restriction in Tramway Street (southern side) between the end of the street and opposite property No. 8 Tramway Street, Tempe be approved.
2. A Residential Parking Scheme for Tramway Street be investigated.
3. Transit Systems clarify the use of the emergency exit gate into Tramway Street.

For motion: Unanimous

LTC1218 Item 16 Holden Street, Ashfield - Proposed relocation of Bus Zone to outside the Ashfield Baptist Church. (Ashfield Ward/Summer Hill Electorate/Burwood PAC)**SUMMARY**

Concerns have been raised regarding vehicle congestion and movement out of the Ashfield Mall carpark onto Holden Street partially due to the location of an existing 'Bus Zone' on the western side of Holden Street, between the carpark exit and Liverpool Road.

It is proposed that the existing 'Bus Zone' be relocated south of the entry/exit driveway of Ashfield Mall carpark to outside the Ashfield Baptist Church in Holden Street (north of Norton Street). This will improve traffic flow out of the carpark and increase vehicle storage capacity in Holden Street approaching the traffic signals at Liverpool Road.

Officer's Recommendation**THAT:**

1. The 'Bus Zone' on the western side of Holden Street, north of the Ashfield Mall carpark exit be relocated to a position outside the Ashfield Baptist Church, north of Norton Street, Ashfield, replacing a section of 'No Stopping' restriction; and
2. The kerb space in Holden Street, at the location of the existing 'Bus Zone', be replaced with full-time 'No Stopping' restrictions between the Ashfield Mall carpark exit and Liverpool Road.

DISCUSSION

Council Officers advised that the Ashfield Baptist Church raised the following concerns with the proposed relocation of the 'Bus Zone' outside the Church:

- The Church needs to allocate parking space for funeral and wedding services in front of the Church on Holden Street for wedding and funeral vehicles. This space cannot be provided at the Norton Street side of the Church.
- The relocation of the bus stop could cause congestion from right turning vehicles or vehicles overtaking the bus to turn left into Ashfield Mall car park.
- Buses stopping will generate noise and pollution in front of the Church
- More pedestrian activity will be generated from commuters waiting for buses

Committee members discussed the operation of the bus service through Holden Street and noted that:

- The bus route through Holden Street runs every 15min between 7am-9am when traffic exiting Ashfield Mall car park would be minimal. The route then runs every 30min and every 60min on Sundays.
- The current bus stop is used mainly to drop off passengers as it is one stop before the bus terminus in Brown Street and buses would only be stopped for short periods.
- The Church utilises the space in front of the Church for funeral or wedding vehicles at short notice and would not be able provide advance notice to Transit Services when they would use the bus stop.
- It is likely that the reported congestion is caused by vehicles waiting to turn right into Liverpool Street from Holden Street.

The Committee members noted the recent advice from the Church and agreed that the 'Bus Zone' on the western side of Holden Street remain at its existing location.

COMMITTEE RECOMMENDATION

THAT the 'Bus Zone' on the western side of Holden Street, north of the Ashfield Mall carpark exit remain at its current location.

For motion: Unanimous

LTC1218 Item 17 Forbes Street, Croydon Park – Introduction of short term parking restrictions (Ashfield Ward / Summer Hill Electorate / Burwood PAC)

SUMMARY

A request for short term parking has been received from the proprietor of a business fronting Georges River Road adjacent to Forbes Street, Croydon Park. It is recommended that the existing 34 metre section of angle parking on Forbes Street at Georges River Road be converted from "unrestricted" to "Two Hour Parking" to provide parking opportunities for visitors / patrons attending the local businesses in the area.

Officer's Recommendation

THAT:

- 1. The installation of '2P 8:30am-6pm Monday to Friday, and 8:30am-12:30pm Saturday' restrictions on the western side of Forbes Street, Croydon Park, for a distance of approximately 34 metres south of the existing statutory "No Stopping" restriction at the junction with Georges River Road be APPROVED, in order to provide short term parking for visitors / patrons of local businesses; and**
- 2. The applicant, responders and Council Rangers be advised in terms of this report.**

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT:

- 1. The installation of '2P 8:30am-6pm Monday to Friday, and 8:30am-12:30pm Saturday' restrictions on the western side of Forbes Street, Croydon Park, for a distance of approximately 34 metres south of the existing statutory "No Stopping" restriction at the junction with Georges River Road be APPROVED, in order to provide short term parking for visitors / patrons of local businesses; and**
- 2. The applicant, responders and Council Rangers be advised in terms of this report.**

For motion: Unanimous

**LTC1218 Item 18 Wharf Road, Birchgrove - Extension of 'No Parking' restrictions
(Balmain Ward/ Balmain Electorate/ Leichhardt LAC)**

SUMMARY

Concerns have been raised regarding vehicles parking on the footpath and obstructing pedestrian and off-street parking access to No. 40 Wharf Road, Birchgrove.

Officer's Recommendation

THAT the existing 'No Parking' zone on the southern side of Wharf Road outside No. 40 Wharf Road, Birchgrove be extended across the property's driveway.

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT the existing 'No Parking' zone on the southern side of Wharf Road outside No. 40 Wharf Road, Birchgrove be extended across the property's driveway.

For motion: Unanimous

**LTC1218 Item 19 168 Norton Street, Leichhardt (D/2018/490) - Development
Application (Leichhardt Ward/ Balmain Electorate/ Leichhardt LAC)**

SUMMARY

A Development Application has been received for the construction of a five-storey building comprising of independent living units (ILUs) and retail space at 168 Norton Street, Leichhardt.

Comments of the Local Traffic Committee will be referred to Council's Development Assessment Section for consideration in determining the Development Application.

Officer's Recommendation

THAT the report be received and noted.

DISCUSSION

Clr da Cruz asked whether the development would provide a drop off and pick up zone. Council Officers advised that visitor parking is proposed on site which will include disabled parking.

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT the report be received and noted.

For motion: Unanimous

General Business**LTC1218 Item 20 Construction truck movements in Newtown**

The representative for the Member for Newtown raised concerns regarding management of construction truck movements along King Street and Edgeware Road in Newtown and their impacts to safety on the commercial and residential areas, especially around schools, over the next six years whilst WestConnex is under construction. The representative contacted WestConnex regarding trucks using King Street and Edgeware Road and was advised that WestConnex vehicles should not be travelling along these streets and should be using Princes Highway.

The RMS representative advised that RMS encourages trucks to use State roads instead of local roads. It was advised that King Street is a classified State road and RMS cannot ban trucks on State roads.

Police representatives stated that there have been no major truck collisions in the area and there have only been minor incidents of vehicles being scraped by trucks.

LTC1218 Item 21 Funding for a pedestrian refuge in Darley Street, Leichhardt

Clr da Cruz asked for an update on funding for the pedestrian refuge in Darley Road, Leichhardt. The RMS representative advised that the funding application has been resubmitted under the Active Transport program after the last application was unsuccessful.

Meeting closed at 11.15am.

**Minutes of Local Traffic Committee Meeting
Held at Petersham Service Centre on 4 February 2019**

Meeting commenced at 10.04am

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.

COMMITTEE REPRESENTATIVES PRESENT

Clr Vic Macri	Chair – Councillor – Marrickville Ward
Bill Holliday	Representative for Jamie Parker MP, Member for Balmain
Chris Woods	Representative for Ron Hoenig MP, Member for Heffron
Sarina Foulstone	Representative for Jo Haylen MP, Member for Summer Hill
SC Tony Kenny	NSW Police – Inner West Police Area Command
Marina Nestoriadis	NSW Police – Leichhardt Police Area Command
Ryan Horne	Roads and Maritime Services

OFFICERS AND OTHERS IN ATTENDANCE

Asith Nagodavithane	Transit Systems – Inner West Bus Services
Colin Jones	Inner West Bicycle Coalition
Clr Marghanita da Cruz	Councillor – Leichhardt Ward
Wal Petschler	IWC's Group Manager, Roads, Traffic and Stormwater
John Stephens	IWC's Traffic and Transport Services Manager
Manod Wickramasinghe	IWC's Coordinator Traffic and Parking Services (North)
George Tsaprounis	IWC's Coordinator Traffic and Parking Services (South)
David Yu	IWC's Engineer – Traffic and Parking Services
Boris Muha	IWC's Engineer – Traffic and Parking Services
Vinoth Srinivasan	IWC's Engineer – Traffic and Parking Services
Mary Bailey	IWC's Parking Planner
Miia Hynninen	IWC's Business Administration Officer
Christina Ip	IWC's Business Administration Officer

VISITORS

Beverley Prunster	Item 19 – Resident
Greg Prunster	Item 19 – Resident
Jason Gooden	Item 19 – Resident

APOLOGIES:

Sgt John Micallef	NSW Police – Burwood Police Area Command
SC Sam Tohme	NSW Police – Burwood Police Area Command

DISCLOSURES OF INTERESTS:

Ms Sarina Foulstone declared a non-pecuniary interest in Item 31 as she is a member of BIKEsydney's management committee.

CONFIRMATION OF MINUTES

The Minutes of the Local Traffic Committee Meeting held on Tuesday, 4 December 2018 were confirmed.

MATTERS ARISING FROM COUNCIL'S RESOLUTION OF MINUTES

The Minutes of the Local Traffic Committee Meeting held on Tuesday, 4 December 2018 are awaiting adoption.

LTC0219 Item 1 Mullens Street, near Beattie Street, Balmain - Raised Pedestrian (Zebra) Crossing (Balmain Ward/Balmain Electorate/Leichhardt PAC)**SUMMARY**

Detailed design plans have been finalised for the proposed raised pedestrian (zebra) crossing in Mullens Street, Balmain.

The proposed works includes the construction of a raised pedestrian (zebra) crossing, relocation of existing 'Bus Zone', installation of signage and road markings, provision of motorcycle parking and upgrade of street-lighting.

Officer's Recommendation

THAT the detailed design plan for the raised pedestrian (zebra) crossing with associated signposting and line marking in Mullens Street, Balmain (as per the attached plan No. 10052) be approved.

DISCUSSION

Clr Da Cruz requested for the pedestrian crossing signs on the northbound approach to the crossing be installed on the same pole as the speed hump sign to better demarcate the crossing for approaching motorists. Council Officers stated that the design plan will be amended to correct the placement of the signage.

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT the detailed design plan for the raised pedestrian (zebra) crossing with associated signposting and line marking in Mullens Street, Balmain (as per the attached plan No. 10052) be approved, subject to reviewing the location of the pedestrian crossing sign on the design plan.

For motion: Unanimous

LTC0219 Item 2 Smidmore Street, Marrickville – Road Occupancy - Request by BreastScreen NSW to position a Mobile X-ray Unit on Street between 11 March 2019 and 9 May 2019 (Marrickville Ward / Summer Hill Electorate / Inner West PAC)

SUMMARY

A request has been received from 'BreastScreen New South Wales' to position a mobile x – ray Unit within the existing 'No parking' zone on the northern side of Smidmore Street adjacent Marrickville Metro Shopping Centre, Marrickville, between 11 March 2019 and 9 May 2019 (a period of approximately eight (8) weeks) as in previous years. It is recommended that the request be approved, on the basis of this being an annual occurrence with no major problems being encountered previously.

Officer's Recommendation

THAT the road occupancy for the BreastScreen NSW mobile x-ray unit on the northern side of Smidmore Street, Marrickville, approximately 55 metres east of Edinburgh Road, outside the Marrickville Metro Shopping Centre be supported for a period of nine (9) weeks from Monday, 11 March 2019 to Thursday, 9 May 2019, subject to the following conditions:

- 1. The existing 'No Parking' restrictions (for the length of unit) be temporarily removed for the proposed duration (i.e. 11 March to 9 May 2019);**
- 2. That all affected businesses, residents and other occupants must be notified of the road occupancy and activities at least one week prior to the commencement of the event. Any concerns or requirements raised by business proprietors, residents and other occupants must be resolved or accommodated by the applicant;**
- 3. That the applicant contact Energy Australia/Ausgrid in relation to power access to the mobile laboratory;**
- 4. That the areas to be used for the activities must be maintained in a clean and tidy condition to the satisfaction of Council's Group Manager Roads and Stormwater, or else the applicant will be required to reimburse Council for any extraordinary cleansing costs;**
- 5. That the Council and RMS must be indemnified against all claims for damage or injury that may result from either the activities or from the occupation of part of the public way during the activities. The applicant must therefore produce evidence of its public risk insurance cover (under which Council is indemnified) with a minimum policy value of at least \$10,000,000;**
- 6. That a copy of the Council approval letter must be made available on the site for inspection by relevant officers;**
- 7. That the applicant must comply with any reasonable directive from Council's Compliance Officers; and**
- 8. That Council reserves the right to cancel this approval at any time.**

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT the road occupancy for the BreastScreen NSW mobile x-ray unit on the northern side of Smidmore Street, Marrickville, approximately 55 metres east of Edinburgh Road, outside the Marrickville Metro Shopping Centre be supported for a period of nine (9) weeks from Monday, 11 March 2019 to Thursday, 9 May 2019, subject to the following conditions:

1. The existing 'No Parking' restrictions (for the length of unit) be temporarily removed for the proposed duration (i.e. 11 March to 9 May 2019);
2. That all affected businesses, residents and other occupants must be notified of the road occupancy and activities at least one week prior to the commencement of the event. Any concerns or requirements raised by business proprietors, residents and other occupants must be resolved or accommodated by the applicant;
3. That the applicant contact Energy Australia/Ausgrid in relation to power access to the mobile laboratory;
4. That the areas to be used for the activities must be maintained in a clean and tidy condition to the satisfaction of Council's Group Manager Roads and Stormwater, or else the applicant will be required to reimburse Council for any extraordinary cleansing costs;
5. That the Council and RMS must be indemnified against all claims for damage or injury that may result from either the activities or from the occupation of part of the public way during the activities. The applicant must therefore produce evidence of its public risk insurance cover (under which Council is indemnified) with a minimum policy value of at least \$10,000,000;
6. That a copy of the Council approval letter must be made available on the site for inspection by relevant officers;
7. That the applicant must comply with any reasonable directive from Council's Compliance Officers; and
8. That Council reserves the right to cancel this approval at any time.

For motion: Unanimous

LTC0219 Item 3 Darling Street between Mort Street and Curtis Road, Balmain - Road Occupancy - ANZAC Day Dawn Service (Balmain Ward/Balmain Electorate/Leichhardt PAC)

SUMMARY

In preparation to mark the ANZAC Day Dawn Service 2019 on Thursday, 25 April 2019, Inner West Council is organising an event at the Loyalty Square War Memorial, Balmain. To facilitate the event, it is proposed to close Darling Street between Mort Street and Curtis Road between 2:30am and 9:30am

Officer's Recommendation

THAT:

1. The road closure application for the 'ANZAC Day Dawn Service' on Darling Street (Mort Street to Curtis Road), Balmain on Thursday, 25 April 2019 between

2.30am and 9.30am be supported as per the submitted TCP;

2. All residents and businesses in and around the affected area, including NSW Fire & Rescue (Balmain) to be notified by the applicant in advance (7 days prior to the event) of the temporary road closure;
3. A minimum four (4) metre unencumbered passage be available for emergency vehicles through the closed section of Darling Street, Balmain;
4. The occupation of the road carriageway must not occur until the road has been physically closed;
5. That Transit Systems be requested to terminate all bus services either at Grove Street or in Mullens Street;
6. That three parking spaces on the northern side of Grove Street (even numbered side, No. 22, 24, 26A) near Deloitte Avenue be temporarily converted to a 'Bus Zone' and affected residents notified;
7. That NSW Police be requested to provide traffic control in Darling Street at Rowntree Street/Montague Street to restrict bus/truck access into Darling Street, east of Rowntree Street, Balmain.

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT:

1. The road closure application for the 'ANZAC Day Dawn Service' on Darling Street (Mort Street to Curtis Road), Balmain on Thursday, 25 April 2019 between 2.30am and 9.30am be supported as per the submitted TCP;
2. All residents and businesses in and around the affected area, including NSW Fire & Rescue (Balmain) to be notified by the applicant in advance (7 days prior to the event) of the temporary road closure;
3. A minimum four (4) metre unencumbered passage be available for emergency vehicles through the closed section of Darling Street, Balmain;
4. The occupation of the road carriageway must not occur until the road has been physically closed;
5. That Transit Systems be requested to terminate all bus services either at Grove Street or in Mullens Street;
6. That three parking spaces on the northern side of Grove Street (even numbered side, No. 22, 24, 26A) near Deloitte Avenue be temporarily converted to a 'Bus Zone' and affected residents notified;
7. That NSW Police be requested to provide traffic control in Darling Street at Rowntree Street/Montague Street to restrict bus/truck access into Darling Street, east of Rowntree Street, Balmain.

For motion: Unanimous

Item 8

LTC0219 Item 4 Audley Street, Sadlier Crescent, Fisher Street, and parking lanes on New Canterbury Road Petersham – Temporary Full Road Closures For Special Event On Sunday 10 March 2019 – Bairro Portuguese Food and Wine Fair (Stanmore Ward/Newtown Electorate/Marrickville PAC)

SUMMARY

A Development Application (DA201700624) was approved in 2018 for the holding of the annual 'Bairro Portuguese Food and Wine Fair' for a five year period (i.e. 4 March 2018, 17 March 2019, 15 March 2020, 14 March 2021 and 13 March 2022).

This year's event will be held on Sunday 10 March 2019 (not 17 March 2019) and will necessitate the temporary closure of Audley Street (between Trafalgar Street and New Canterbury Road), Sadlier Crescent (between Audley Street and Abels Lane) and Fisher Street (between Audley Street and Regent Street), as well as the parking lanes on New Canterbury Road (between Gordon Street and Audley Street), Petersham from 1.00am until 12.00 midnight as in previous years.

It is recommended that Council agree to the temporary road closures on Sunday 10 March 2019; apply to the RMS for consent to close the subject roads, subject to the event being advertised, a Traffic Management Plan be submitted to the RMS for approval and advice of the proposed event being forwarded to the appropriate authorities, including the Transport Management Centre.

Officer's Recommendation

THAT the proposed temporary road closure of Audley Street (between Trafalgar Street and New Canterbury Road), Sadlier Crescent (between Audley Street and Abels Lane) and Fisher Street (between Audley Street and Regent Street), as well as the parking lanes on New Canterbury Road (between Gordon street and Audley Street), Petersham, on Sunday 10 March 2019, from 1.00am to 12.00 midnight, for the holding of the annual 'Bairro Portuguese Food and Wine Fair', be SUPPORTED subject to the applicant complying with but not limited to the following conditions;

- 1. A Traffic Management Plan (TMP) is submitted to and approved by the Roads and Maritime Services; and an application for a Road Occupancy Licence and a temporary Speed Zone Authorisation is forwarded to and approved by the Transport Management Centre;**
- 2. Notice of the proposed event is forwarded to all affected residents and businesses, including the N.S.W. Police, Transit Systems Marrickville Local Area Commander, the Fire & Rescue NSW and NSW Ambulance;**
- 3. Transit Systems – Inner West Bus Services be requested to implement a revised routing for scheduled bus services in Audley Street on the day of the event and install temporary bus stops as required; and**
- 4. The occupation of the road carriageways must not occur until the roads have been physically closed.**

DISCUSSION

Attachment 2

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT the proposed temporary road closure of Audley Street (between Trafalgar Street and New Canterbury Road), Sadlier Crescent (between Audley Street and Abels Lane) and Fisher Street (between Audley Street and Regent Street), as well as the parking lanes on New Canterbury Road (between Gordon street and Audley Street), Petersham, on Sunday 10 March 2019, from 1.00am to 12.00 midnight, for the holding of the annual 'Bairro Portuguese Food and Wine Fair', be SUPPORTED subject to the applicant complying with but not limited to the following conditions;

- 1. A Traffic Management Plan (TMP) is submitted to and approved by the Roads and Maritime Services; and an application for a Road Occupancy License and a temporary Speed Zone Authorisation is forwarded to and approved by the Transport Management Centre;**
- 2. Notice of the proposed event is forwarded to all affected residents and businesses, including the N.S.W. Police, Transit Systems Marrickville Local Area Commander, the Fire & Rescue NSW and NSW Ambulance;**
- 3. Transit Systems – Inner West Bus Services be requested to implement a revised routing for scheduled bus services in Audley Street on the day of the event and install temporary bus stops as required; and**
- 4. The occupation of the road carriageways must not occur until the roads have been physically closed.**

For motion: Unanimous

LTC0219 Item 5 Temporary Road Closure - Cook Street (between Angelini Street and Brockley Street), Rozelle (Balmain Ward/Balmain Electorate/Leichhardt PAC)

SUMMARY

An application has been received from Charles Lake Architect for the temporary full road closure of Cook Street (between Angelini Street and Brockley Street - 220m), Rozelle and partial road closure of Denison Street, Rozelle in the southbound parking and traffic lanes in front of Nos.18-20 Denison Street. The closure is to be undertaken on Monday, 11 March 2019, with a further one week contingency thereafter to carryout sewer works between 7am and 3pm. It is recommended that the proposed temporary full and partial road closure be approved, subject to the conditions outlined in the report.

Officer's Recommendation

THAT:

- 1. The proposed temporary full road closure of Cook Street, between Angelini Street and Brockley Street, Rozelle and partial road closure of Denison Street in the southbound parking and traffic lanes in front of Nos.18-20 Denison Street, Rozelle from 7am to 3pm, Monday 11 March 2019, with a further one week contingency thereafter, be approved in order to carryout sewer works as per the submitted TCP;**

2. A Road Occupancy License be obtained by the applicant from the Transport Management Centre (where applicable);
3. All affected residents and businesses, including the NSW Police Local Area Commander, Fire & Rescue NSW and the NSW Ambulance Services be notified in writing, by the applicant, of the proposed temporary road closure at least 7 days in advance of the closure with the applicant making reasonable provision for stakeholders; and
4. The occupation of the road carriageway must not occur until the road has been physically closed.

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT:

1. The proposed temporary full road closure of Cook Street, between Angelini Street and Brockley Street, Rozelle and partial road closure of Denison Street in the southbound parking and traffic lanes in front of Nos.18-20 Denison Street, Rozelle from 7am to 3pm, Monday 11 March 2019, with a further one week contingency thereafter, be approved in order to carryout sewer works as per the submitted TCP;
2. A Road Occupancy License be obtained by the applicant from the Transport Management Centre (where applicable);
3. All affected residents and businesses, including the NSW Police Local Area Commander, Fire & Rescue NSW and the NSW Ambulance Services be notified in writing, by the applicant, of the proposed temporary road closure at least 7 days in advance of the closure with the applicant making reasonable provision for stakeholders; and
4. The occupation of the road carriageway must not occur until the road has been physically closed.

For motion: Unanimous

LTC0219 Item 6 Canal Road and Lilyfield Road, Lilyfield - Temporary Road Closure for EDGE Greenway event (Leichhardt Ward / Balmain Electorate / Leichhardt PAC)

SUMMARY

Inner West Council is proposing to hold the 'EDGE Greenway' event on Saturday, 30 March 2019 along the Greenway, Lilyfield Road Bridge, Peace Grove and Blackmore Oval and will require the closure of Lilyfield Road and Canal Road, Lilyfield to facilitate the event.

Officer's Recommendation**THAT:**

1. The proposed temporary full road closure of Lilyfield Road (between Maliyawul Street and Canal Road) and Canal Road (between Lilyfield Road and dead-end) for the 'EDGE Greenway' Event on Saturday, 30 March 2019 between 2:00pm and 10:00pm be approved as per the submitted TMP and TCP;
2. All residents and businesses in and around the affected area, including the NSW Police Local Area Commander, Fire & Rescue NSW (Leichhardt) and the NSW Ambulance Services to be notified of the temporary road closure in writing by the applicant in advance (at least 7 days prior to the event) with the applicant making reasonable provision for stakeholders;
3. A minimum four (4) metre unencumbered passage be available for emergency vehicles through the closed section; and
4. The occupation of the road carriageway must not occur until the road has been physically closed.

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION**THAT:**

1. The proposed temporary full road closure of Lilyfield Road (between Maliyawul Street and Canal Road) and Canal Road (between Lilyfield Road and dead-end) for the 'EDGE Greenway' Event on Saturday, 30 March 2019 between 2:00pm and 10:00pm be approved as per the submitted TMP and TCP;
2. All residents and businesses in and around the affected area, including the NSW Police Local Area Commander, Fire & Rescue NSW (Leichhardt) and the NSW Ambulance Services to be notified of the temporary road closure in writing by the applicant in advance (at least 7 days prior to the event) with the applicant making reasonable provision for stakeholders;
3. A minimum four (4) metre unencumbered passage be available for emergency vehicles through the closed section; and
4. The occupation of the road carriageway must not occur until the road has been physically closed.

For motion: Unanimous

LTC0219 Item 7 Council Street, St Peters - Proposed Parking Restrictions (Marrickville Ward/ Heffron Electorate/Inner West PAC)**SUMMARY**

A request has been received from a resident to improve access due to the current parking situation on Council Street, St Peters. It has been reported that on numerous occasions, vehicles parked on both sides of Council Street, St Peters between Goodsell Street and the cul-de-sac have obstructed access for Transport for NSW utility vehicles along Council Street.

The northern end of Council Street at the cul-de-sac serves as a corridor for Transport for NSW utility vehicles to access the railway land. On several occasions, a resident had witnessed utility vehicles unable to successfully manoeuvre along Council Street, resulting in damage to parked vehicles.

Additionally, parking is presently unrestricted on the western side of Council Street, between May Street and Goodsell Street. It is recommended that the 'No Parking' restrictions be extended along the western side of Council Street to prevent vehicles from parking along this kerb given the width constraints and permissible parking on the eastern side of Council Street between May Street and Goodsell Street.

It is recommended that the installation of 'No Parking' restrictions be approved, in order to ensure safe thoroughfare of all vehicles along Council Street as the road width does not support parking on both sides of the street.

Officer's Recommendation

That the installation of 'No Parking' restrictions in Council Street, St Peters along the western side between May Street and the cul-de-sac (excluding the 90 degree angled parking spaces at the rear to the amenities building for Camdenville Oval) be APPROVED, in order to ensure safe thoroughfare of all vehicles along Council Street as the road width does not support parking on both sides of the street.

DISCUSSION

The representative for the Member for Heffron commented that some residents were originally concerned that there would be a loss of parking, however; they noted that the width of the street does not support parking on both sides of the street. The representative stated that the Member for Heffron supports the proposal.

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

That the installation of 'No Parking' restrictions in Council Street, St Peters along the western side between May Street and the cul-de-sac (excluding the 90 degree angled parking spaces at the rear to the amenities building for Camdenville Oval) be APPROVED, in order to ensure safe thoroughfare of all vehicles along Council Street as the road width does not support parking on both sides of the street.

For motion: Unanimous

LTC0219 Item 8 Gannon Lane, Tempe - Proposed Parking Restrictions (Marrickville Ward/Heffron Electorate/Inner West PAC)**SUMMARY**

A concern has been raised by a resident from Gannon Lane regarding obstructed off -street parking access for residents and occupiers due to visitor vehicles parking over driveway crossings along Gannon Lane, Tempe.

Officer's Recommendation

That a proposal for 'No Parking' restrictions on the eastern side of Gannon Lane, Tempe NOT be supported at the present time due to insufficient support at present.

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

That a proposal for 'No Parking' restrictions on the eastern side of Gannon Lane, Tempe NOT be supported at the present time due to insufficient support at present.

For motion: Unanimous

LTC0219 Item 9 Lord Street, Newtown - Proposed kerb blister islands (Stanmore Ward, Newtown Electorate, Inner West PAC)**SUMMARY**

Design plans have been developed for a proposed kerb blister island in Lord Street, Newtown, outside Nos.17-21 Lord Street, Newtown. It is recommended that the installation of kerb blister islands with associated signs and line markings be **APPROVED** as it will improve residents' vehicular access.

Officer's Recommendation

That the proposed kerb blister islands in Lord Street, Newtown outside property Nos.17-21 Lord Street, Newtown, including associated signs and line markings, be **APPROVED**.

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

That the proposed kerb blister islands in Lord Street, Newtown outside property Nos.17-21 Lord Street, Newtown, including associated signs and line markings, be **APPROVED**.

For motion: Unanimous

LTC0219 Item 10 Unnamed Lane - rear of No.39 Warren Road, Marrickville - Proposed 'No Parking' restriction (Marrickville Ward/Summer Hill Electorate/Inner West PAC)**SUMMARY**

Following representations from the community, Council is proposing to implement a section of 'No Parking' in the Unnamed Lane at the rear of No.39 Warren Road, Marrickville in order to facilitate access to off-street parking spaces for residents.

Officer's Recommendation

That the installation of 'No Parking' restrictions on the southern side of the Unnamed Laneway, across the rear boundary of No.39 Warren Road, Marrickville (between Warren Road and Church Street) be approved.

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

That the installation of 'No Parking' restrictions on the southern side of the Unnamed Laneway, across the rear boundary of No.39 Warren Road, Marrickville (between Warren Road and Church Street) be approved.

For motion: Unanimous

LTC0219 Item 11 Rosieville Lane, Balmain - Proposed 'No Parking' Restriction (Balmain Ward/Balmain Electorate/Leichhardt PAC)**SUMMARY**

Council has received concerns regarding obstructed access to off-street parking in Rosieville Lane (opposite the rear of No.82 Glassop Street), Balmain.

Officer's Recommendation

THAT a 5.5m 'No Parking' zone be installed on the south eastern side of Rosieville Lane, along the rear boundary of No.467 Darling Street, Balmain.

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT a 5.5m 'No Parking' zone be installed on the south eastern side of Rosieville Lane, along the rear boundary of No.467 Darling Street, Balmain.

For motion: Unanimous

LTC0219 Item 12 Longport Street, Lewisham - Proposed extension of Peak Hour Parking Restrictions (Ashfield Ward/Summer Hill Electorate/Inner West PAC)**SUMMARY**

Following representation for the community, Council is proposing to extend the existing “No parking” restriction in Longport Street, Lewisham; in order to facilitate the flow of traffic through the intersection at Longport Street and Old Canterbury Road.

Officer’s Recommendation

That the existing ‘No Parking Mon-Fri 6:30am-9:30am; 3:30pm-6:30pm restrictions in Longport Street (opposite its intersection with Brown Street) be extended by a further 25m west.

DISCUSSION

Committee agreed to suggestion to extend the existing ‘No Parking Mon-Fri 6:30am-9:30am; 3:30pm-6:30pm’ in Longport Street to cover the length of road between the existing ‘No Stopping’ zone, west of Old Canterbury Road, and the ‘No Stopping’ zone associated with the pedestrian refuge on Longport Street immediately to the east of Grosvenor Crescent. This would remove up to three unrestricted parking spaces but would improve safety for cyclists and motorists by allowing cyclists to stay in the cycle lane as they approach Old Canterbury Road.

Council Officers to notify residents of the proposed prior to implementation.

COMMITTEE RECOMMENDATION

That the existing ‘No Parking Mon-Fri 6:30am-9:30am; 3:30pm-6:30pm restrictions in Longport Street (northern side) be extended so that they cover the length of road between the existing ‘No Stopping’ zone on Longport Street west of Old Canterbury Road and the ‘No Stopping’ zone associated with the pedestrian refuge on Longport Street immediately to the east of Grosvenor Crescent.

For motion: Unanimous

LTC0219 Item 13 Cavey Street, Marrickville - Proposed 'No Parking' in cul de sac (Marrickville Ward/Summer Hill Electorate/Inner west PAC)**SUMMARY**

Following representation from the community, Council is proposing to implement a section of ‘No Parking’ in the cul-de-sac of Cavey Street, Marrickville in order to improve the manoeuvring for vehicles within the cul-de-sac without having to utilise private driveways or motorists having to reverse along Cavey Street in an attempt to exit the street.

Officer’s Recommendation

That ‘No Parking’ restrictions be installed in Cavey Street, Marrickville as follows;

- From boundary of property No.20A, 10 metres to the end of the street (eastern side) to a position of 6.5 metres from the cul-de-sac, (western side) and

inclusive of all the area between the two signs.

DISCUSSION

Council Officers advised that a resident of Cavey Street made a late submission requesting the parking space adjacent to 20A Cavey Street to be retained. An investigation on-site indicated that a vehicle parked adjacent to 20A Cavey Street will not impact turning manoeuvres at the end of the cul de sac. As such, Council Officers suggested installing the 'No Parking' restrictions 5.5m south of No.20A to retain a parking space (Attachment 1).

The Committee members agreed with the revised proposal for the 'No Parking' restrictions.

COMMITTEE RECOMMENDATION

That 'No Parking' restrictions be installed in Cavey Street, Marrickville as follows;

- From a position 5.5m south of Property No.20A, to a position of 6.5 metres from the cul-de-sac, (western side) and inclusive of all the area between the two signs.

For motion: Unanimous

LTC0219 Item 14 Roach Street, Marrickville - 'Proposed No Parking' in cul de sac (Marrickville Ward/Summer Hill Electorate/Inner West PAC)

SUMMARY

Following representations from the community Council is proposing to install 'No Parking' signage in the cul-de-sac of Roach Street, Marrickville to facilitate access to driveways and offstreet parking for a number of residences which have reported their access being obstructed leading to Enforcement Officers attending the location on a number of occasions.

Officer's Recommendation

THAT the installation of full time 'No Parking' restrictions in the cul-de-sac commencing immediately south of the existing 'Mobility Parking' zone outside property No.2 Roach Street to a position one (1) metre to the north of the driveway of property No.3 Roach Street be approved.

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT the installation of full time 'No Parking' restrictions in the cul-de-sac commencing immediately south of the existing 'Mobility Parking' zone outside property No.2 Roach Street to a position one (1) metre to the north of the driveway of property No.3 Roach Street be approved.

For motion: Unanimous

LTC0219 Item 15 Cannon Lane, Stanmore - Proposed 'No Stopping' and 'No Parking' restrictions (Stanmore Ward/Newtown Electorate/Inner West PAC)**SUMMARY**

Following representations from the community, Council is proposing to restrict parking in Cannon Lane between Corunna Road and Westbourne Street, Stanmore; in order to allow for access to off-street parking spaces for residents and to facilitate the passage of service vehicles, including Council garbage trucks.

Officer's Recommendation**THAT:**

1. Installation of statutory 10 meters 'No Stopping' in Cannon Lane (both sides) at Corunna Road
2. Installation of statutory 10 meters 'No Stopping' in Cannon Lane (both sides) at Westbourne Street
3. Installation of 'No Parking' in Cannon Lane (both sides) from proposed 'No Stopping' zones between Corunna Road and Westbourne Street; be approved.

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION**THAT:**

1. Installation of statutory 10 meters 'No Stopping' in Cannon Lane (both sides) at Corunna Road
2. Installation of statutory 10 meters 'No Stopping' in Cannon Lane (both sides) at Westbourne Street
3. Installation of 'No Parking' in Cannon Lane (both sides) from proposed 'No Stopping' zones between Corunna Road and Westbourne Street; be approved.

For motion: Unanimous

LTC0219 Item 16 Silver Street, St Peters - Proposed 10m No Stopping at intersection with Edith Lane (Marrickville Ward/Heffron Electorate/Inner West PAC)**SUMMARY**

Following representations from residents regarding the visibility of pedestrians (including school children) at the intersection of Silver Street at Edith Street, St Peters; Council is proposing to install a 10m 'No Stopping' zone on the western side of Silver Street north of its intersection with Edith Lane. This proposal is designed to address pedestrian and vehicle visibility and manoeuvrability issues at this intersection.

Officer's Recommendation

THAT the installation of a Statutory 10m 'No Stopping' zone in Silver Street, St Peters, (western side) - at its intersection with Edith Lane (adjacent to property No. 2 Silver Street) be approved.

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT the installation of a Statutory 10m 'No Stopping' zone in Silver Street, St Peters, (western side) - at its intersection with Edith Lane (adjacent to property No. 2 Silver Street) be approved.

For motion: Unanimous

LTC0219 Item 17 Brighton Street, Petersham Intersection with Unnamed Lane - Proposed Parking Restrictions (Stanmore Ward/Newtown Electorate/Inner West PAC)

SUMMARY

Following community representation, it is proposed to signpost statutory 'No Stopping' restrictions in Brighton Street, Petersham, at its intersection with an Unnamed Lane (located 30m east of Railway Street), in order to prevent illegal parking and improve safety at the entry into Brighton Street. Community feedback supporting implementation of parking restrictions and a revision to the proposal was sought. The revision is to implement 'No Parking' instead of 'No Stopping' on the western side of the laneway in Brighton Street due to the existence of a driveway in part of the proposed location. The proposal for 'No Stopping' restriction in Brighton Street east of the laneway was supported.

Officer's Recommendation

THAT:

- 1. The installation of 10m 'No Stopping' restriction in Brighton Street, Petersham east of Unnamed Lane (located 30m east of Railway Street) , and**
- 2. The installation of 10m 'No Parking' restriction in Brighton Street, Petersham west of Unnamed Lane (located 30m east of Railway Street); be approved.**

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT:

- 1. The installation of 10m 'No Stopping' restriction in Brighton Street, Petersham east of Unnamed Lane (located 30m east of Railway Street) , and**
- 2. The installation of 10m 'No Parking' restriction in Brighton Street, Petersham west of Unnamed Lane (located 30m east of Railway Street); be approved.**

For motion: Unanimous

LTC0219 Item 18 Grove Street, Dulwich Hill - Extension of Existing Resident Permit Scheme Hours (Ashfield Ward/Summer Hill Electorate/Inner West PAC)**SUMMARY**

Following community representations, Council proposed an extension to the permit parking hours in Grove Street, Dulwich Hill. Consultation with owners and occupiers in Grove Street indicated that there was insufficient support to carry out any extension of the permit parking hours at the present time.

Officer's Recommendation

THAT the proposal to extend the existing '2P Permit Holders Excepted 8:30am-6:00pm Mon-Fri' Area M6 restrictions on the southern side of Grove Street, Dulwich Hill to '2P Permit Holders Excepted 8:30am-10:00pm Mon-Fri Area M6' not be supported due to insufficient resident support at the present time.

DISCUSSION

Council Officers advised that two late submissions supporting the extension of the existing permit parking restrictions were received. With the additional submissions, there is a sufficient level of community support for the proposal and Council Officers recommend supporting the extension of the permit parking restrictions.

The Committee was advised that the head proponent had expressed a desire to attend the Local Traffic Committee meeting but was unable to do so.

The Committee members supported a recommendation to extend the permit parking hours in Grove Street, Dulwich Hill. Residents will be notified of decision.

COMMITTEE RECOMMENDATION

THAT the proposal to extend the existing '2P Permit Holders Excepted 8:30am-6:00pm Mon-Fri' Area M6 restrictions on the southern side of Grove Street, Dulwich Hill to '2P Permit Holders Excepted 8:30am-10:00pm Mon-Fri Area M6' be supported.

For motion: Unanimous

LTC0219 Item 19 Chapman Lane (rear of Nos.129 - 133 Annandale Street), Annandale - Proposed Extension of 'No Parking' zone (Leichhardt Ward/Balmain Electorate/Leichhardt PAC)**SUMMARY**

Council has received concerns regarding parked vehicles obstructing access to off-street parking in Chapman Lane (rear of Nos.129 - 133 Annandale Street), Annandale. This matter was previously considered by the Committee last year and deferred for further consideration.

Officer's Recommendation

THAT a 10.8m 'No Parking' zone be installed on the eastern side of Chapman Lane (opposite the rear of Nos.129 - 133 Annandale Street), Annandale.

DISCUSSION

Public speakers: Ms Beverley Prunster and Mr Greg Prunster attended at 10.08am.

Ms Prunster objected to the proposed 'No Parking' zone and made the following comments:

- It is difficult to find parking in Johnston Street.
- Laneway parking is needed for work and service vehicles.
- Vehicles do not enter and exit from No.131 Annandale Street. The garage of No.133 Annandale Street is not used and no vehicles enter or exit the garage.
- Parking is permitted at the entrance of Chapman Lane even though it is opposite driveways and more obstructive to access than the parking space adjacent to her property.
- Photos were tabled showing use of the laneway and obstruction.
- Her mother who has a mobility parking sticker often cannot find parking on Johnston Street.
- The parking space adjacent to her garage should be retained for use by all residents and visitors.

Mr Prunster commented that:

- Their garage is currently full with seven vehicles so they have to use street parking.
- Johnstone Street parking is often used by commuters.
- The parking space proposed for removal is beneficial for visitors.

Ms and Mr Prunster left 10.15am.

Public speaker: Mr Jason Gooden attended at 10.18am.

Mr Gooden commented that:

- He and his neighbour applied to Council for the extension of the 'No Parking' zone in Chapman Lane due to parked vehicles frequently obstructing access to their off-street parking.
- He and his neighbour have a right to access their off-street parking.
- It has become increasingly difficult to park in Annandale Street due to nearby development and commuters.
- The lane is too narrow for a car to park without obstructing the turning path into his property.

Mr Gooden left at 10.23am.

Council Officers advised that resident parking was considered in Johnston Street at the

former Leichhardt Council; however, Johnston Street is a State Road and RMS did not support a resident parking scheme at that time. The RMS representative advised that resident parking is generally not implemented on State Roads.

Clr Da Cruz asked whether a mobility parking space can be provided in Chapman Lane for Ms Prunster's mother. Council Officers advised that Ms and Mr Prunster's property would not be eligible for a mobility parking space as their property has sufficient off-street parking. It was also advised that there is insufficient space for a disabled parking space at this location.

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT a 10.8m 'No Parking' zone be installed on the eastern side of Chapman Lane (opposite the rear of Nos.129 - 133 Annandale Street), Annandale.

For motion: Unanimous

LTC0219 Item 20 Short Street, Dulwich Hill- Proposed Permit Parking restrictions (Ashfield Ward/Summer Hill Electorate/LAC)

SUMMARY

Following representations to Council from the community, Council is proposing to implement permit parking restrictions in Short Street, Dulwich Hill; consistent with permit parking restrictions in nearby streets.

Officer's Recommendation

THAT:

- 1. Installation of 2P Permit Holders Excepted 8:30am-6pm Monday to Friday Area M7) restrictions in Short Street, Lewisham (south side); and**
- 2. Installation of 6m 'No Stopping' restriction in Short Street (south side) at its intersection with Victoria Street; be approved**

DISCUSSION

The RMS representative advised that a risk assessment for a proposed reduction in the statutory 10m 'No Stopping' restriction should be submitted to RMS for review.

The Committee members agreed with part 1 of the Officer's recommendation and recommended that the installation of the 6m 'No Stopping' zone be approved, subject to RMS approval of Council's risk assessment.

COMMITTEE RECOMMENDATION

THAT:

- 1. Installation of 2P Permit Holders Excepted 8:30am-6pm Monday to Friday Area M7) restrictions in Short Street, Lewisham (south side) be approved; and**
- 2. Installation of 6m 'No Stopping' restriction in Short Street (south side) at its intersection with Victoria Street be approved, subject to RMS approving the risk assessment undertaken by Council.**

For motion: Unanimous

LTC0219 Item 21 Little Theodore Street, Balmain - Proposed Extension of 'No Parking' zone (Balmain Ward/Balmain Electorate/Leichhardt PAC)**SUMMARY**

Council has received concerns regarding obstructed driveway and pedestrian access in Little Theodore Street at the rear of No.46A Llewellyn Street, Balmain.

Officer's Recommendation

THAT the existing 8.7m '2P 8am-10pm Permit Holders Excepted Area B1' parking zone on the northern side of Little Theodore Street rear to No.44 Llewellyn Street, Balmain be reduced by 2.7m by extending the existing 'No Parking' zones on both the eastern and western sides of the parking space by 1.35m each.

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT the existing 8.7m '2P 8am-10pm Permit Holders Excepted Area B1' parking zone on the northern side of Little Theodore Street rear to No.44 Llewellyn Street, Balmain be reduced by 2.7m by extending the existing 'No Parking' zones on both the eastern and western sides of the parking space by 1.35m each.

For motion: Unanimous

LTC0219 Item 22 Frampton Lane, Marrickville - Request for 'No Parking' Restrictions (Marrickville Ward / Summer Hill Electorate / Inner West PAC)**SUMMARY**

Representations have been received from a local resident for the installation of full time 'No Parking' restrictions in Frampton Lane, Marrickville on the western side of Frampton Lane, northward of the junction of Seymour Lane and Central Lane, to improve access to off-street parking as vehicular access is often blocked by parked vehicles in the laneway. Residents have been notified of the proposal. It is recommended that the proposal be approved.

Officer's Recommendation

THAT:

- 1. The installation of a 15 metre 'No Parking' zone on the western side of Frampton Lane, northward of the junction of Seymour Lane and Central Lane, adjacent to property No.289 Victoria Road, Marrickville be APPROVED, in order to provide unobstructed vehicular access to the off-street car parking spaces and**
- 2. The applicant and Council's Parking Officers be advised in terms of this report.**

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION**THAT:**

1. The installation of a 15 metre 'No Parking' zone on the western side of Frampton Lane, northward of the junction of Seymour Lane and Central Lane, adjacent to property No.289 Victoria Road, Marrickville be APPROVED, in order to provide unobstructed vehicular access to the off-street car parking spaces and
-
2. The applicant and Council's Parking Officers be advised in terms of this report.

For motion: Unanimous**LTC0219 Item 23 Minor Traffic Facilities (All Wards/All Electorates/All LAC's)****SUMMARY**

This report considers minor traffic facility applications received by Inner West Council, including 'Disabled Parking' and 'Works Zone' requests.

Officer's Recommendation**THAT:**

1. The 6m '1 hour Parking' space in lieu of a Disabled Parking zone in front of No.32 Lamb Street, Lilyfield be removed as the zone is no longer required;
2. A 5.5m 'Disabled Parking' zone be installed in front of No.2-4 Lookes Avenue, Balmain East;
3. A 5.5m 'Disabled Parking' zone be installed in front of No.2/18 and No.3/18 George Street, Balmain;
4. A 5.5m 'Disabled Parking' zone be installed in front of No.24 John Street, Ashfield;
5. A 6m 'Disabled Parking' zone be installed in front of No.36 Tupper Street, Enmore;
6. A 5.5m 'Disabled Parking' zone be installed front of No.39 Shaw Street Petersham;
7. A 3.5m (45-degree angle parking) 'Disabled Parking' zone be installed in front of No.158 Trafalgar Street, Annandale;
8. A 6m 'Disabled Parking' zone be installed in front of No.18 Foreman Street, Tempe;
9. A 9m 'Works Zone 7.00am – 5.00pm Mon-Fri and 8.00am – 1.00pm Sat' be installed in front of No.23 Darling Street, Balmain for 12 weeks, temporarily replacing the resident parking restrictions;
10. A 12m 'Works Zone 7.00am – 5.00pm Mon-Fri and 8.00am – 1.00pm Sat' be installed in front of No.67 and No.69 Audley Street, Petersham for 12 weeks, temporarily replacing the resident parking restrictions;
11. A 9m 'Works Zone 7.00am – 5.00pm Mon-Fri and 8.00am – 1.00pm Sat' be

installed in front of No.32 George Street, Marrickville for 10 weeks;

12. An 11m 'Works Zone 7.00am – 5.00pm Mon-Fri and 8.00am – 1.00pm Sat' be installed in front of No.19 Margaret Street, Stanmore for 8 weeks.

13. A 14m 'Works Zone 7:00am – 5:00pm Mon-Fri and 8.00am-1.00pm Sat' be installed in Eton Street, along the side boundary of No. 101 Australia Street, Camperdown for 12 weeks.

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT:

1. The 6m '1 hour Parking' space in lieu of a Disabled Parking zone in front of No.32 Lamb Street, Lilyfield be removed as the zone is no longer required;
2. A 5.5m 'Disabled Parking' zone be installed in front of No.2-4 Lookes Avenue, Balmain East;
3. A 5.5m 'Disabled Parking' zone be installed in front of No.2/18 and No.3/18 George Street, Balmain;
4. A 5.5m 'Disabled Parking' zone be installed in front of No.24 John Street, Ashfield;
5. A 6m 'Disabled Parking' zone be installed in front of No.36 Tupper Street, Enmore;
6. A 5.5m 'Disabled Parking' zone be installed front of No.39 Shaw Street Petersham;
7. A 3.5m (45-degree angle parking) 'Disabled Parking' zone be installed in front of No.158 Trafalgar Street, Annandale;
8. A 6m 'Disabled Parking' zone be installed in front of No.18 Foreman Street, Tempe;
9. A 9m 'Works Zone 7.00am – 5.00pm Mon-Fri and 8.00am – 1.00pm Sat' be installed in front of No.23 Darling Street, Balmain for 12 weeks, temporarily replacing the resident parking restrictions;
10. A 12m 'Works Zone 7.00am – 5.00pm Mon-Fri and 8.00am – 1.00pm Sat' be installed in front of No.67 and No.69 Audley Street, Petersham for 12 weeks, temporarily replacing the resident parking restrictions;
11. A 9m 'Works Zone 7.00am – 5.00pm Mon-Fri and 8.00am – 1.00pm Sat' be installed in front of No.32 George Street, Marrickville for 10 weeks;
12. An 11m 'Works Zone 7.00am – 5.00pm Mon-Fri and 8.00am – 1.00pm Sat' be installed in front of No.19 Margaret Street, Stanmore for 8 weeks; and
13. A 14m 'Works Zone 7:00am – 5:00pm Mon-Fri and 8.00am-1.00pm Sat' be installed in Eton Street, along the side boundary of No. 101 Australia Street,

Camperdown for 12 weeks.

For motion: Unanimous

LTC0219 Item 24 Susan Lane, Annandale - Extension of Existing Resident Parking Scheme (Leichhardt Ward/Balmain Electorate/Leichhardt PAC)

SUMMARY

Council has received correspondence from a number of residents of Susan Lane, Annandale requesting an extension to the existing Resident Parking Scheme (RPS) in Susan Lane northwards towards the closed section (frontage of No.30 Susan Lane) to address issues with long stay parking by non-resident vehicles.

This report provides the result of the RPS investigation in Susan Lane, Annandale.

Officer's Recommendation

THAT the existing '2P, 8am-6pm Mon-Fri, Permit Holders Excepted, Area A1' restrictions in Susan Lane, Annandale be extended northwards to the closed section (along the frontage of No.30 Susan Lane).

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT the existing '2P, 8am-6pm Mon-Fri, Permit Holders Excepted, Area A1' restrictions in Susan Lane, Annandale be extended northwards to the closed section (along the frontage of No.30 Susan Lane).

For motion: Unanimous

LTC0219 Item 25 King Lane, Balmain - 'No Parking' zone (Balmain Ward/Balmain Electorate/Leichhardt PAC)

SUMMARY

Council has received a request to convert an existing '2P 8am-10pm Permit Holders Excepted Area B1' zone to a 'No Parking' zone in King Lane, Balmain on the side boundary of Nos.24 - 26 King Street to allow access to a newly constructed garage at the rear of No.35 Birchgrove Road.

Officer's Recommendation

THAT the existing 12.5m '2P 8am-10pm Permit Holders Excepted Area B1' resident parking zone in King Lane on the side boundary of Nos.24-26 King Street be converted to a 'No Parking' zone.

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT the existing 12.5m '2P 8am-10pm Permit Holders Excepted Area B1' resident parking zone in King Lane on the side boundary of Nos.24-26 King Street be converted to a 'No Parking' zone.

For motion: Unanimous

**LTC0219 Item 26 Rawson Street, Haberfield - Proposed '15 Minute' Parking Zone
(Leichhardt Ward/Summer Hill Electorate/Burwood PAC)**

SUMMARY

Council has received a request to install short term parking in Rawson Street, close to the intersection of Ramsay Street to improve accessibility for patrons of Haberfield Post Office with mobility issues.

Officer's Recommendation**THAT:**

1. The existing 9 metre '1P 8.30am – 6.00pm Mon-Fri, 8.30am – 12.30pm Sat' and 'No Parking – Australia Post Vehicles Excepted' zones on the eastern side of Rawson Street, north of Ramsay Street be reduced to 6 metre zones.
2. An additional 6m 'P15 minute 8.30am-6.00pm Mon-Fri, 8.30am-12.30pm Sat' zone be installed immediately north of the 6m 'No Parking – Australia Post Vehicles Excepted' zone.

DISCUSSION

The Committee members agreed with the Officer's recommendation and noted the tabled email support from Burwood PAC.

COMMITTEE RECOMMENDATION**THAT:**

1. The existing 9 metre '1P 8.30am – 6.00pm Mon-Fri, 8.30am – 12.30pm Sat' and 'No Parking – Australia Post Vehicles Excepted' zones on the eastern side of Rawson Street, north of Ramsay Street be reduced to 6 metre zones.
2. An additional 6m 'P15 minute 8.30am-6.00pm Mon-Fri, 8.30am-12.30pm Sat' zone be installed immediately north of the 6m 'No Parking – Australia Post Vehicles Excepted' zone.

For motion: Unanimous

**LTC0219 Item 27 Parramatta Road, Leichhardt - Proposed '1 hour' Parking Zone
(Leichhardt Ward/Balmain Electorate/Leichhardt PAC)****SUMMARY**

Council has received a request from a local business to convert the existing '1/2P' parking restriction to a '1P' restriction on the northern side of Parramatta Road, between Rofe Street and Renwick Street, Leichhardt to ensure customers have sufficient time to visit the nearby businesses.

Officer's Recommendation

THAT the existing '1/2P 10am-3pm Mon-Fri, 8:30am-12:30pm Sat' parking restrictions on the northern side of Parramatta Road between Rofe Street and Renwick Street, Leichhardt be converted to '1P 10am-3pm Mon-Fri, 8:30am-12:30pm Sat' restrictions, subject to RMS approval.

DISCUSSION

The RMS representative advised that as Parramatta Road is a State Road, the matter should be referred directly to RMS for consideration instead of the Local Traffic Committee.

COMMITTEE RECOMMENDATION

THAT the item be referred to RMS for its consideration for approval.

For motion: Unanimous

**LTC0219 Item 28 Young Street at Collins Street, Annandale - Proposed modification to
existing 'No Stopping' zone (Leichhardt Ward/Balmain
Electorate/Leichhardt PAC)****SUMMARY**

Concerns have been raised from a resident that the existing 'No Stopping' zone in Young Street at the intersection of Collins Street, Annandale restricts temporary drop-off and pick-up across the driveway of No.52 Collins Street, Annandale.

Officer's Recommendation

THAT the existing 18.4m 'No Stopping' zone be reduced to 13.4m on the eastern side of Young Street, south of Collins Street, Annandale.

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT the existing 18.4m 'No Stopping' zone be reduced to 13.4m on the eastern side of Young Street, south of Collins Street, Annandale.

For motion: Unanimous

**LTC0219 Item 29 Old Canterbury Road, Dulwich Hill- Proposed 'No Stopping' restrictions between Constitution Road and No.275 Old Canterbury Road, Dulwich Hill.
(Ashfield Ward/ Summer Hill Electorate/ Inner West PAC)**

SUMMARY

Council has received complaints regarding congestion and delay/banking up of traffic along Old Canterbury Road between Constitution Road and Abergeldie Street as a result of vehicles turning right into Henson Street from Old Canterbury Road, and with vehicles parking adjacent to the kerb side lane.

It is proposed to remove or limit parking with full-time and part-time 'No Stopping' restrictions on the southern side of Old Canterbury Road from Constitution Road to the west side of driveway of No. 275 Old Canterbury Road.

This would allow adequate length of clearance along the kerb side lane for traffic to generally travel and manoeuvre around waiting vehicles turning right into Henson Street.

Support is therefore sought on the following recommendation.

Officer's Recommendation

THAT:

1. the kerb space on the southern side of Old Canterbury Road between Constitution Road and 10 metres west of an existing pedestrian refuge be signposted full-time "No Stopping".
2. the kerb space thereafter on the southern side of Old Canterbury Road to the west side of the driveway of No. 275 Old Canterbury Road be signposted as "No Stopping 8.00am-9.30am; 2.30pm-4.00pm Mon-Fri School Days Only".

DISCUSSION

The RMS representative advised that as Old Canterbury Road is a State Road, the matter should be referred directly to RMS for consideration instead of the Local Traffic Committee. The representative also requested that community consultation not be undertaken until RMS investigates the matter.

COMMITTEE RECOMMENDATION

THAT the item be referred to RMS for consideration.

For motion: Unanimous

LTC0219 Item 30 Liberty Street and Bedford Street, Stanmore – Temporary full road closure for rail overbridge refurbishment works – notice of change of date of works in March 2019 (STANMORE WARD /NEWTOWN ELECTORATE/ INNER WEST PAC)**SUMMARY**

Notice of changes in dates for rail overbridge works and pending road closures of Liberty Street and Bedford Street, Stanmore in March 2019 November have been received from Sydney Trains. Due to special events two closedowns have been rescheduled for the road closures. Temporary full road closures that were scheduled for Liberty Road (between Railway Avenue and Trafalgar Street) and Bedford Street (between Liberty Street and Pierce Street), Stanmore on Friday 8 to Monday 11 March 2019 are now scheduled for Friday 15 March to Monday 18 March 2019 and those scheduled for Friday 1 to 4 November 2019 are now scheduled for Friday 11 October to Monday 14 October 2019.

The streets will be temporarily closed to all vehicular traffic, including emergency vehicles and local residents. It is recommended that the proposed change of date for the temporary full road closures be approved, subject to the conditions outlined in this report.

Officer's Recommendation

THAT the proposed temporary full road closure of Liberty Road (between Railway Avenue and Trafalgar Street) and Bedford Street (between Liberty Street and Pierce Street), Stanmore on 15 to 18 March 2019 and 11 to 14 October 2019 be approved, in order to carry out refurbishment works on the Liberty Street Stanmore rail over bridge subject but not limited to the following conditions:

- 1. A Road Occupancy License be obtained by the applicant from the Transport Management Centre;**
- 2. All affected residents and businesses, including the NSW Police Local Area Commander, Fire & Rescue NSW and the NSW Ambulance Services be notified in writing, by the applicant, of the proposed temporary road closure at least 7 days in advance of the closure with the applicant making reasonable provision for stakeholders; and**
- 3. The occupation of the road carriageway must not occur until the road has been physically closed.**

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT the proposed temporary full road closure of Liberty Road (between Railway Avenue and Trafalgar Street) and Bedford Street (between Liberty Street and Pierce Street), Stanmore on 15 to 18 March 2019 and 11 to 14 October 2019 be approved, in order to carry out refurbishment works on the Liberty Street Stanmore rail over bridge subject but not limited to the following conditions:

- 1. A Road Occupancy License be obtained by the applicant from the Transport Management Centre;**

2. All affected residents and businesses, including the NSW Police Local Area Commander, Fire & Rescue NSW and the NSW Ambulance Services be notified in writing, by the applicant, of the proposed temporary road closure at least 7 days in advance of the closure with the applicant making reasonable provision for stakeholders; and
3. The occupation of the road carriageway must not occur until the road has been physically closed.

For motion: Unanimous

LTC0219 Item 31 The 'Gear Up Girl' Bicycle Event (Marrickville Ward/Summer Hill & Heffron Electorate/Inner West PAC)

SUMMARY

Advice has been received from Bicycle NSW regarding the 'Gear Up Girl' bicycle challenge to be held on Sunday, 10 March 2019, which will involve cycling through the Inner West Local Government Area (LGA).

It is recommended that Council supports the proposed cycling event, subject to the event being advertised, a Traffic Management Plan be submitted to the RMS for approval and advice of the proposed event be forwarded to the appropriate authorities and affected properties by the applicant.

Officer's Recommendation

THAT the 'Gear Up Girl' bicycle event to be held on Sunday 10 March 2019 be supported subject to the applicant complying with the following conditions:

1. The event being advertised in the local newspapers by the applicant in advance of the event;
2. A Traffic Management Plan being submitted by the applicant to the Roads and Maritime Services for consideration and approval;
3. Details of the proposed event be forwarded by the applicant to the Transport Management Centre, Transit Systems, Inner West PAC, Fire & Rescue NSW and NSW Ambulance Service; and
4. Adequate traffic control shall be provided for the protection and convenience of pedestrians, cyclists and motorists including appropriate signage and flagging. Workers shall be specially designated for this role (and carry appropriate certificates), as necessary to comply with this condition. This is to be carried out in accordance with the Australian Standard AS 1742.3 – Traffic Control Devices for works on roads.

DISCUSSION

The representative for the Member for Summer Hill questioned the contingency route where cyclists would have to take their bike up stairs to the Tempe train station bridge. Council Officers advised that this route was agreed upon a number of years ago as it was considered a safer route. Richardson Crescent was considered for the contingency route but was not agreed on due to traffic conditions and the narrowness of the footpath at the overbridge.

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT the 'Gear Up Girl' bicycle event to be held on Sunday 10 March 2019 be supported subject to the applicant complying with the following conditions:

1. The event being advertised in the local newspapers by the applicant in advance of the event;
2. A Traffic Management Plan being submitted by the applicant to the Roads and Maritime Services for consideration and approval;
3. Details of the proposed event be forwarded by the applicant to the Transport Management Centre, Transit Systems, Inner West PAC, Fire & Rescue NSW and NSW Ambulance Service; and
4. Adequate traffic control shall be provided for the protection and convenience of pedestrians, cyclists and motorists including appropriate signage and flagging. Workers shall be specially designated for this role (and carry appropriate certificates), as necessary to comply with this condition. This is to be carried out in accordance with the Australian Standard AS 1742.3 – Traffic Control Devices for works on roads.

For motion: Unanimous

**LTC0219 Item 32 WestConnex New M5 Operational Parking & Access Strategy
Consultation (Marrickville Ward/Heffron Electorate/Inner West PAC)**

SUMMARY

Council has been invited to provide feedback on the WestConnex New M5 Operational Parking & Access Strategy. The document outlines the temporary and permanent changes to on-street parking supply in St Peters and Alexandria. Council officers have reviewed the document and provided feedback based on the issues received from the community.

Officer's Recommendation

THAT this report be received and noted.

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT this report be received and noted.

For motion: Unanimous

LTC0219 Item 33 3-7 & 13-17 Regent Street, 287-309 Trafalgar Street & 16-20 Fisher Street, Petersham - DA201800173 – Residential and Mixed Use Development and RSL Relocation over 3 Sites (Stanmore Ward / Newtown Electorate / Inner West PAC)**SUMMARY**

Council has received a development application for 3-7 & 13-17 Regent Street, 287-309 Trafalgar Street & 16-20 Fisher Street, Petersham to demolish existing improvements for the staged construction of 357 apartments over 3 sites with associated basement parking. 3-7 Regent Street is to be comprised of a residential flat building ranging from 5 to 8 storeys containing 108 apartments with basement parking. 13-17 Regent Street is to be comprised of 3 residential buildings ranging from 6 to 7 storeys with 50 apartments and basement parking. 287-309 Trafalgar Street and 16-20 Fisher Street is to be comprised of a mixed use building ranging from 2 to 11 storeys in height containing a new registered club premises for the Petersham RSL Club fronting Trafalgar Street, café and 3 residential flat buildings containing 196 apartments and 3 x 2 storey Soho apartments fronting Fozzard lane with associated basement parking and public domain works linking Regent Street to Fozzard Lane. Approval is also sought for the subdivision of land to accommodate widening of Fozzard Lane as well as the stratum subdivision of lots in the development.

The application is required to be referred to the Local Traffic Committee for consideration under State Environmental Planning Policy (Infrastructure) 2007.

Comments of the Local Traffic Committee will be referred to Council's Development Assessment Section for consideration in determining the Development Application.

Officer's Recommendation

THAT the report be received and noted.

DISCUSSION

The Committee members agreed with the Officer's recommendation.

COMMITTEE RECOMMENDATION

THAT the report be received and noted.

For motion: Unanimous

General Business**LTC0219 Item 34 Bus Stop outside Camperdown WestConnex site**

The representative for the Member for Balmain stated that a complaint was received regarding the bus stop outside the Westconnex site in Camperdown. The bus stop has been reduced, has no shelter and, due to the narrowness of the footpath, pedestrians find it difficult to pass the bus stop. The RMS representative advised that RMS have raised this issue with WestConnex.

LTC0219 Item 35 Proposed Development at 63-65 Pyrmont Bridge Road, Annandale

The representative for the Member for Balmain asked why Council did not support vehicular access to the proposed development at 63-65 Pyrmont Bridge Road, Annandale from the corner of Mallet Street and Bignell Lane. Council Officers advised that a report on this development was presented to the Local Traffic Committee in 2018 and Officers will send a copy of this report to the representative.

LTC0219 Item 36 Traffic at the intersection of Martin Street and Ramsay Street, Haberfield

The representative for the Member for Summer Hill stated that a resident of Martin Street, Haberfield expressed concern with entry and egress to Martin Street into Ramsay Street. The resident reported that the removal of 'Keep Intersection Clear' road markings from Ramsay Street has resulted in queuing across the entry of Martin Street. The resident also reported that the queuing of traffic has made it difficult for Martin Street residents to exit onto Ramsay Street and there have been a number of accidents and near misses since the road markings were removed. The representative for the Member for Summer Hill requested that traffic in the area be reviewed and tabled the resident's email to Council Officers for consideration.

Addendum: Council forwarded resident's concern to RMS late last year and will follow up with RMS.

LTC0219 Item 37 Parking for Metro Assist staff in Ashfield

The representative for the Member for Summer Hill stated that Metro Assist in Ashfield are seeking support for a parking solution for their staff, such as dedicated parking spaces for Metro Assist or a parking permit. Due to the nature of their work, staff at Metro Assist cannot leave clients to check on their vehicles parked in Ashfield Mall which has a 3 hour limit. As a result, the staff have been receiving parking fines.

Council Officers advised that the City of Sydney manages a Support Worker Parking permit system that extends to the Inner West where recognised organisations can obtain a parking permit for carers

LTC0219 Item 38 Pedestrian crossing in front of Dulwich Hill Public School

The representative for the Member for Summer Hill stated that the Member wrote to Council on behalf of a resident regarding the pedestrian crossing in front of Dulwich Hill Public School. Council Officers advised that Council's Road Safety Officer has made contact with that resident and will be having a site meeting to discuss the crossing on 8 February 2019.

LTC0219 Item 39 Heavy vehicle use on Campbell Street, St Peters

The representative for the Member for Heffron asked whether there are any new restrictions on heavy vehicle use on Campbell Street, St Peters. The RMS representative stated that RMS has requested this information from WestConnex and will advise Council when the information becomes available.

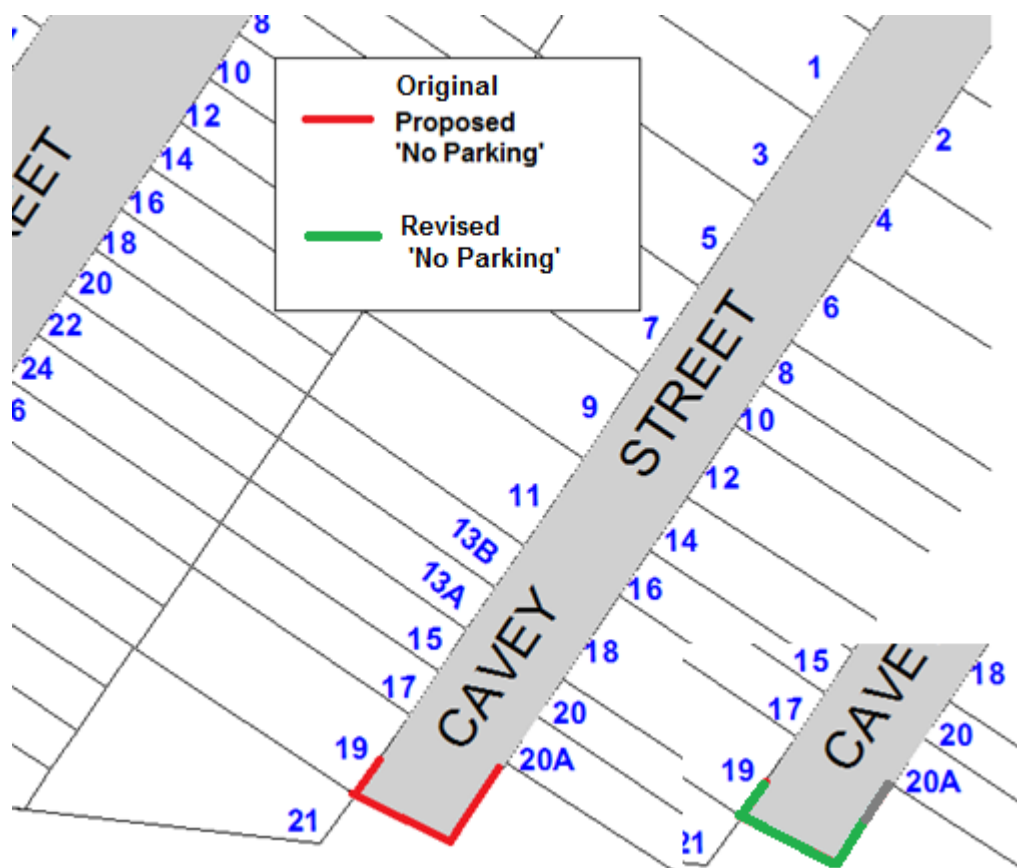
LTC0219 Item 40 Closed footpath on Parramatta Road, Ashfield

The Inner West Bicycle Coalition representative stated that the footpath on the south side of Parramatta Road, between Bland Street and Orpington Street, Ashfield, has been closed.

The representative asked if the footpath could be reopened. The RMS representative advised that this can be investigated; however, RMS is not aware of WestConnex plans at that location.

Meeting closed at 11am.

ATTACHMENT 1



Proposed 'No Parking' restrictions in Cavey Street, Marrickville

Item No: C0219(3) Item 9

Subject: **DECISION MADE UNDER DELEGATED AUTHORITY DURING THE COUNCIL RECESS**

Prepared By: Ian Naylor - Manager Civic and Executive Support

Authorised By: Nellette Kettle - Group Manager Customer Service & Civic Governance

SUMMARY

Council has resolved to grant the Mayor delegated authority to make urgent decisions on behalf of Council during the annual recess period. Any decisions made under delegated authority are to be reported to the first available Ordinary Council meeting. This report details the decision made under this Delegation during the Council Recess.

RECOMMENDATION

THAT Council note the decision made under Delegation by the Mayor during the Council Recess.

BACKGROUND

At the Council Meeting on 11 December 2018, Council considered a confidential report (Item 47) on the Expression of Interest Process to appoint an additional independent member to the Audit, Risk and Improvement Committee. At this Meeting Council resolved the following;

“THAT:

- 1. Council resolve to invite councillors to attend ARIC meetings, following advanced registration, as observers; and*
- 2. Request the chair of ARIC to brief councillors on a yearly basis to report to councillors on the work of the committee”.*

The Council resolution did not finalise the Expression of Interest Process and a decision under the Mayor’s delegation was required so that staff could finalise the application process and notify the applicants who applied for this position. While not stated in the above resolution, the intention of the Council was to not appoint an additional independent member to the ARIC at this stage. This decision was considered urgent as the application process was commenced in August 2018 and the applicants should be notified of the outcome of the process. The Mayor made the following decision under delegation during the Council recess;

“THAT Council not appoint any additional members to the Audit Risk and Improvement Committee at this time, and write to all applicants who applied to the Expression of Interest to thank them for their interest in the role, and the time they took to make a submission and attend any interviews”.

FINANCIAL IMPLICATIONS

Nil.

OTHER STAFF COMMENTS

Nil.

PUBLIC CONSULTATION

Nil.

CONCLUSION

Nil.

ATTACHMENTS

Nil.

Item No: C0219(3) Item 10

Subject: NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT 2019

Prepared By: Ian Naylor - Manager Civic and Executive Support

Authorised By: Nellette Kettle - Group Manager Customer Service & Civic Governance

SUMMARY

The purpose of this report is to advise Council that registrations are open for the National General Assembly 2019 to be held in Canberra and that motions need to be submitted by 29 March 2019.

RECOMMENDATION

THAT Council:

- 1. Give consideration to Councillors attending the National General Assembly of Local Government 2019; and**
 - 2. Give consideration to putting forward and adopting any motions that meet the National General Assembly's criteria by 26 March 2019.**
-

BACKGROUND

The National General Assembly of Local Government 2019 will be held in Canberra from 16-19 June 2019. The purpose of the General Assembly is to bring together councils from around Australia to discuss, debate and adopt motions of national significance.

The cost for registration, travel and accommodation for the General Assembly will be approximately \$2000 per Councillor. Funds are available in the Councillors Conference and Training Budget to cover these expenses.

Motions

The National General Assembly is an important opportunity for councils to influence the national policy agenda. The primary focus of all motions should be to strengthen the capacity of local government to provide services and infrastructure in Australia. To be eligible for inclusion in the Business Papers, and subsequent debate on the floor, motions must meet the following criteria;

- Be relevant to the work of local government nationally;
- Be consistent with the theme of the National General Assembly;
- Complement or build on the policy objectives of your state and territory local government association;
- Be submitted by a council which is a financial member of their state or territory local government association;
- Propose a clear action and outcome; and
- Not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

Motions must be adopted by the Ordinary Council Meeting on 26 March to meet the Conference deadline of 29 March. To assist councils to identify motions that address the 2019 theme, 'Future Focused', the Australian Local Government Association Secretariat has prepared a short discussion paper shown as Attachment 1.

FINANCIAL IMPLICATIONS

Nil.

OTHER STAFF COMMENTS

Nil.

PUBLIC CONSULTATION

Start typing the “public participation” section here. Please enter “Nil.” if public participation did not occur, or “Not applicable.” if public participation does not apply.

CONCLUSION

Nil.

ATTACHMENTS

1. [↓](#) National General Assembly Discussion Paper



Future Focused

Call for Motions
Discussion Paper 2019

National General Assembly
of Local Government **2019**

16—19 June 2019



**AUSTRALIAN
LOCAL GOVERNMENT
ASSOCIATION**

SUBMITTING MOTIONS

KEY DATES

End of November 2018
Opening of Call for Motions

29 March 2019
Acceptance of motions close

16 - 19 June 2019
National General Assembly

The National General Assembly of Local Government (NGA) is an important opportunity for you and your council to influence the national policy agenda.

To assist you to identify motions that address the theme of the NGA, the Australian Local Government Association (ALGA) Secretariat has prepared this short discussion paper. You are encouraged to read all of the sections of the paper, but are not expected to respond to every question. Your motion/s can address one or all of the issues identified in the discussion paper.

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. be relevant to the work of local government nationally
2. be consistent with the themes of the NGA
3. complement or build on the policy objectives of your state and territory local government association
4. be submitted by a council which is a financial member of their state or territory local government association
5. propose a clear action and outcome
6. not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

Motions should generally be in a form that seeks the NGA's support for a particular action or policy change at the Federal level which will assist local governments to meet local community needs. For example: That this National General Assembly call on the Federal Government to restore funding for local government financial assistance grants to a level equal to at least 1% of Commonwealth taxation revenue.

Motions should be lodged electronically using the online form available on the NGA website at: www.alga.asn.au. All motions require, among other things, a contact officer, a clear national objective, a summary of the key arguments in support of the motion, and endorsement of your council. Motions should be received no later than 11:59pm on Friday 29 March 2019.

Please note that for every motion it is important to complete the background section on the form. Submitters of motions should not assume knowledge. The background section helps all delegates, including those with no previous knowledge of the issue, in their consideration of the motion.

All motions submitted will be reviewed by the ALGA Board's NGA Sub-Committee as well as by state and territory local government associations to determine their eligibility for inclusion in the NGA Business Papers. When reviewing motions, the Sub-Committee considers the importance and relevance of the issue to local government. Please note that motions should not be prescriptive in directing how the matter should be pursued. With the agreement of the relevant council, motions may be edited before inclusion in the NGA Business Papers to ensure consistency. If there are any questions about the substance or intent of a motion, ALGA will raise these with the nominated contact officer. Any motion deemed to be primarily concerned with local or state issues will be referred to the relevant state or territory local government association, and will not be included in the NGA Business Papers.

INTRODUCTION

The purpose of this discussion paper is to provide guidance to councils developing Motions for Debate at the 2019 National General Assembly. This will be the 25th National General Assembly and will focus on the future of local government and local communities. It will consider what Councils can do today to get ready for the challenges, opportunities and changes that lie ahead.

Local governments across Australia already face a host of challenges including financial constraints, adapting to rapidly evolving technologies and community expectations of access to 24/7 services via websites, mobiles and call centres, changes in demographics and population size and preferred means of community engagement. It is unlikely that these challenges will disappear. In some cases, they will be compounded by climate change, the ageing population and further advances in disruptive technologies including artificial intelligences.

The challenges may also be exacerbated by increasing community expectations about the level and types of services and infrastructure provided by councils and the community's willingness to pay. The community, as council's customers, are increasingly growing accustomed to steadily falling prices for better products and services such as cars, computers, overseas travels. Exceptions to this are housing and in many cases government services such as health care and tertiary education. Another exception is council rates. While a number of states have capped rates, rates across the nation typically continue to rise.

In the case of rates, local communities can perceive that they are being asked to pay more money for the same product. The community may feel that they are paying enough and are therefore unlikely to be supportive of rate rises or swing behind the call for increased federal funding for local government ($\geq 1\%$ FAGs).

KEY QUESTIONS

This therefore raises the questions of:

1. What can local governments do differently now, and in the future, to deliver more for less?
 - o Are there new business models and new partnerships, new technologies and the willingness to reduce, phase out or change existing practices, opportunities for more sophisticated service planning and more efficient procurement?
2. How can local governments collaborate, be entrepreneurial and embrace disruption and innovation?
3. How can the Commonwealth Government help local governments prepare for the future and why should they care?
 - o What are the opportunities for leveraging regional, state and national partnerships?

THE PRESENT

Demographics

In 2018 the Australian population reached the 25 million mark.

73% of the population lives in stand-alone houses, while 27% of the population live in homes such as flats, apartments, semi-detached, row houses and town houses. 38% of occupied apartments are in high rise blocks with four or more storeys. That's up from 18% in 2006.

67% of Austalians live in capital cities, 23% in other urban areas and 10% live in rural Australia. In total more than 90% of our population lives within 100km of the coast making us one of the world's most urbanised coastal dwelling populations. 86% of all Aussie households have internet access at home.

Australia has an aging population and we're also living longer with almost 4,000 people over the age of 100. In 2017, 308,000 babies were born. As a population, we're made up of more than six million families and they come in all shapes and sizes¹.

Diversity and culture

Australia has one of the most multicultural populations in the world with more than 300 different ancestries and 28% of our resident population born overseas — nearly 7 million people. Across the country more than 300 languages are spoken.

At the 2016 Census 50.7% of the population was female. However, gender equality advances have stalled across the local government sector. The rates of women in senior positions are far lower than any other tier of government. At the last round of local government elections, women accounted for just 32 per cent of all candidates and were elected to 30 per cent of positions. Even fewer (24 per cent) mayoral candidates were women but almost all were elected. Women account for 46 per cent of staff positions but this falls as the management level rises. Only 11 per cent of council chief executives are women².

At the 2016 Census Aboriginal and Torres Strait Islander people made up 2.8 per cent of the Australian population (approximately 649,000 out of 23.4 million people). Only eight politicians who identify as Indigenous have served in the Federal Parliament with six of those having been elected since 2010³. With the exception of a small number of local governments it is expected that there are very few Aboriginal and Torres Strait Islanders holding elected or senior executive positions in local government (data is not available for this issue).

According to the 2016 Census, almost 50 per cent of Australians were born overseas or had a parent born overseas. Census data also indicates that almost one quarter of Australians speak languages other than English in their homes. State and federal parliaments and local governments should reflect contemporary Australia but fail to do so.

A 2016 report by the Australian Human Rights Commission revealed that 1.61 per cent of federal and state public service heads of department, and 0 per cent of federal Ministers and Assistant Ministers come from a non-European background. In the federal parliament 79 per cent of the 226 elected members in the Australian Parliament have an Anglo-Celtic background, 16 per cent have a European background and those from a non-European background make up less than four per cent of the total⁴. There are no statistics available about cultural diversity in local government.

Fair Work Australia statistics indicate that workers compensation claims involving alleged bullying in local government were among the second highest of all sectors in 2017, with 42.2 claims per 100 million hours worked in 2017, up from being the third highest in 2016⁵.

Roles and funding

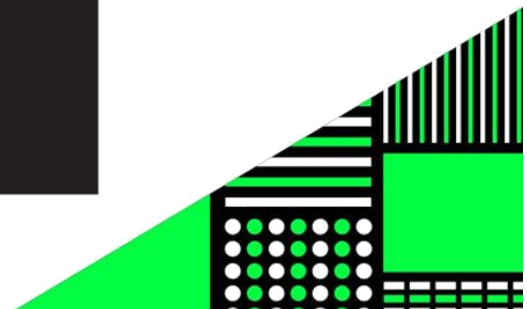
The scale and functional scope of local government spending has been subject to significant change over the last two decades. According to a report by the McKell Institute there has been a fourfold increase in spending by local governments in nominal terms (7.3% p.a. compound growth rate) from total outlays of A\$8.2 billion in 1994-95 to A\$33.6 billion in 2014-15 and \$35.9 billion in 2016-17 despite the fact that in some jurisdictions significant public service responsibilities (such as water and sewerage) have been stripped out from local government.

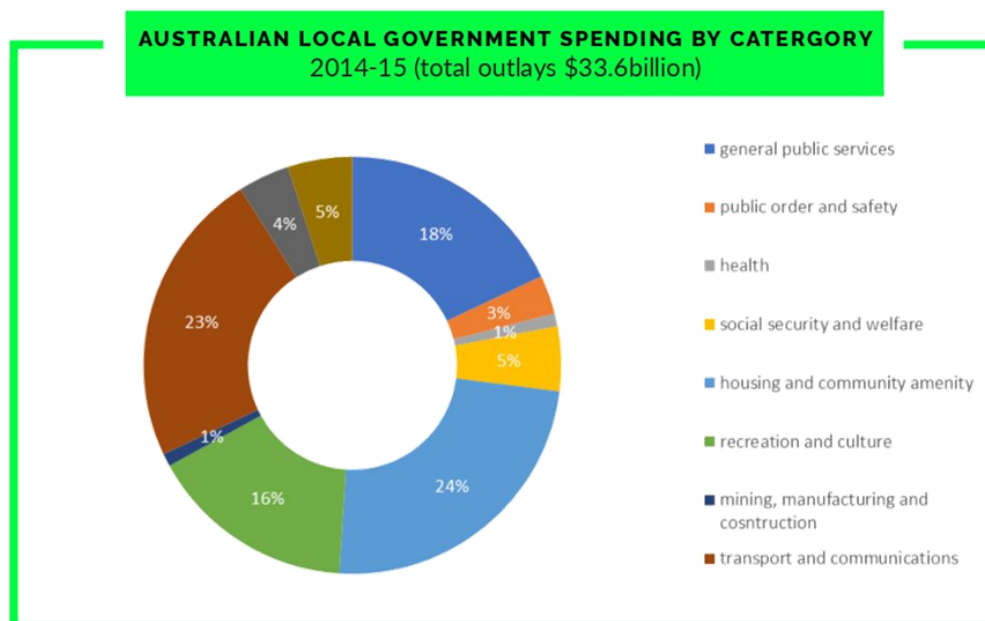
Causes for the increase in functions undertaken by local government⁶ include cost shifting, the need to address market failure (particularly in rural areas where it is commonly not financially viable for the private sector to provide essential goods and services such as aged care or childcare) and increasing community demand which has been rising steeply over the past two decades.

A gap has emerged between the community's propensity to pay for various amenities and the cost to council in providing those services. This has resulted in local governments under-charging and failing to effectively demonstrate the cost to consumers.

KEY QUESTION

What can local governments do differently?

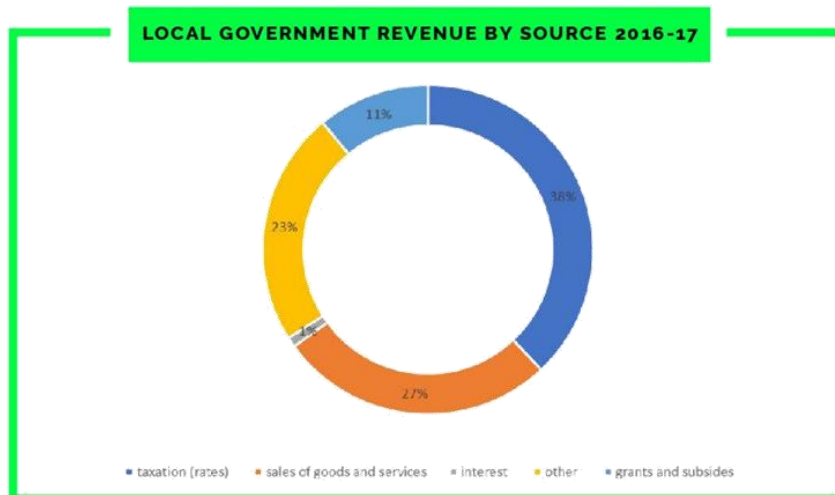




The following table demonstrates some of the key changes in local government expenditure between 2011-12 to 2016-17

Expense by purpose	Proportion of total expenditure	
	2011-12	2016-17
Transport and communications	23.7%	21.5%
Housing and community services	22.3%	24.2%
General public service	18.3%	17.6%
Recreation and culture	15%	16.6%
Social security and welfare	5.3%	4.8%
Other purpose	3.9%	4.2%
Other economic affairs	3.6%	3.6%
Public order and safety	2.6%	2.5%
Public debt transaction	2.1%	1.8%
Health	1.3%	1.2%
Mining, manufacturing and construction	1.2%	1.0%
Education	0.5%	0.6%
Fuel and energy	0.1%	0%
Agriculture, forestry and fishing	0.1%	0.1%
Total in \$\$	\$30.6b	\$35.9b

Between 2011-12 and 2016-17 local government revenue increased from \$36 billion to \$45.5 billion. Of this 88% (in 2011-12) and 89% (in 2016-17) was own source revenue⁷. Funding from the Commonwealth Government in the form of Financial Assistance Grants (FAGs) was \$2.14 billion in 2011-12 and \$2.29 billion (following the end on the freeze to indexation).



KEY QUESTIONS

How can the Commonwealth Government help local governments?

Why should they care?

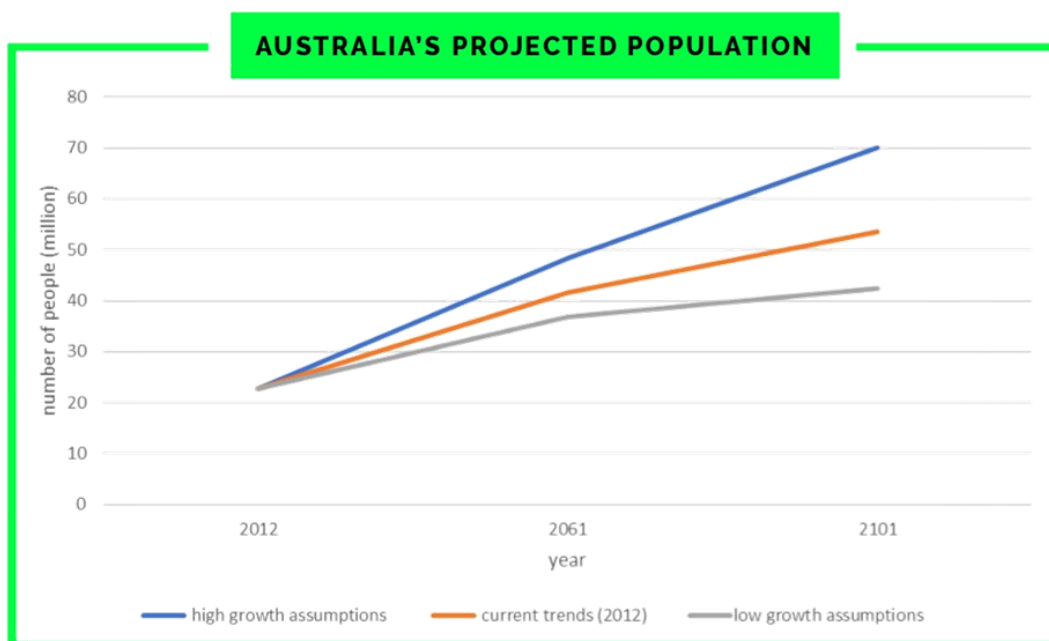
Total assets increased from \$350 billion in 2011-12 to \$467 billion in 2017-18. It has been estimated that the gross replacement value of local government infrastructure for all Australian councils was \$438 billion in 2014. 11% or \$47 billion of assets are in poor or very poor condition and require renewal or upgrade. Seven per cent or \$31 billion of the asset stock has poor function requiring upgrading to meet current or emerging local and regional service level targets for safety, compliance, social, environmental and economic performance. A further seven per cent or \$31 billion of assets have poor capacity and require augmenting to support growth and meet service needs⁸.

THE FUTURE

Demographics

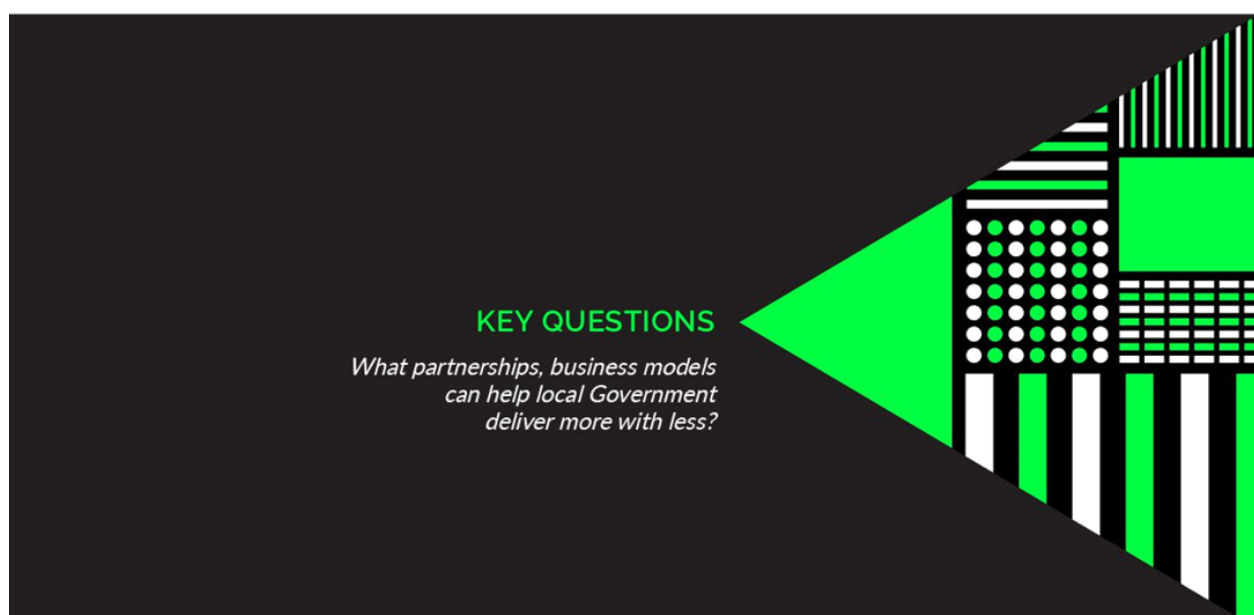
Population projections by the Australian Bureau of Statistics illustrate the growth and change in population which would occur if certain assumptions about the future level of fertility, mortality, internal and overseas migration were to prevail over a projection period. Based on an estimated resident population of 22.7 million people at 30 June 2012 the population has been projected to increase to between 36.8 and 48.3 million people by 2061 and to between 42.4 and 70.1 million by 2101.

The median age of Australia's population (37.3 years at 30 June 2012) is projected to increase to between 38.6 years and 40.5 years in 2031 (high growth and low growth respectively) and to between 41.0 years and 44.5 years in 2061.



Source: ABS Population projections, Australia 2012 3222.0

Assuming the current (2012) trends continuing, the population will grow in all states and territories except Tasmania. All capital cities except Darwin are projected to experience higher percentage growth than their respective state or territory balances, resulting in a further concentration of Australia's population within the capital cities. In 2012, 66% of Australians lived in a capital city. By 2061 this proportion is projected to increase to 74%.



State	2012	2061		
		Low growth scenarios (C)	Current trend (B)	High growth scenario
NSW total	7.3 million	10.8 million	11.5 million	12.6 million
Sydney	4.7 million	8.0 million	8.5 million	8.9 million
Balance	2.6 million	2.9 million	3 million	3.7 million
Victoria Total	5.6 million	9.0 million	10.3 million	12.1 million
Melbourne	4.2 million	7.6 million	8.6 million	9.8 million
Balance	1.4 Million	1.4 million	1.7 million	2.3 million
Queensland total	4.6 million	7.9 million	9.3 million	11.1 million
Brisbane	2.2 million	3.8 million	4.8 million	5.6 million
Balance	2.4 million	4.1 million	4.5 million	5.5 million
Western Australia total	2.4 million	5.4 million	6.4 million	7.7 million
Perth	1.9 million	4.4 million	5.4 million	6.6 million
Balance	500,000	975,000	950,800	1.1 million
South Australia total	1.7 million	2.1 million	2.3 million	2.6 million
Adelaide	1.3 million	1.7 million	1.9 million	2.2 million
Balance	377,900	373,700 *	387,400	451,200
Tasmania Total	512,200	460,900 #	565,700 #	714,000
Hobart	217,000	228,700	270,600	339,300
Balance	295,400	232,200	295,100	374,700
Northern Territory total	235,200	455,700	453,000	457,800
Darwin	131,900	254,800	225,900	182,000
Balance	103,200	203,000	227,100	273,700
ACT Total	375,100	612,400	740,900	904,100

* In the low growth scenario, the population for the balance of South Australia is projected to increase marginally over the next twenty years, peaking at 398,100 in 2033, before declining to 373,700 in 2061.

In the current trend scenario (2012) Tasmania's population increases slowly before levelling out by around 2046 and then decreasing marginally from 2047 onwards. In the low growth scenario Tasmania's population increases only slightly over the first 15 years and begins to decline from 2028 onwards⁹.

In the high growth scenario, Australia's growth rate initially increases to 1.9% per year and remains above the 20-year average (1.3%) until the middle of the century. Over the second half of the century, growth rates gradually decline, reaching 1.0% in 2071 and 0.8% in 2101. In the current (2012) trend scenario Australia's annual growth rate decreases from 1.7% in 2012 to 1.0% in 2045, and to 0.5% in 2101. In the low growth scenario Australia's annual growth rate decreases at a faster rate, reaching 1.0% in 2031 and 0.2% in 2101.

Climate Change

The CSIRO and Bureau of Meteorology have compiled different models for predicting the outcome of climate change in Australia. According to this work, droughts are predicted to increase in a large portion of southern Australia, ("medium" level of confidence). It is predicted that in the main the southern half of Australia will experience less rainfall in winter, spring or both (high or medium confidence). Every part of Australia will continue to experience increases in average temperature, and will have a higher frequency of hot days. This will also result in higher evaporation across Australia, which will continue to make drought conditions worse in the future.

People living in large cities can be more susceptible than non-urban dwellers to the effects of heatwaves as a result of the urban heat island effect. This is caused by the prevalence in cities of heat absorbing materials such as dark coloured pavements and roofs, concrete, urban canyons trapping hot air, and a lack of shade and green space in dense urban environments. It can result in substantially higher temperatures (particularly overnight) than surrounding non-urban areas.



<https://www.climatechangeinaustralia.gov.au/en/climate-projections/future-climate/regional-climate-change-explorer/super-clusters/>

Northern Australia

- Average temperatures will continue to increase in all seasons (very high confidence).
- More hot days and warm spells are projected with very high confidence.
- Changes to rainfall are possible but unclear.
- Increased intensity of extreme rainfall events is projected, with high confidence.
- Mean sea level will continue to rise and height of extreme sea-level events will also increase (very high confidence).
- With medium confidence, fewer but more intense tropical cyclones are projected.

The Rangelands

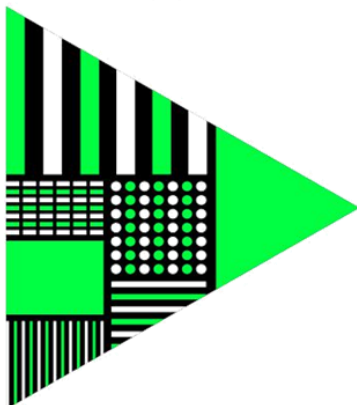
- Average temperatures will continue to increase in all seasons (very high confidence).
- More hot days and warm spells are projected with very high confidence. Fewer frosts are projected with high confidence.
- Changes to summer rainfall are possible but unclear. Winter rainfall is projected to decrease in the south with high confidence.
- Increased intensity of extreme rainfall events is projected, with high confidence.
- Mean sea levels will continue to rise and height of extreme sea-level events will also increase (very high confidence).

Eastern Australia

- Average temperatures will continue to increase in all seasons (very high confidence).
- More hot days and warm spells are projected with very high confidence. Fewer frosts are projected with high confidence.
- Average winter and spring rainfall is projected to decrease with medium confidence. Changes in summer and autumn are possible but unclear.
- Increased intensity of extreme rainfall events is projected, with high confidence.
- Mean sea level will continue to rise and height of extreme sea-level events will also increase (very high confidence).
- A harsher fire-weather climate in the future (high confidence).

Southern Australia

- Average temperatures will continue to increase in all seasons (very high confidence).
- More hot days and warm spells are projected with very high confidence. Fewer frosts are projected with high confidence.
- A continuation of the trend of decreasing winter rainfall is projected with high confidence. Spring rainfall decreases are also projected with high confidence. Changes to summer and autumn rainfall are possible but less clear.
- Increased intensity of extreme rainfall events is projected, with high confidence.
- Mean sea level will continue to rise and height of extreme sea-level events will also increase (very high confidence).
- A harsher fire-weather climate in the future (high confidence).


KEY QUESTIONS

How can local governments collaborate, build partnerships to address climate change?



Table 1 Climate Change Projections for selected Australian Cities

Variable	2030 (intermediate emission scenario)	2090 (intermediate emission scenario)	2090 (high emission scenario)
Adelaide			
Temperate	0.7	1.5	2.9
Rainfall (%)	-4	-7	-9
Days over 35°C (currently 20)	26	32	47
Alice Springs			
Temperate	1	2.1	4.4
Rainfall (%)	-2	-5	-4
Days over 35°C (currently 94)	113	133	168
Brisbane			
Temperate	0.9	1.8	3.7
Rainfall (%)	-4	-9	-16
Days over 35°C (currently 12)	18	27	55
Cairns			
Temperate	0.7	1.4	2.9
Rainfall (%)	0	-2	-2
Days over 35°C (currently 3)	5.5	11	48
Canberra			
Temperate	0.8	1.8	3.8
Rainfall (%)	-2	-6	-5
Days over 35°C (currently 20)	7.1	12	29
Darwin			
Temperate	0.9	1.8	3.7
Rainfall (%)	0	-1	+4
Days over 35°C (currently 11)	43	111	265
Dubbo			
Temperate	1	2.1	4.2
Rainfall (%)	-2	-4	-6
Days over 35°C (currently 22)	31	44	65
Hobart			
Temperate	0.6	1.4	2.9
Rainfall (%)	1	-1	-2
Days over 35°C (currently 1.6)	2	2.6	4.2
Melbourne			
Temperate	0.6	1.5	3
Rainfall (%)	-2	-7	-9
Days over 35°C (currently 11)	13	16	24
Perth			
Temperate	0.8	1.7	3.5
Rainfall (%)	-6	-12	-18
Days over 35°C (currently 28)	36	43	63
Sydney			
Temperate	0.9	1.8	3.7
Rainfall (%)	-3	-2	-3
Days over 35°C (currently 3.1)	4.3	6	11

Source: Webb, L.B. and Hennessy, K. 2015, *Projections for selected Australian cities*, CSIRO and Bureau of Meteorology, Australia.

Employment

Into the future, some of the most significant factors influencing employment will include change in industry structure, technological advances and globalisation. The trend towards employment requiring skills and training is also set to continue. The CSIRO estimates that while 44 per cent of Australian jobs are potentially at high risk of automation, this technology will also be responsible for the creation of new jobs. A projected growth area for regional economies is in the human services-related industries, particularly health care and social assistance for an ageing population. This will have significant implications for regional populations as service industries are more likely to cluster in regional centres than in smaller towns and rural areas. Tourism and related industries such as accommodation, food services and retail trade are also expected to continue to deliver economic growth in regional areas with help from the low Australian dollar. The knowledge economy, science, technology and finance will drive employment growth in urban areas.

Technology

The pace of technological change at present is increasing and almost daily we hear of new technologies that will disrupt existing markets and change the way our communities live, work, play and travel. It is difficult to predict which of these new technologies will come to fruition, let alone the full impact that they will have. It is also difficult to predict what is likely to occur in the future in terms of the type of technological changes and the speed of change. Forward planning is therefore problematic but it is reasonably safe to assume that drones and electric vehicles and semi-or fully autonomous vehicles (self-driving cars) will be part of our future. These will have dramatic impact on the look and feel of our communities and the services and infrastructure needed to support them.

Local government services that utilise Artificial Intelligence (AI) are already emerging. AI has the ability to tap into social media to learn about problems in real time. When people post or tweet about issues in the local area AI powered systems can improve council response times and reduce costs. Predictive elements in AI help councils analyse infrastructure issues and fix small problems before they grow larger. Modern systems can track water pressure and alert workers to fix pipes before they burst. The application of blockchain should allow local councils to reduce a great amount of transaction costs in the delivery of local services, while also providing greater transparency and participation for citizens.

Contact centre chat bots (virtual customer service assistants) can help the public to pay parking fines and rates, or apply for a permit at any time. Customer service AI can help community members find the information they need. Website AI can help individuals navigate online services. Some AI can even help residents with applications, guiding them through the process and suggesting additional services.

KEY QUESTIONS

How can local government embrace disruption and innovation?



AI technology is an opportunity to reimagine how future services can be delivered as well as gain value in:

- Reducing demand on services
- Improving efficiencies
- Enhancing the customer experience
- Driving better decision making from data insights

AI technology will not displace a team or service but complement it to truly be user-centric. It can reduce the burden of administrative tasks enabling staff to put their skills to more strategic and creative tasks and gain faster access to valuable insights. In doing so, the council is empowered to make better decisions for citizens.

AI has benefits for the workplace and citizens alike helping solve a problem and improving the lives of citizens. AI can have an enabling role in achieving this for local government today and for the 'council of the future.'

REFERENCES

PAGE FIVE - THE PRESENT:

¹ Interesting Facts about Australia's 25,000,000 population <http://www.abs.gov.au/websitedbs/D3310114.nsf/home/Interesting+Facts+about+Australia%E2%80%99s+population>

² Evans, M and Haussegger, V (2017) why are women so poorly represented in local government administrative leadership and what can be done about it? <http://www.5050foundation.edu.au/assets/reports/documents/online-gender-diversity-co-design-workshop-1-.pdf>

³ Joint select committee on constitutional recognition relating to the Aboriginal and Torres Strait Islander Peoples (2018) Interim report. The Parliament of the Commonwealth of Australia.

⁴ Australian Human Rights Commission (2016) The 'Leading for Change' blueprint

⁵ Clark, G (2018) Bullying endemic in councils, Fair Work turns staff away. Government News https://www.governmentnews.com.au/bullying-endemic-in-councils-fair-work-turns-staff-away/?utm_medium=email&utm_campaign=Newsletter%20-%2011th%20September%202018&utm_content=Newsletter%20-%2011th%20September%202018+Version+B+CID_250d36654e64011424c76af2e32234e8&utm_source=Campaign%20Monitor&utm_term=Bullying%20endemic%20in%20councils%20Fair%20Work%20turns%20staff%20away

PAGE SEVEN - THE FUTURE:

⁶ The McKell Institute (2016) Giving local governments the reboot: improving the financial sustainability of local governments.

⁷ Australian Bureau of Statistics (2018) Government Finance Statistics, Australia, 2016-17 Catalogue No: 55120 <http://www.abs.gov.au/ausstats/abs@nsf/mf/5512.0>

⁸ Australian Local Government Association (2015) National State of the Assets Report

PAGE SEVEN - POPULATION

⁹ Source: ABS Catalogue 3222.0 - Population Projections, Australia, 2012 (base) to 2101 (LATEST ISSUE Released at 11:30 AM (CANBERRA TIME) 26/11/2013) [http://www.abs.gov.au/ausstats/abs@nsf/Products/3222.0Main%20Features52012%20\(base\)%20to%202101?opendocument&tabname=Summary&prodno=3222.0&issue=2012%20\(base\)%20to%202101&num=&view=](http://www.abs.gov.au/ausstats/abs@nsf/Products/3222.0Main%20Features52012%20(base)%20to%202101?opendocument&tabname=Summary&prodno=3222.0&issue=2012%20(base)%20to%202101&num=&view=) (downloaded 4 September 2018)



**AUSTRALIAN
LOCAL GOVERNMENT
ASSOCIATION**

AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION
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EMAIL alga@alga.asn.au WEB www.alga.asn.au

Item 10

Attachment 1

Item No: C0219(3) Item 11
Subject: STATUS OF LEGAL PROCEEDINGS
Prepared By: Joe Strati - General Counsel
Authorised By: Rik Hart - Interim General Manager

SUMMARY

This report provides Council with a summary of legal proceedings in which Council is involved.

RECOMMENDATION

THAT the Report be received and noted.

BACKGROUND

This report provides Council with a summary of legal proceedings in which Council is involved. It does not include the following types of legal proceedings:

1. Proceedings that are managed by Council's insurers;
2. Local Court proceedings involving an appeal against a parking fine; and
3. Proceedings for the recovery of debts where those proceedings are being run by council's external debt collection agency.

The report is current as at 1 February 2019. It does not capture changes that have occurred between that date and the date the report is considered by Council. As the report contains no information of a confidential nature that falls within section 10A(2) of the *Local Government Act 1993*, it is published as an open report. Should, however, Council wish to seek legal advice on any matter addressed in the report, it would be appropriate for Council to enter into closed session for such advice to be provided and so that any legal professional privilege that may attach to such advice is not waived.

FINANCIAL IMPLICATIONS

Nil.

OTHER STAFF COMMENTS

Nil.

PUBLIC CONSULTATION

Nil.

ATTACHMENTS

1. [↓](#) Summary of Legal Matters as at 1 February 2019

As at 1 February 2019

LAND AND ENVIRONMENT COURT OF NSW

CLASS 1 PROCEEDINGS

	Appeal No	Appellant	Address	Suburb	Brief Description	Results/Status
1	2017/384832	Navarra Group Pty Ltd	69 Church Street	Lilyfield	Demolition of existing dwelling & erection of a multi-unit development for 3 dwellings with basement parking	Hearing on 28 and 29 March 2019
2	2017/384812	IPM Holdings Pty Ltd	731-735 Darling Street	Rozelle	Demolition of existing at-grade car park and part of the existing retail building; retention of the heritage façade, entryways and awning; excavation to accommodate one basement level; construction of a four storey shop-top housing development including 16 residential units above ground floor retail; 366 square meters of retail floor space on the ground floor; 24 car spaces across the ground and basement levels and a ground floor loading dock	Hearing on 4, 5 and 6 February 2019
3	2018/8000	Marrickville Development No.3 Pty Ltd	81 Station Street	Newtown	Demolition of existing building, subdivision of the land into 2 lots and the construction of two semi-detached dwellings	Hearing on 19 and 20 February 2019
4	2018/80933	Lizard Apple Pty Ltd	75 Milton Street	Ashfield	Demolition of existing structures and construction of a 3 storey boarding house with 1 level basement car parking	Hearing on 12 and 13 March 2019
5	2018/95479	Artazan Property Group Pty Ltd	2-8A Parsons Street	Rozelle	Demolition of existing structures and improvements, consolidation of lots into Torrens Title Lots with existing legal rights/easements retained, and the construction of a hardware and building supplies store with associated car parking, landscaping and signage	Hearing on 16, 17 and 18 April 2019

6	2018/32698	Equity Land Holdings Pty Ltd	38-48 Parramatta Road	Stanmore	Demolition of existing building and construction of a 5 storey mixed use development comprising 2 commercial tenancies on the ground floor, 30 residential units and associated car parking, landscaping and strata subdivision	Hearing on 4 and 5 April 2019
7	2018/99710	Group HIS Pty Ltd	113 Dobroyd Parade	Haberfield	Private hospital including site preparation works including demolition of existing building structure and excavation, construction of private hospital building over 3 storeys above ground plus 2 basement levels for parking and associated signage, landscaping, stormwater management and utility services connections	Hearing on 21 February 2019
8	2018/176935	888 New Canterbury Road Pty Ltd	429-449 New Canterbury Road	Dulwich Hill	Appeal against orders to demolish and remove advertisement signs attached to the windows and awning along the street frontage	Hearing on 19 June 2019
9	2018/185802	Norton Street Pty Ltd	324 Norton Street	Leichhardt	Demolition of existing structures and construction of a four storey mixed use building comprising commercial space on the ground floor and five residential apartments on the first, second and third levels, and associated works, including car parking	Section 34 Conciliation on 30 January 2019
10	2018/185808	LKF Investments Pty Ltd	38 Henry Street	Leichhardt	Demolition of existing structures and erection of a three storey boarding house building comprising 22 rooms with basement car park and associated works	Section 34 Conciliation Conference on 22 January 2019

11	2018/204307	Dylan Zammit	39 Tintern Road	Ashfield	Alterations and additions to the rear of the existing dwelling, including demolition of the existing car port, kitchen, dining, laundry and deck areas and construction of a new 2 storey addition, garage, landscaped garden, pool and rear deck	Section 34AA Conciliation Conference and Hearing on 7 & 8 February 2019
12	2018/220545	Jam Ventures Aust Pty Ltd	465-467 Parramatta Road	Leichhardt	Satisfaction of deferred commencement conditions and deletion of conditions relating to the easement and modifications to development consent plans referred to condition 1 of Part B of the development consent.	Section 34 Conciliation Conference on 11 February 2019
13	2018/223475	JRNN Pty Ltd (formerly APP Corporation Pty Ltd)	101-103 Lilyfield Road	Lilyfield	Demolition of existing structures, construction of a new 5 storey residential flat building comprising: 12 residential apartments, provision of a ground floor space to suit a future café or takeaway food premises, storage and rooftop garden communal open space area; new driveway and pedestrian access from Lilyfield Rd, 9 new car parking spaces and 18 bicycle storage racks and landscaping works.	Section 34 Conciliation Conference on 14 January 2019
14	2018/252345	David & Annaleise Howard - Jones	5 Phoebe Street	Balmain	Satisfaction of deferred commencement conditions and deletion of condition 1(a) pertaining to required stormwater disposal, fee payment and schedule of external finishes.	Section 34AA conciliation conference and hearing on 6 and 7 March 2019
15	2018/258915	Louise Fuller	17 South Street	Marrickville	Retain existing dwelling and subdivide property into two Torrens title lots	Section 34 Conciliation Conference on 1 March 2019
16	2018/258914	Michael Hodge	18-20 Rose Street	Birchgrove	Demolition of the existing attached dwellings and construction of two attached dwellings with basement garages and associated works	Section 34 Conciliation Conference on 19 March 2019

17	2018/278428	Greg Boyce	22 Fisher Street	Petersham	Alterations and additions to the approved, but not yet constructed boarding house to provide a further 10 boarding rooms	Section 34 Conciliation Conference on 9 January 2019
18	2018/274951	Columbia Nursing Homes Pty Ltd	442-444 Marrickville Road	Marrickville	Demolition of existing residential aged care facility and construction of new residential aged care facility with basement car parking and associated infrastructure and landscaping	Section 34 Conciliation Conference on 8 April 2019
19	2018/296942	Richard Abraham	77 Beattie Street	Balmain	Partial demolition of existing building, retention of existing façade to Beattie Street, construction of 1 terrace facing Beattie Street, 2 terraces facing Little Llewellyn Street, and associated works, including site remediation	Section 34 Conciliation Conference on 8 January 2019
20	2018/297316	Micro Nest No.1 Pty Ltd on behalf of Micro Nest Ashfield Trust ACN 623408784	33 Chandos Street	Ashfield	Delete Condition G (16) and amend Condition H(1)(f) to delete the words "34 adult lodgers" and replacing with "50 adult lodgers and a manager's room accommodating a maximum of 2 lodgers"	Section 34 Conciliation Conference on 7 January 2019
21	2018/297039	TJ Slattery Investments Pty Ltd ACN	217 Marion Street	Leichhardt	Alterations and additions to an existing warehouse building and change of use to a dwelling and associated works	Section 34 Conciliation Conference on 4 January 2019
22	2018/308041	Gransasso D'Italia Pty Ltd and Conca D'Oro Holdings Pty Ltd	56 Ballast Point Road	Birchgrove	Alterations and additions to an existing heritage listed building	Section 34 Conciliation Conference on 22 May 2019
23	2018/306815	Fifty50 Investments Pty Ltd	359-361 Darling Street	Balmain	Alterations and additions to an existing building for a mixed-use development with two shops at ground level and 5 units across two levels of residential accommodation above including demolition and tree removal	Section 34 Conciliation Conference on 24 May 2019
24	2018/308556	Panorama (No 1) Pty Ltd ATF Panorama (No 1) Fixed Unit Trust	9 Victoria Street	Ashfield	Demolition of existing structures and construction of a new boarding house and basement parking	Section 34 Conciliation Conference on 28 May 2019

25	2018/310808	Ooh! Media Limited	64-66 Victoria Road	Rozelle	Digital conversion of an existing externally illuminated advertising sign	Section 34 Conciliation Conference on 23 May 2019
26	2018/312423	Jamiel Antoun	20 Hopetoun Street	Petersham	Raise approved garage roof by 1m and addition of new window to approved garage at high level	Section 34 Conciliation Conference on 27 May 2019
27	2018/328621	Citrus Pty Ltd	742-744 Parramatta Road	Lewisham	Replacement of two (2) existing static signs with two (2) digital signs	Section 34 Conciliation Conference on 4 June 2019
28	2018/332664	Kylie Ellis & Greg Ellis	109B Louisa Road	Birchgrove	Extension to existing roof terrace	Section 34AA Conciliation Conference and Hearing on 13 and 14 June 2019
29	2018/343597	S & R Properties Pty Ltd	1-11 Hardie Avenue & 123A Smith Street	Summer Hill	Appeal against Council's deemed state of satisfaction about deferred commencement condition 1 of Part A of development consent 10.2016.169.1 arising from the Applicant's production of evidence to the consent authority on 10 October 2018	Hearing on 23 and 24 May 2019
30	2018/349638	Angus Wells	70 Waterview Street	Balmain	Construction of a double garage accessed via Alexander Street and associated works, including excavation and retaining wall works	Section 34AA Conciliation Conference and Hearing on 4 and 5 July 2019
31	2018/352922	Armenco Pty Ltd	10-14 Arthur Street	Marrickville	To modify DA201400470 and for the demolition of existing improvements and construction of a part 6, par7 storey residential flat building containing dwellings with basement parking. The modification seeks to increase the number of dwellings from 56 to 59 dwellings and makes consequential revisions to the basement, waste storage and architectural treatment of the rear elevations	Section 34 Conciliation Conference on 6 June 2019

32	2018/355417	Elaine Richardson Architect	30 Terminus Street	Petersham	Proposed rear outdoor dining area at ground pub level and kids' play area at lower ground level (Railway Street & Carrington Lane)	Section 34 Conciliation Conference on 17 July 2019
33	2018/369385	David Macready	44-46 Princes Highway	St Peters	To delete condition 1a from development consent	Section 34 Conciliation Conference on 25 June 2019
34	2018/367429	JRNN Pty Ltd	124-126 Parramatta Road & 8 Tideswell Street	Ashfield	Demolition of existing structures, construction of a mixed use development comprising serviced apartments, group floor retail, basement car parking and landscaping	Section 34 Conciliation Conference on 29 July 2019
35	2018/372678	Sydney Park Hotel Trading Pty Ltd	631 King Street	Newtown	Application for the proposed extended trading hours: Monday-Saturday 5:00am-3:00am and Sunday 10:00am-12:00am	Section 34 Conciliation Conference on 2 August 2019
36	2018/377658	Bijma Wati	44 MacKenzie Street	Rozelle	Alterations and additions to dwelling including ground floor elevated rear balcony with stairs to sub floor area	Section 34AA Conciliation Conference and Hearing on 13 and 14 August 2019
37	2018/372491	Deicorp Projects Petersham Pty Ltd	3-7 & 13-17 Regent Street, 287-309 Trafalgar Street & 16-20 Fisher Street	Petersham	Demolition and construction of 357 apartments over three sites and associated basement car parking. New registered club including fitout of club premises. Subdivision of site 3 to accommodate Fozzard Lane widening. Stratum subdivision of Site 1 and Site 3. Removal of existing trees and proposed public domain plan.	Section 34 Conciliation Conference on 1 August 2019
38	2018/380639	Daniel Molesworth and Briony Molesworth	224 Annandale Street	Annandale	Lower ground and first floor alterations and additions to the existing dwelling house and associated works	Section 34 Conciliation Conference on 26 April 2019
39	2018/381129	Quattro Leone Holdings Pty Ltd	332 Darling Street	Balmain	Alterations and additions to existing building including roof top addition to replace existing third storey residential dwelling and reconfiguration of internal building layout	Section 34 Conciliation Conference on 5 August 2019

40	2018/390338	Jetz Luxury Homes Pty Ltd	283 Parramatta Road	Leichhardt	Appeal against order to remove louvre from the property	Directions hearing on 6 February 2019
41	2018/390358	Jetz Luxury Homes Pty Ltd	283 Parramatta Road	Leichhardt	Appeal against order to cease use of unit 3 as residential at the property	Directions hearing on 6 February 2019
42	2018/387785	Antoniades Architects	29 Station Street	Newtown	Additional unit to ground floor, vehicle turntable to parking area	Section 34 Conciliation Conference on 12 August 2019
43	2018/390293	Guarav Sharma	172 Evans Street	Rozelle	Deletion of condition 4 (a), (b),(c), (d), (e), (f), (g), (h), (i), (k) and (n) of development consent	Directions hearing on 6 February 2019
44	2018/390653	Dillon and Savage Architects	393 Darling Street	Balmain	Alterations and additions to existing heritage listed building and associated works including demolition of rear extensions and detached storerooms, relocated parking and driveway, tree removal, landscaping and outdoor play area, new fencing, signage and site remediation to facilitate the use of the site as an 80 place child care centre	Directions hearing on 6 February 2019
45	2018/389143	S & R Properties Pty Ltd	1-11 Hardie Avenue & 123A Smith Street	Summer Hill	Convert deferred commencement consent into an operational consent and change the route of the stormwater box culvert deviation	Directions hearing on 5 February 2019
46	2018/393484	193 Liverpool Road Pty Ltd	193 Liverpool Road	Ashfield	Application to modify consent for mixed use development comprising one retail shop, one residential apartment and thirty-eight units of boarding house accommodation in a part three-storey, part eight-storey development	Directions hearing on 12 February 2019
47	2019/9578	Moweno Pty Ltd	776 Parramatta Road	Lewisham	Proposed alterations and additions to an existing three storey building for the purpose of a boarding house consisting of 17 single boarding rooms over three storeys	Directions hearing on 14 February 2019

48	2019/22828	Environa Studio Pty Limited	112-116 Parramatta Road	Stanmore	Demolition of existing building, construction of a predominantly 4 storey mixed use development comprising of car parking for 14 vehicles, 34 boarding house rooms, caretaker room, retail/commercial space and communal open space	Directions hearing on 20 February 2019
49	2018/150636	Chris Ahtypis and Efy Ahtypis	412-414 Illawarra Road	Marrickville	Demolition of existing commercial building, and the construction of a new mixed use building comprising ground floor retail unit, 10 apartments, and basement parking	Section 34 Conciliation approved by Court on 5 December 2018
50	2017/364602	Mr Michael Abou Arrage	62 Constitution Road	Dulwich Hill	Modification of LEC order 10978 of 2015 to increase number of residential units from 13 to 17 as a result DA201500129 refused	Appeal dismissed on 7 December 2018
51	2018/121414	Terence Hancox	60 Reiby Street	Newtown	Alterations and additions to development consent, increasing the number of rooms from 7 to 10	Section 34 Conciliation approved by Court on 13 December 2018
52	2017/346911	Formzen Pty Ltd	24 Cecil Street	Ashfield	Demolition of existing townhouses and replacing with multi residential apartment building	Appeal upheld on 14 December 2018
53	2018/312674	Strata Plan 58247	187 Evans Street	Rozelle	Appeal against Development Control Order to comply with planning approval in respect of the location of where the bins are stored	Appeal discontinued by Applicant on 18 December 2018
54	2018/159653	George Andonovski	113 Station Street	Newtown	Alterations and additions to two dwellings, including a three storey addition to the rear, garage with studio above and subdivision	Section 34 Conciliation approved by Court on 20 December 2018
55	2018/148712	Nicholas Prilis	51-53 Albert Street	Petersham	Demolition of the existing buildings, subdivision and construction of 4 Torrens Title terrace residences over an excavated strata titled basement carpark	Section 34 Conciliation approved by Court on 20 December 2018
56	2018/135443	2628 Pty Ltd	215-217 Parramatta Road	Haberfield	Site consolidation, alterations and additions to existing building and change of use to a hotel	Section 34 Conciliation approved by Court on 21 December 2018
57	2018/172312	Ormond View Pty Ltd	33 Ormond Street	Ashfield	Construction of a 3-4 storey	Section 34 Conciliation

					boarding house development containing 39 boarding rooms, managers room, basement car parking and associated landscaping	approved by Court on 18 January 2019
58	2018/171861	Taleb Family Trust No.2	826-836 Princes Highway	Tempe	Demolition of existing improvements and construction of a 3 storey building containing 22 serviced apartments with basement car parking and a ground floor level tenancy	Section 34 Agreement approved by Court on 22 January 2019
59	2018/171864	Citywide Developments Pty Ltd	18 Collins Street	Annandale	Ground and first floor alterations and additions to existing residence, and associated works	Section 34 Agreement approved by Court on 25 January 2019
60	2018/12287	Mohammad Morad	14 Clifton Street	Balmain East	Alterations and additions to the existing dwelling and boathouse	Appeal dismissed on 31 January 2019

CLASS 2 PROCEEDINGS

	Appeal No	Respondent	Property Address	Suburb	Summary	Result/Status
1	2018/271173	Natalie Lawrence and Aaron Lawrence	40 Moodie Street	Rozelle	Appeal for order LGA/2018/221 to be modified to require the Respondent to pay for the cost of complying and costs incurred as a result of the retaining wall collapsing	Section 34 Conciliation Conference on 10 January 2019

CLASS 4 PROCEEDINGS

	Appeal No	Respondent	Property Address	Suburb	Summary	Result/Status
1	2017/343097	Eric Findlay	35 Moonbie Street	Summer Hill	Enforcement proceedings regarding the keeping or housing of a pony at the premises	Ongoing
2	2018/292668	Balmain Rentals Pty Ltd	89 Fitzroy Street	Marrickville	Breach of section 4.3(a) of EPA by carrying out development for the purpose of a vehicle sales or hire premises at the premises in circumstances where the Use is prohibited by virtue of clause 2.3(1) and the Land Use Table for the IN1 -	Hearing on 27 February 2019

					General Industrial zone in Marrickville LEP 2011	
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LOCAL COURT

	Appeal No.	Other Party	Property Address	Suburb	Summary	Result/Status
1	3190245044	Ebuilt Carpentry & Building Pty Ltd	6 Hubert St	Leichhardt	Unauthorised demolition taken place not according to conditions of consent.	Hearing on 1 March 2019
2	3141662435	Darlings Bistro	13 Lilyfield Road	Rozelle	Development without consent - Corporation	Hearing on 27 February 2019
3	3190263120	Elias Daoud	25-27 Cavendish Street	Enmore	Owner fails to maintain essential fire safety measures - Individual	Mention on 4 February 2019
4	3141662270	Byplan Australia Pty Ltd	38 Grove Street	Lilyfield	Development without consent - class 1a or 10 building - Corporation	Sentencing on 31 January 2019
5	3190263479	Robert Daoud	11 Liberty Street	Enmore	Not give fire safety statement - 1 week overdue - Individual	Mention on 25 February 2019
6	3190245255	Mark Johnson	37A Macauley Street	Leichhardt	Development without consent - class 1a or 10 building - Individual	Defendant fined \$300 by Court on 10 December 2018
7	3190263506	Perestrelo Investments Pty Ltd	159A Denison Road	Dulwich Hill	Not give fire safety statement - 1 week overdue - Corporation	Penalty withdrawn by Council on 19 December

NCAT

	Case No.	Other Party	Property Address	Suburb	Summary	Result/Status
1	2018/379646	Anthony Cosco	N/A	N/A	Application for administrative review of GIPA request	Ongoing
2	2018/357933	David Tierney	N/A	N/A	Application for administrative review of GIPA request	Ongoing

Item No: C0219(3) Item 12

Subject: INVESTMENT REPORT AS AT 31 DECEMBER 2018

Prepared By: Brendhan Barry - Manager Financial Services

Authorised By: Michael Tzimoulas - Deputy General Manager Chief Financial and Administration Officer

SUMMARY

In accordance with the requirements of clause 212 of the Local Government (General) Regulation 2005, Council is provided with a listing of all investments made pursuant to section 625 of the Local Government Act 1993 and reported for period ending 31 December 2018.

RECOMMENDATION

THAT the report be received and noted.

BACKGROUND

Clause 212 of the Local Government (General) Regulation 2005 requires that a report be presented to Council each month listing all investments with a certification from the Responsible Accounting Officer. Attached to this report are further reports from Council's Investment Advisors, Prudential Investment Services.

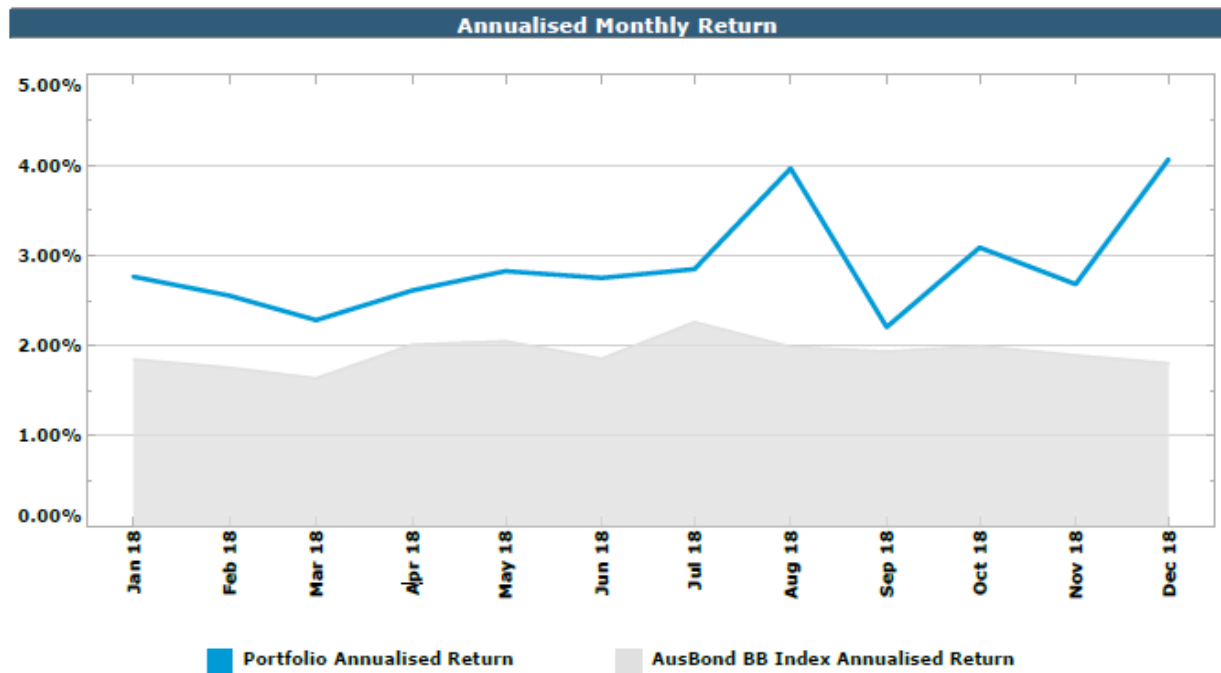
FINANCIAL IMPLICATIONS

The Investment Holdings report (**Attachment 1**) for the period ending 31 December 2018 reflects Council's holding in various investment categories these are listed in the table below. Council's portfolio size sits at \$209.9m, of which 83% was rated A rated or above. All Socially Responsible Investments (SRI's) are investments that comply with the Non Fossil Fuel standards.

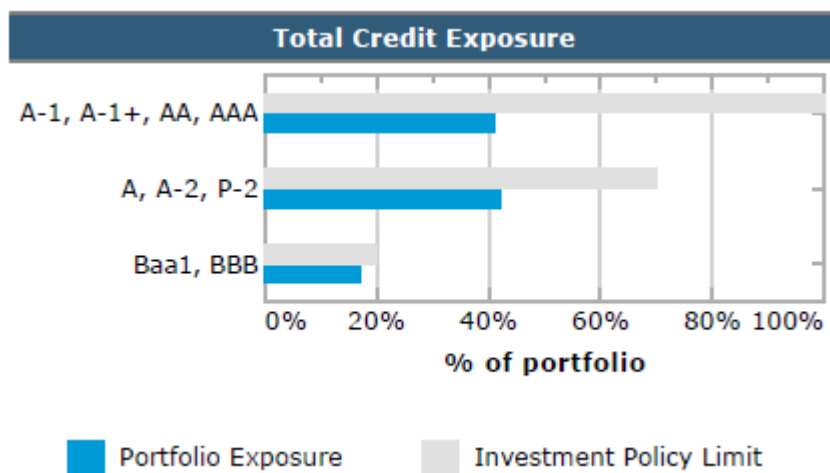
Current Breakdown

ADI Lending Status *	Current Month (\$)		Previous Month (\$)	
Fossil Fuel Lending ADIs				
Bank of Queensland	2,000,000		2,000,000	
Commonwealth Bank of Australia	535,058		534,332	
Westpac Group	2,000,000		2,000,000	
	4,535,058	2%	4,534,332	2%
Non Fossil Fuel Lending ADIs				
Auswide Bank	11,000,000		11,000,000	
Bendigo and Adelaide Bank	26,000,000		31,000,000	
Credit Union Australia	20,000,000		20,000,000	
Emerald Reverse Mortgage (2006A)	588,051		588,051	
Emerald Reverse Mortgage (2006B)	1,000,000		1,000,000	
Greater Building Society	2,000,000		2,000,000	
Heritage Bank	5,800,000		5,800,000	
IMB Ltd	2,000,000		7,000,000	
Members Equity Bank	35,000,000		34,000,000	
MyState Bank	3,000,000		3,000,000	
Newcastle Permanent Building Society	1,700,000		1,700,000	
Rural Bank	2,000,000		2,000,000	
Suncorp Bank	32,000,000		32,000,000	
Teachers Mutual Bank	5,200,000		5,200,000	
	147,288,051	70%	156,288,051	75%
Socially Responsible Investments				
ANZ Group (Green)	2,000,000		2,000,000	
Bank Australia (Sustainability)	2,000,000		2,000,000	
CBA (Climate)	18,200,000		18,200,000	
National Australia Bank (Social)	7,444,000		7,444,000	
NSW T-Corp (Green)	5,000,000		5,000,000	
Westpac Group (Climate)	8,400,000		8,400,000	
Westpac Group (Green TD)	15,000,000		5,000,000	
	58,044,000	28%	48,044,000	23%
	209,867,110		208,866,383	

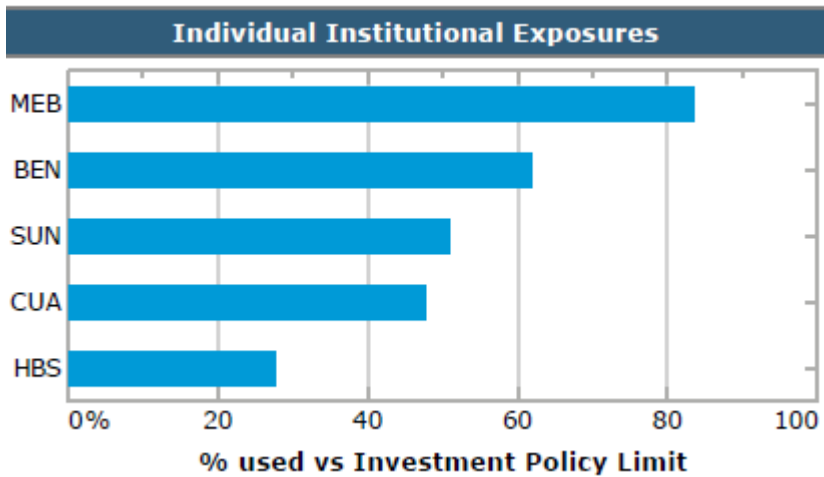
* source: <http://www.marketforces.org.au>



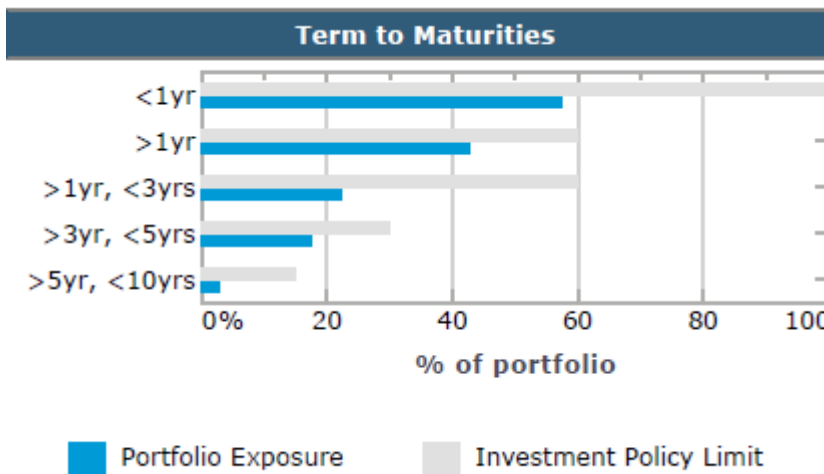
Council's annualised return continues to exceed the bank bill index benchmark. The period ending 31 December 2018, the portfolio for Inner West Council had a One-Month Portfolio Investment Return of 4.07%, above the UBSWA Bank Bill Index Benchmark (1.81%).



Council has a well-diversified portfolio with 83% of the portfolio spread among the top three credit rating categories (A long term / A2 short term and higher).

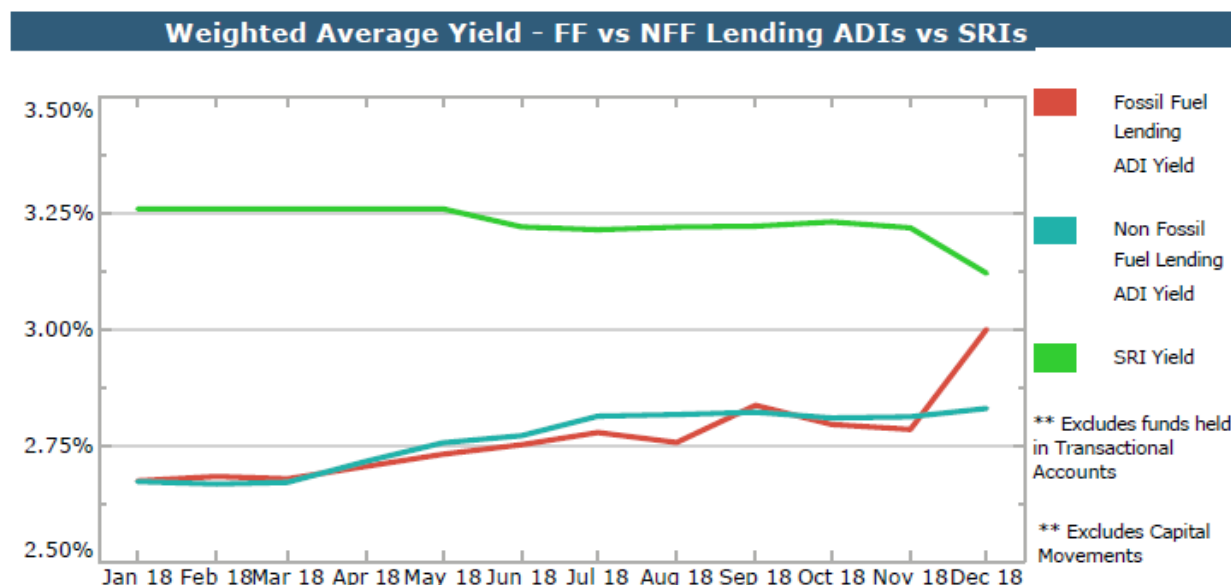


Council has a well-diversified portfolio invested among a range of term deposits and floating rate notes from highly rated Australian ADIs. The graph above shows Council's individual institution exposure compared with the investment policy limits.

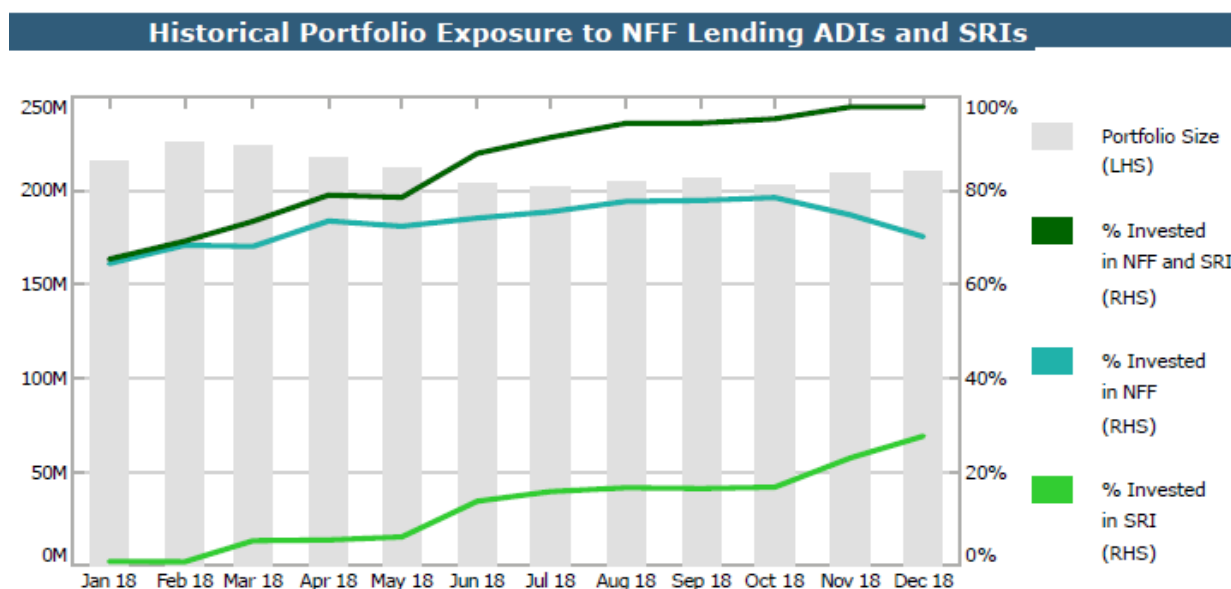


The graph above demonstrates the term to maturity for Council's investments compared to Council's approved investment policy limits.

Environmental and Socially Responsible Commitments



The graph above illustrates the gap between yields received from Socially Responsible Investments (SRI), Fossil Fuel (FF) and Non Fossil Fuel (NFF) Investments. All Socially Responsible Investments are also Non Fossil Fuel Investments.



Council's holdings in NFF / SRI's was \$205.3m with the relative total portfolio percentage of 98%.

Council's holdings in NFF investments were \$147.3m with the relative total portfolio percentage of 70%.

Council's holdings in SRI's were \$58.0m, with the relative total portfolio percentage of 28%.

The attachments to this report summarise all investments held by Council and interest returns for periods ending 31 December 2018.

The Current Market value is required to be accounted for. The Current Market Value is a likely outcome if Council were to consider recalling the investment prior to its due date.

All investments made for the month of December 2018 have been made in accordance with the Local Government Act, Local Government Regulations and the Inner West Council Investment Policy.

ATTACHMENTS

1. [↓](#) IWC Dec18
2. [↓](#) IWC Economic and Investment Portfolio Commentary Dec18

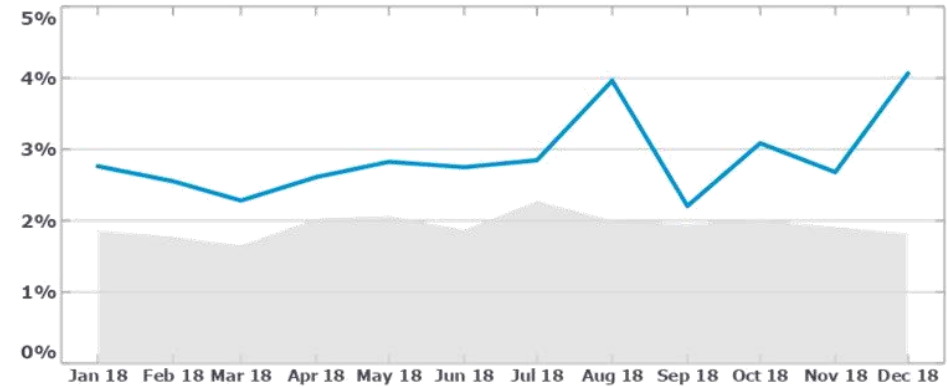


**Investment Summary Report
December 2018**

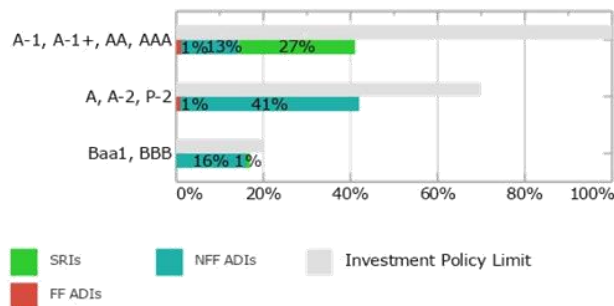
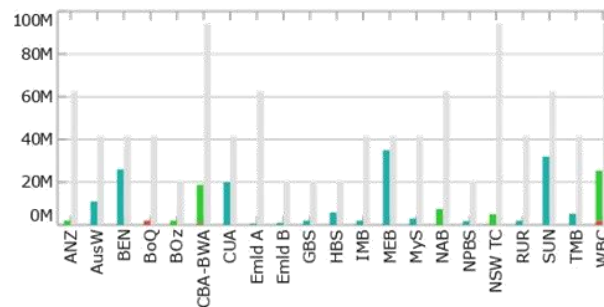
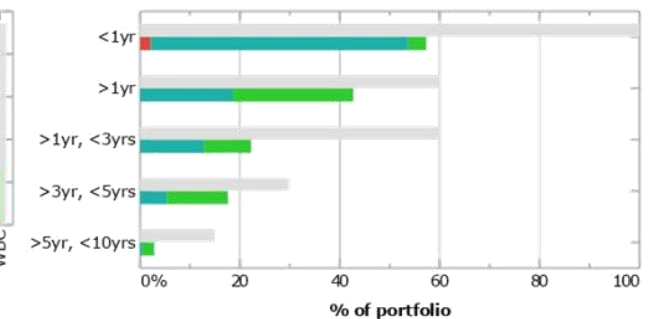
Inner West Council
Executive Summary - December 2018

Investment Holdings

By Product	Face Value (\$)	Current Value (\$)	Current Yield (%)
Bonds	41,044,000.00	41,822,344.66	3.1888
Cash	535,058.24	535,058.24	1.6000
Floating Rate Note	40,700,000.00	40,882,327.78	3.1678
Mortgage Backed Security	1,588,051.34	1,149,160.92	2.5789
Term Deposit	126,000,000.00	127,745,249.84	2.7310
	209,867,109.58	212,134,141.44	2.9012

Investment Performance

 Portfolio Annualised Return

 Bloomberg BB Index Annualised Return

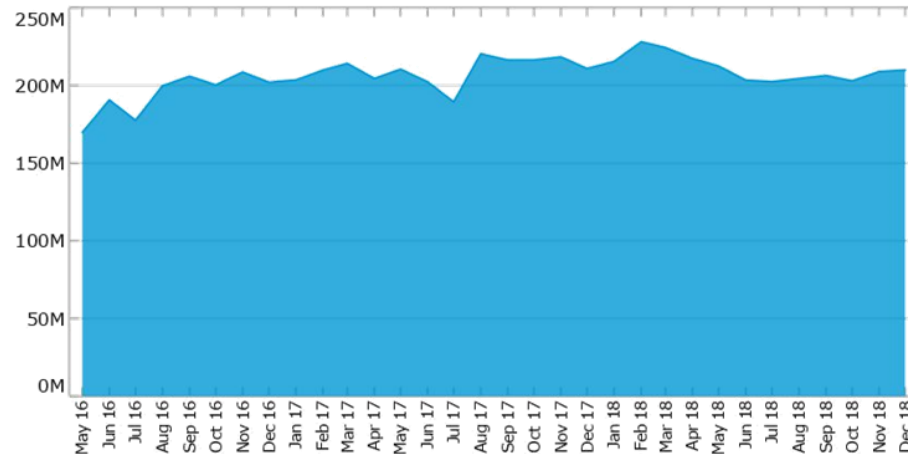
Investment Policy Compliance
Total Credit Exposure

Individual Exposures

Term to Maturities


Inner West Council

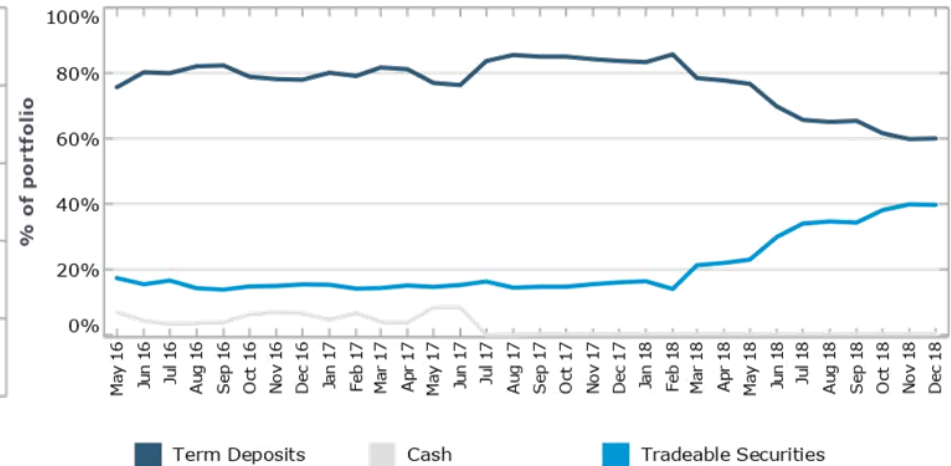
Historical Graphs - December 2018



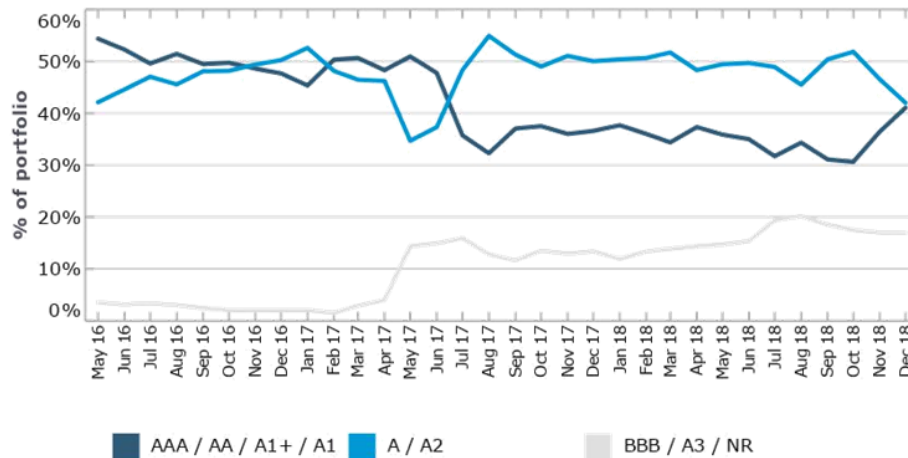
By Balance



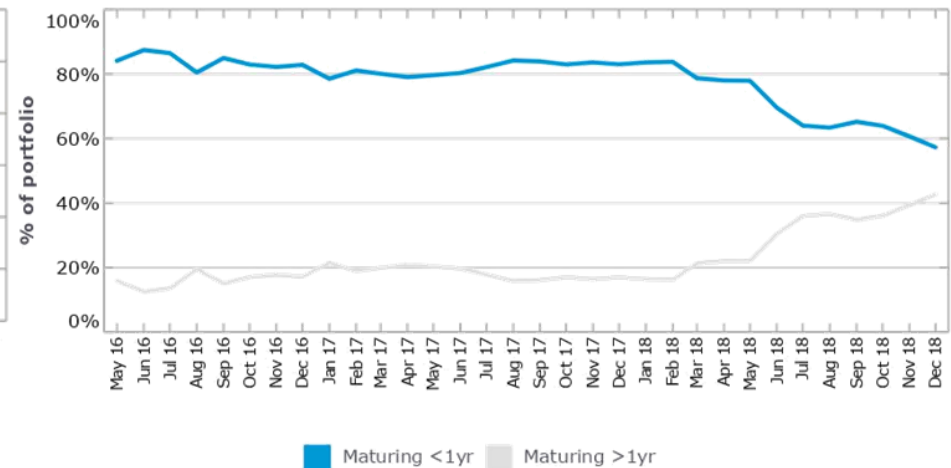
By Investment Type



By Credit Rating



By Maturity



Inner West Council
Investment Holdings Report - December 2018

Cash Accounts

Face Value (\$)	Current Yield	Institution	Credit Rating	Current Value (\$)	Deal No.	Reference
535,058.24	1.6000%	Commonwealth Bank of Australia	A-1+	535,058.24	535861	
535,058.24	1.6000%			535,058.24		

Term Deposits

Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
7-Jan-19	4,000,000.00	2.6000%	ME Bank	A-2	4,000,000.00	28-Feb-18	4,087,473.97	536331	87,473.97	At Maturity	
7-Jan-19	1,000,000.00	2.4500%	Suncorp Bank	A-1	1,000,000.00	28-Feb-18	1,020,606.85	536332	20,606.85	At Maturity	
14-Jan-19	5,000,000.00	2.6000%	Bendigo and Adelaide Bank	A-2	5,000,000.00	28-Feb-18	5,109,342.47	536320	109,342.47	At Maturity	
14-Jan-19	2,000,000.00	3.0000%	Bank of Queensland	A-2	2,000,000.00	12-Jan-17	2,058,191.78	534764	58,191.78	Annually	
22-Jan-19	3,500,000.00	2.6800%	Credit Union Australia	A-2	3,500,000.00	21-Feb-18	3,580,693.70	536251	80,693.70	At Maturity	
5-Feb-19	2,000,000.00	2.5500%	IMB Ltd	P-2	2,000,000.00	28-Feb-18	2,042,895.89	536322	42,895.89	At Maturity	
5-Feb-19	3,000,000.00	2.6000%	ME Bank	A-2	3,000,000.00	28-Feb-18	3,065,605.48	536323	65,605.48	At Maturity	
14-Feb-19	2,000,000.00	3.0000%	Westpac Group	A-1+	2,000,000.00	14-Feb-17	2,052,767.12	534873	52,767.12	Annually	
19-Feb-19	3,500,000.00	2.7000%	Credit Union Australia	A-2	3,500,000.00	21-Feb-18	3,581,295.89	536252	81,295.89	At Maturity	
13-Mar-19	5,000,000.00	2.6200%	Bendigo and Adelaide Bank	A-2	5,000,000.00	28-Feb-18	5,110,183.56	536321	110,183.56	At Maturity	
13-Mar-19	8,000,000.00	2.7000%	Auswide Bank	P-2	8,000,000.00	15-Mar-18	8,172,800.00	536439	172,800.00	At Maturity	
26-Mar-19	10,000,000.00	2.7500%	ME Bank	A-2	10,000,000.00	21-Dec-18	10,008,287.67	537437	8,287.67	At Maturity	
12-Apr-19	5,000,000.00	2.7500%	Suncorp Bank	A-1	5,000,000.00	27-Apr-18	5,093,801.37	536556	93,801.37	At Maturity	
26-Apr-19	15,000,000.00	2.7500%	Suncorp Bank	A-1	15,000,000.00	27-Apr-18	15,281,404.11	536555	281,404.11	At Maturity	
7-May-19	2,000,000.00	2.8400%	Rural Bank	A-2	2,000,000.00	31-May-18	2,033,457.53	536680	33,457.53	At Maturity	
14-May-19	3,000,000.00	2.8000%	MyState Bank	P-2	3,000,000.00	31-May-18	3,049,479.45	536679	49,479.45	At Maturity	
21-May-19	3,000,000.00	2.8000%	ME Bank	A-2	3,000,000.00	31-May-18	3,049,479.45	536681	49,479.45	At Maturity	
28-May-19	3,000,000.00	2.8000%	ME Bank	A-2	3,000,000.00	31-May-18	3,049,479.45	536683	49,479.45	At Maturity	
24-Jun-19	6,000,000.00	2.7000%	Suncorp Bank	A-1	6,000,000.00	30-Aug-18	6,055,035.62	537030	55,035.62	At Maturity	
26-Jun-19	5,000,000.00	2.7000%	Credit Union Australia	A-2	5,000,000.00	28-Sep-18	5,035,136.99	537168	35,136.99	At Maturity	

Inner West Council
Investment Holdings Report - December 2018

Term Deposits

Maturity Date	Face Value (\$)	Rate	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
29-Jul-19	8,000,000.00	2.8500%	ME Bank	A-2	8,000,000.00	31-Jul-18	8,096,197.26	536900	96,197.26	At Maturity	
4-Sep-19	3,000,000.00	2.8500%	Auswide Bank	P-2	3,000,000.00	31-Jul-18	3,036,073.97	536897	36,073.97	At Maturity	
23-Sep-19	5,000,000.00	2.7500%	Credit Union Australia	A-2	5,000,000.00	28-Sep-18	5,035,787.67	537169	35,787.67	At Maturity	
30-Oct-19	4,000,000.00	2.9000%	Bendigo and Adelaide Bank	A-2	4,000,000.00	30-Oct-17	4,020,021.92	535897	20,021.92	Annually	
29-Nov-19	5,000,000.00	2.6700%	Westpac Group	A-1+	5,000,000.00	30-Nov-18	5,011,704.11	537363	11,704.11	Quarterly	Green
19-Dec-19	2,500,000.00	2.6700%	Westpac Group	A-1+	2,500,000.00	21-Dec-18	2,502,011.64	537433	2,011.64	Quarterly	Green
21-Jan-20	2,500,000.00	2.6700%	Westpac Group	AA-	2,500,000.00	21-Dec-18	2,502,011.64	537434	2,011.64	Quarterly	Green
20-Mar-20	2,500,000.00	2.6700%	Westpac Group	AA-	2,500,000.00	21-Dec-18	2,502,011.64	537435	2,011.64	Quarterly	Green
21-Apr-20	2,500,000.00	2.6700%	Westpac Group	AA-	2,500,000.00	21-Dec-18	2,502,011.64	537436	2,011.64	Quarterly	Green
126,000,000.00 2.7310%			126,000,000.00			127,745,249.84		1,745,249.84			

Floating Rate Notes

Maturity Date	Face Value (\$)	Current Coupon	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Coupon Date	Reference
28-Oct-19	1,200,000.00	3.3150%	TMB Snr FRN (Oct19) BBSW+1.40%	A-2	1,200,000.00	28-Oct-16	1,209,807.12	534461	6,975.12	29-Jan-19	
21-Feb-20	3,000,000.00	3.0400%	BEN Snr FRN (Feb20) BBSW+1.10%	BBB+	3,000,000.00	21-Nov-16	3,020,294.38	534538	10,244.38	21-Feb-19	
24-Feb-20	1,000,000.00	3.3900%	GBS Snr FRN (Feb20) BBSW+1.45%	BBB	1,000,000.00	24-Feb-17	1,003,128.12	534887	3,343.56	25-Feb-19	
24-Feb-20	1,000,000.00	3.3900%	GBS Snr FRN (Feb20) BBSW+1.45%	BBB	1,000,000.00	24-Feb-17	1,003,128.12	534888	3,343.56	25-Feb-19	
20-Mar-20	1,500,000.00	3.3626%	CUA Snr FRN (Mar20) BBSW+1.30%	BBB	1,500,000.00	20-Mar-17	1,506,668.27	534992	1,658.27	20-Mar-19	
20-Mar-20	1,500,000.00	3.3626%	CUA Snr FRN (Mar20) BBSW+1.30%	BBB	1,500,000.00	20-Mar-17	1,506,668.27	534993	1,658.27	20-Mar-19	
6-Apr-20	2,000,000.00	3.1795%	ME Bank Snr FRN (Apr20) BBSW+1.25%	BBB	2,000,000.00	6-Apr-17	2,018,708.63	535107	14,808.63	7-Jan-19	
18-Aug-20	2,000,000.00	3.0400%	BEN Snr FRN (Aug20) BBSW+1.10%	BBB+	2,000,000.00	18-Aug-15	2,014,362.74	505171	7,162.74	18-Feb-19	
18-Aug-20	1,000,000.00	3.0400%	BEN Snr FRN (Aug20) BBSW+1.10%	BBB+	1,000,000.00	18-Aug-15	1,007,181.37	505174	3,581.37	18-Feb-19	
18-Aug-20	2,000,000.00	3.0400%	BEN Snr FRN (Aug20) BBSW+1.10%	BBB+	2,000,000.00	18-Aug-15	2,014,362.74	505175	7,162.74	18-Feb-19	
9-Nov-20	2,000,000.00	3.1907%	ME Bank Snr FRN (Nov20) BBSW+1.25%	BBB	2,000,000.00	9-Nov-17	2,011,066.14	535918	9,266.14	11-Feb-19	

Inner West Council
Investment Holdings Report - December 2018

Floating Rate Notes

Maturity Date	Face Value (\$)	Current Coupon	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Coupon Reference Date
29-Mar-21	5,800,000.00	3.3200%	HBS Snr FRN (Mar21) BBSW+1.23%	Baa1	5,800,000.00	29-Mar-18	5,803,021.56	536454	527.56	29-Mar-19
2-Jul-21	4,000,000.00	3.3061%	TMB Snr FRN (Jul21) BBSW+1.37%	BBB	4,000,000.00	2-Jul-18	4,043,890.42	536788	32,970.42	2-Jan-19
30-Aug-21	2,000,000.00	3.2500%	BOz 'SRI' Snr FRN (Aug21) BBSW+1.30%	BBB	2,000,000.00	30-Aug-18	2,008,298.63	536986	5,698.63	28-Feb-19
19-Jan-22	2,500,000.00	2.9412%	BEN Snr FRN (Jan22) BBSW+1.01%	BBB+	2,500,000.00	19-Oct-18	2,511,082.45	537202	14,907.45	21-Jan-19
16-Aug-22	1,000,000.00	2.9110%	SUN Snr FRN (Aug22) BBSW+0.97%	A+	1,000,000.00	16-Aug-17	1,001,048.66	535607	3,668.66	18-Feb-19
16-Aug-22	4,000,000.00	2.9110%	SUN Snr FRN (Aug22) BBSW+0.97%	A+	4,037,600.00	31-Oct-18	4,004,194.63	537263	14,674.63	18-Feb-19
25-Jan-23	1,500,000.00	2.9700%	BEN Snr FRN (Jan23) BBSW+1.05%	BBB+	1,500,000.00	25-Jan-18	1,497,904.73	536141	8,299.73	25-Jan-19
6-Feb-23	1,700,000.00	3.3409%	NPBS Snr FRN (Feb23) BBSW+1.40%	BBB	1,700,000.00	6-Feb-18	1,697,510.80	536175	8,713.80	6-Feb-19
40,700,000.00		3.1678%			40,737,600.00		40,882,327.78		158,665.66	

Fixed Rate Bonds

Maturity Date	Face Value (\$)	Coupon	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Purchase Yield Reference
3-Jun-20	2,000,000.00	3.2500%	ANZ 'Green' Snr Bond (Jun20) 3.25%	AA-	1,987,680.00	3-Jun-15	2,024,158.57	505284	5,178.57	3.3850%
3-Jun-21	1,900,000.00	3.1000%	WBC 'Climate' Snr Bond (Jun21) 3.10%	AA-	1,910,906.00	7-Jun-18	1,921,640.58	536702	4,692.58	2.9100%
3-Jun-21	6,500,000.00	3.1000%	WBC 'Climate' Snr Bond (Jun21) 3.10%	AA-	6,536,725.00	13-Jun-18	6,574,033.57	536720	16,053.57	2.9300%
24-Mar-22	3,444,000.00	3.2500%	NAB 'Social' Snr Bond (Mar22) 3.25%	AA-	3,502,479.12	26-Jun-18	3,520,557.66	536771	30,442.50	3.0000%
24-Mar-22	4,000,000.00	3.2500%	NAB 'Social' Snr Bond (Mar22) 3.25%	AA-	4,066,280.00	1-Nov-18	4,088,917.14	537279	35,357.14	2.8400%
31-Mar-22	10,000,000.00	3.2500%	CBA 'Climate' Snr Bond (Mar22) 3.25%	AA-	10,088,200.00	28-Mar-18	10,215,198.90	536469	81,698.90	3.0348%
31-Mar-22	1,100,000.00	3.2500%	CBA 'Climate' Snr Bond (Mar22) 3.25%	AA-	1,111,198.00	22-May-18	1,123,671.88	536652	8,986.88	3.1115%
31-Mar-22	3,100,000.00	3.2500%	CBA 'Climate' Snr Bond (Mar22) 3.25%	AA-	3,143,462.00	13-Jun-18	3,166,711.66	536721	25,326.66	3.0592%
31-Mar-22	4,000,000.00	3.2500%	CBA 'Climate' Snr Bond (Mar22) 3.25%	AA-	4,083,240.00	31-Jul-18	4,086,079.56	536896	32,679.56	2.9908%
15-Nov-28	5,000,000.00	3.0000%	NSWTC 'Green' Snr Bond (Nov28) 3.00%	AAA	4,900,300.00	15-Nov-18	5,101,375.14	537310	19,475.14	3.2350%
41,044,000.00					41,330,470.12		41,822,344.66		259,891.50	3.0316%

Inner West Council
Investment Holdings Report - December 2018


Mortgage Backed Securities										
Weighted Avg Life	Face Value (\$)	Current Coupon	Security Name	Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Reference
22-Aug-22	588,051.34	2.3900%	Emerald Reverse Mortgage (2006A)	AA	1,000,000.00	17-Jul-06	466,139.28	310321	1,578.72	
23-Aug-27	1,000,000.00	2.6900%	Emerald Reverse Mortgage (2006B)	BBB	1,000,000.00	17-Jul-06	683,021.64	310334	3,021.64	
	1,588,051.34	2.5789%			2,000,000.00		1,149,160.92		4,600.36	

Inner West Council
 Accrued Interest Report - December 2018


Accrued Interest Report									
Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
<u>Bonds</u>									
ANZ 'Green' Snr Bond (Jun20) 3.25%	505284		2,000,000.00	03-Jun-15	03-Jun-20	32,500.00	31	5,535.71	3.26%
WBC 'Climate' Snr Bond (Jun21) 3.10%	536702		1,900,000.00	07-Jun-18	03-Jun-21	29,450.00	31	5,016.21	3.11%
WBC 'Climate' Snr Bond (Jun21) 3.10%	536720		6,500,000.00	13-Jun-18	03-Jun-21	100,750.00	31	17,160.72	3.11%
NAB 'Social' Snr Bond (Mar22) 3.25%	536771		3,444,000.00	26-Jun-18	24-Mar-22		31	9,532.50	3.26%
NAB 'Social' Snr Bond (Mar22) 3.25%	537279		4,000,000.00	01-Nov-18	24-Mar-22		31	11,071.42	3.26%
CBA 'Climate' Snr Bond (Mar22) 3.25%	536469		10,000,000.00	29-Mar-18	31-Mar-22		31	27,831.50	3.28%
CBA 'Climate' Snr Bond (Mar22) 3.25%	536652		1,100,000.00	24-May-18	31-Mar-22		31	3,061.47	3.28%
CBA 'Climate' Snr Bond (Mar22) 3.25%	536721		3,100,000.00	13-Jun-18	31-Mar-22		31	8,627.76	3.28%
CBA 'Climate' Snr Bond (Mar22) 3.25%	536896		4,000,000.00	31-Jul-18	31-Mar-22		31	11,132.60	3.28%
NSWTC 'Green' Snr Bond (Nov28) 3.00%	537310		5,000,000.00	15-Nov-18	15-Nov-28		31	12,845.31	3.02%
Bonds Total						162,700.00		111,815.20	3.21%
<u>Cash</u>									
Commonwealth Bank of Australia	535861		535,058.24			726.11	31	726.11	1.60%
Cash Total						726.11		726.11	1.60%
<u>Floating Rate Note</u>									
TMB Snr FRN (Oct19) BBSW+1.40%	534461		1,200,000.00	28-Oct-16	28-Oct-19		31	3,378.57	3.31%
BEN Snr FRN (Feb20) BBSW+1.10%	534538		3,000,000.00	21-Nov-16	21-Feb-20		31	7,745.75	3.04%
GBS Snr FRN (Feb20) BBSW+1.45%	534887		1,000,000.00	24-Feb-17	24-Feb-20		31	2,879.18	3.39%
GBS Snr FRN (Feb20) BBSW+1.45%	534888		1,000,000.00	24-Feb-17	24-Feb-20		31	2,879.18	3.39%
CUA Snr FRN (Mar20) BBSW+1.30%	534993		1,500,000.00	20-Mar-17	20-Mar-20	12,041.92	31	4,172.52	3.28%
CUA Snr FRN (Mar20) BBSW+1.30%	534992		1,500,000.00	20-Mar-17	20-Mar-20	12,041.92	31	4,172.52	3.28%
ME Bank Snr FRN (Apr20) BBSW+1.25%	535107		2,000,000.00	06-Apr-17	06-Apr-20		31	5,400.79	3.18%

Inner West Council
Accrued Interest Report - December 2018

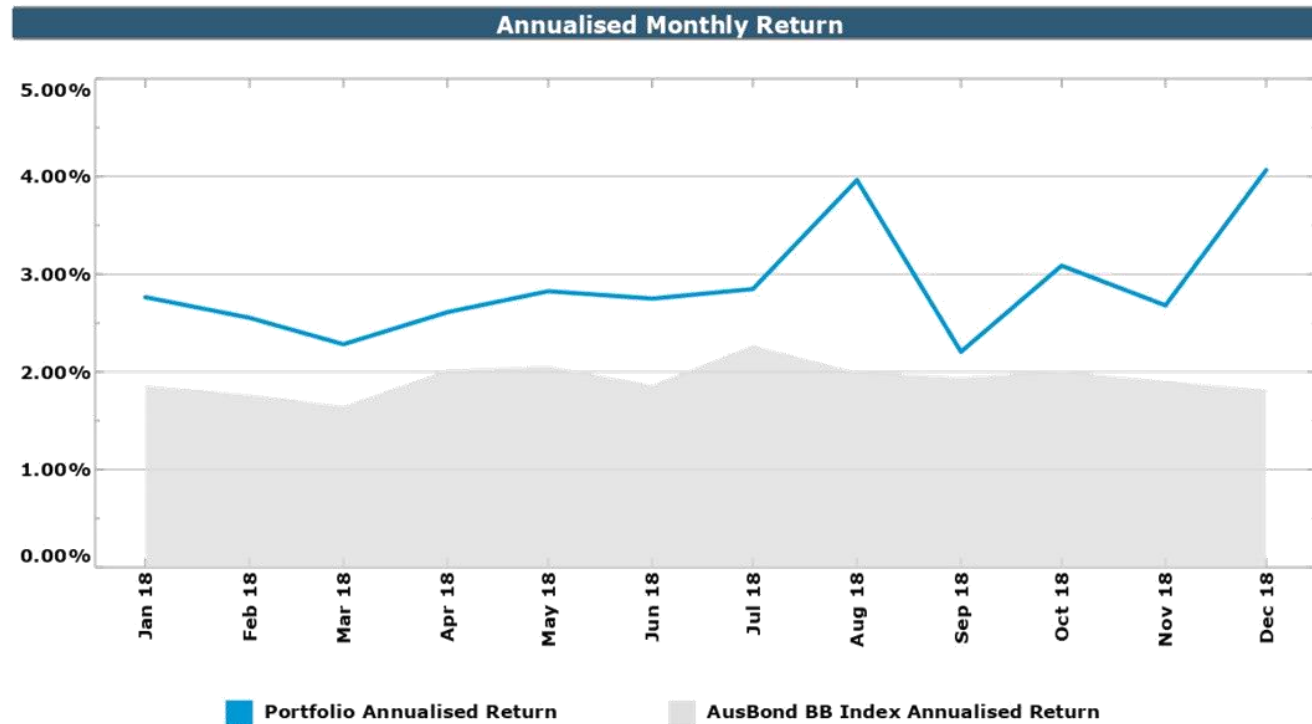

Accrued Interest Report									
Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
BEN Snr FRN (Aug20) BBSW+1.10%	505174		1,000,000.00	18-Aug-15	18-Aug-20		31	2,581.92	3.04%
BEN Snr FRN (Aug20) BBSW+1.10%	505175		2,000,000.00	18-Aug-15	18-Aug-20		31	5,163.84	3.04%
BEN Snr FRN (Aug20) BBSW+1.10%	505171		2,000,000.00	18-Aug-15	18-Aug-20		31	5,163.84	3.04%
ME Bank Snr FRN (Nov20) BBSW+1.25%	535918		2,000,000.00	09-Nov-17	09-Nov-20		31	5,419.82	3.19%
HBS Snr FRN (Mar21) BBSW+1.23%	536454		5,800,000.00	29-Mar-18	29-Mar-21	47,971.72	31	15,676.52	3.18%
TMB Snr FRN (Jul21) BBSW+1.37%	536788		4,000,000.00	02-Jul-18	02-Jul-21		31	11,231.68	3.31%
BOz 'SRI' Snr FRN (Aug21) BBSW+1.30%	536986		2,000,000.00	30-Aug-18	30-Aug-21		31	5,520.55	3.25%
BEN Snr FRN (Jan22) BBSW+1.01%	537202		2,500,000.00	19-Oct-18	19-Jan-22		31	6,245.01	2.94%
SUN Snr FRN (Aug22) BBSW+0.97%	535607		1,000,000.00	16-Aug-17	16-Aug-22		31	2,472.36	2.91%
SUN Snr FRN (Aug22) BBSW+0.97%	537263		4,000,000.00	31-Oct-18	16-Aug-22		31	9,889.42	2.91%
BEN Snr FRN (Jan23) BBSW+1.05%	536141		1,500,000.00	25-Jan-18	25-Jan-23		31	3,783.70	2.97%
NPBS Snr FRN (Feb23) BBSW+1.40%	536175		1,700,000.00	06-Feb-18	06-Feb-23		31	4,823.71	3.34%
Floating Rate Note Total						72,055.56		108,600.88	3.14%
<u>Mortgage Backed Securities</u>									
Emerald Reverse Mortgage Series 2006-1 Class A	310321		588,051.34	17-Jul-06	22-Aug-22		31	1,193.67	2.39%
Emerald Reverse Mortgage Series 2006-1 Class B	310334		1,000,000.00	17-Jul-06	23-Aug-27		31	2,284.65	2.69%
Mortgage Backed Securities Total								3,478.32	2.58%
<u>Term Deposits</u>									
Bendigo and Adelaide Bank	536169		5,000,000.00	31-Jan-18	04-Dec-18	107,239.73	3	1,047.95	2.55%
IMB Ltd	536170		5,000,000.00	31-Jan-18	11-Dec-18	109,684.93	10	3,493.15	2.55%
ME Bank	536172		9,000,000.00	31-Jan-18	11-Dec-18	201,304.11	10	6,410.96	2.60%
ME Bank	536331		4,000,000.00	28-Feb-18	07-Jan-19		31	8,832.87	2.60%
Suncorp Bank	536332		1,000,000.00	28-Feb-18	07-Jan-19		31	2,080.82	2.45%

Inner West Council
Accrued Interest Report - December 2018


Accrued Interest Report									
Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
Bank of Queensland	534764		2,000,000.00	12-Jan-17	14-Jan-19		31	5,095.89	3.00%
Bendigo and Adelaide Bank	536320		5,000,000.00	28-Feb-18	14-Jan-19		31	11,041.10	2.60%
Credit Union Australia	536251		3,500,000.00	21-Feb-18	22-Jan-19		31	7,966.58	2.68%
IMB Ltd	536322		2,000,000.00	28-Feb-18	05-Feb-19		31	4,331.51	2.55%
ME Bank	536323		3,000,000.00	28-Feb-18	05-Feb-19		31	6,624.66	2.60%
Westpac Group	534873		2,000,000.00	14-Feb-17	14-Feb-19		31	5,095.89	3.00%
Credit Union Australia	536252		3,500,000.00	21-Feb-18	19-Feb-19		31	8,026.03	2.70%
Bendigo and Adelaide Bank	536321		5,000,000.00	28-Feb-18	13-Mar-19		31	11,126.03	2.62%
Auswide Bank	536439		8,000,000.00	15-Mar-18	13-Mar-19		31	18,345.21	2.70%
ME Bank	537437		10,000,000.00	21-Dec-18	26-Mar-19		11	8,287.67	2.75%
Suncorp Bank	536556		5,000,000.00	27-Apr-18	12-Apr-19		31	11,678.08	2.75%
Suncorp Bank	536555		15,000,000.00	27-Apr-18	26-Apr-19		31	35,034.25	2.75%
Rural Bank	536680		2,000,000.00	31-May-18	07-May-19		31	4,824.11	2.84%
MyState Bank	536679		3,000,000.00	31-May-18	14-May-19		31	7,134.24	2.80%
ME Bank	536681		3,000,000.00	31-May-18	21-May-19		31	7,134.24	2.80%
ME Bank	536683		3,000,000.00	31-May-18	28-May-19		31	7,134.24	2.80%
Suncorp Bank	537030		6,000,000.00	30-Aug-18	24-Jun-19		31	13,758.91	2.70%
Credit Union Australia	537168		5,000,000.00	28-Sep-18	26-Jun-19		31	11,465.76	2.70%
ME Bank	536900		8,000,000.00	31-Jul-18	29-Jul-19		31	19,364.38	2.85%
Auswide Bank	536897		3,000,000.00	31-Jul-18	04-Sep-19		31	7,261.64	2.85%
Credit Union Australia	537169		5,000,000.00	28-Sep-18	23-Sep-19		31	11,678.08	2.75%
Bendigo and Adelaide Bank	535897		4,000,000.00	30-Oct-17	30-Oct-19		31	9,852.06	2.90%
Westpac Group	537363		5,000,000.00	30-Nov-18	29-Nov-19		31	11,338.36	2.67%

Inner West Council
Accrued Interest Report - December 2018


Accrued Interest Report									
Investment	Deal No.	Ref	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Percentage Return
Westpac Group	537433		2,500,000.00	21-Dec-18	19-Dec-19		11	2,011.64	2.67%
Westpac Group	537434		2,500,000.00	21-Dec-18	21-Jan-20		11	2,011.64	2.67%
Westpac Group	537435		2,500,000.00	21-Dec-18	20-Mar-20		11	2,011.64	2.67%
Westpac Group	537436		2,500,000.00	21-Dec-18	21-Apr-20		11	2,011.64	2.67%
Term Deposits Total						418,228.77		273,511.23	2.73%
						653,710.44		498,131.74	<u>2.90%</u>

Inner West Council
Investment Performance Report - December 2018

Historical Performance Summary

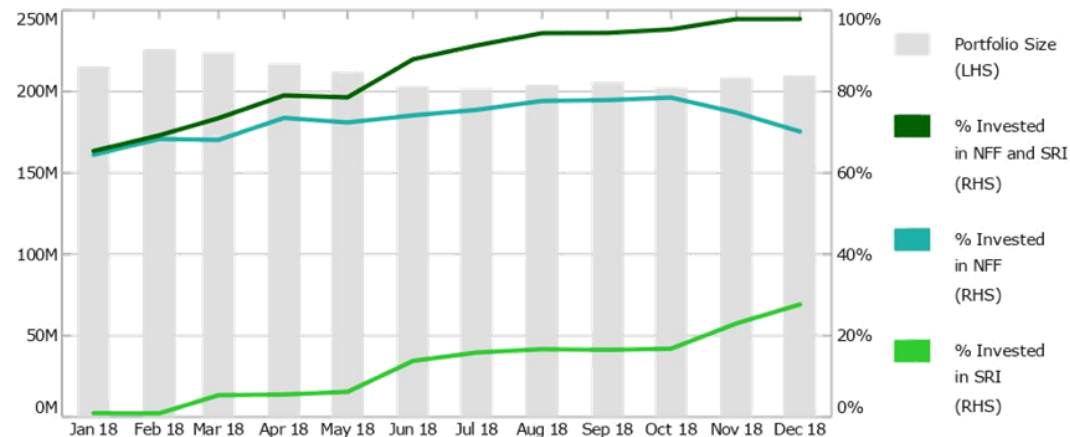
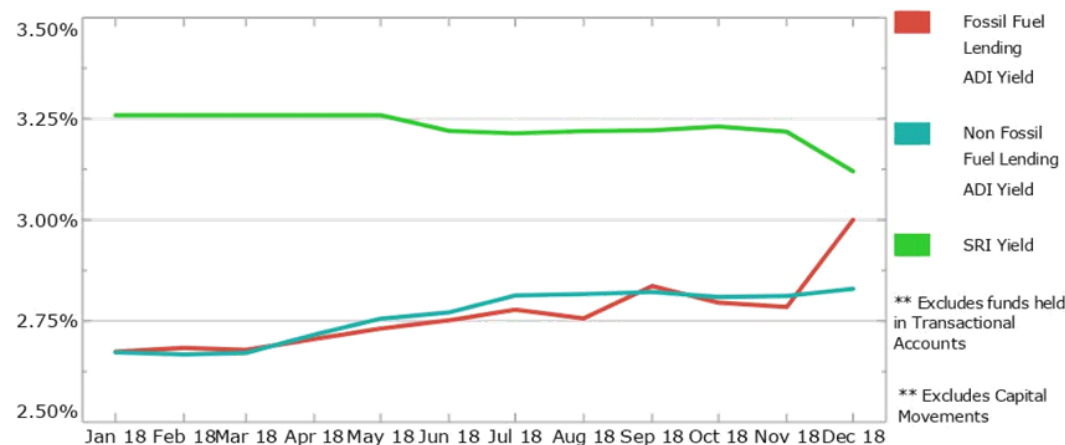
	Portfolio	AusBond BB Index	Outperformance
Dec 2018	4.07%	1.81%	2.26%
Last 3 Months	3.23%	1.90%	1.33%
Last 6 Months	3.10%	1.98%	1.12%
Financial Year to Date	3.10%	1.98%	1.12%
Last 12 months	2.85%	1.92%	0.93%

Inner West Council
Environmental Commitments Report - December 2018

Current Breakdown

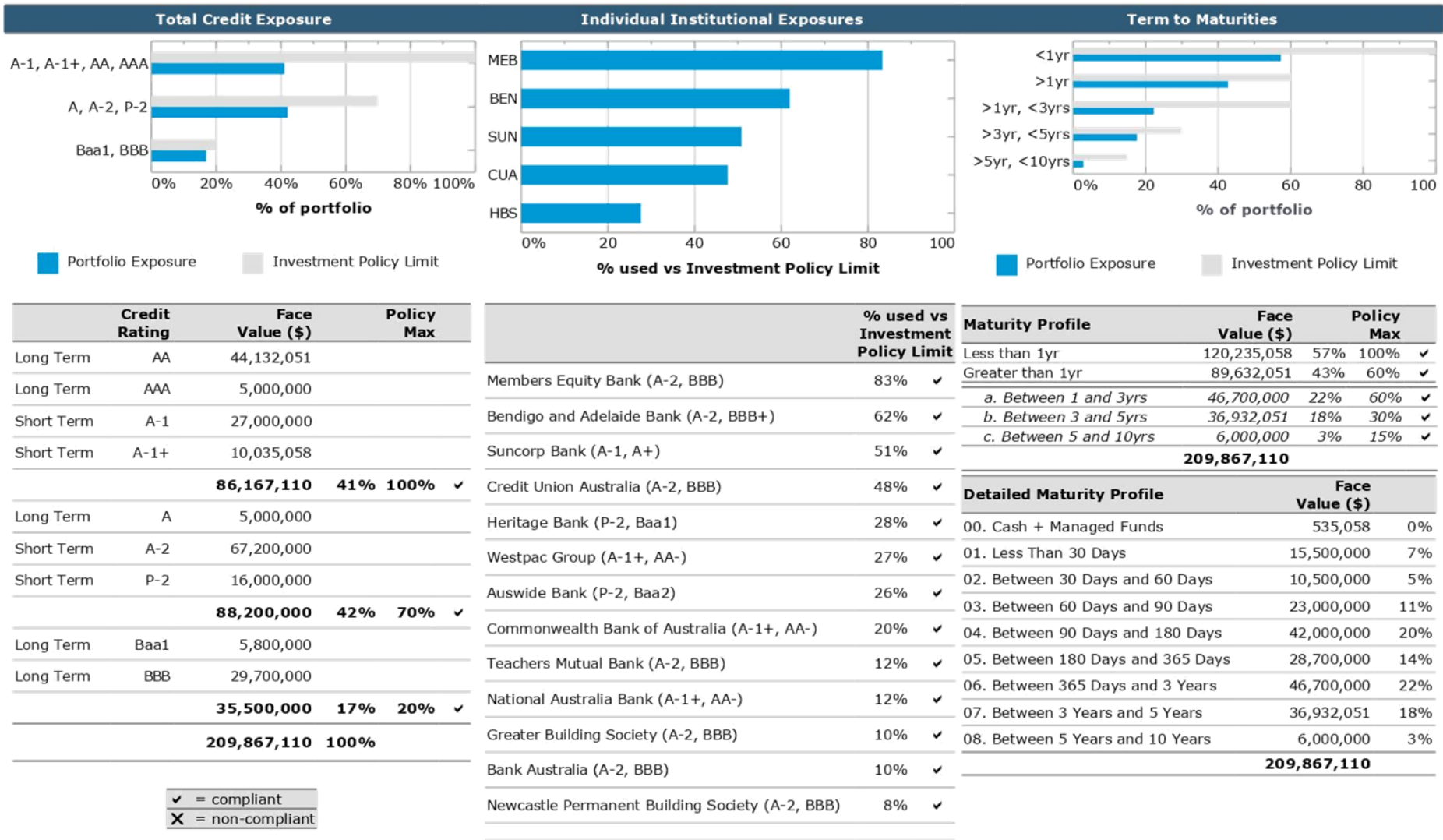
ADI Lending Status *	Current Month (\$)	Previous Month (\$)
Fossil Fuel Lending ADIs		
Bank of Queensland	2,000,000	2,000,000
Commonwealth Bank of Australia	535,058	534,332
Westpac Group	2,000,000	2,000,000
	4,535,058	4,534,332
	2%	2%
Non Fossil Fuel Lending ADIs		
Auswide Bank	11,000,000	11,000,000
Bendigo and Adelaide Bank	26,000,000	31,000,000
Credit Union Australia	20,000,000	20,000,000
Emerald Reverse Mortgage (2006A)	588,051	588,051
Emerald Reverse Mortgage (2006B)	1,000,000	1,000,000
Greater Building Society	2,000,000	2,000,000
Heritage Bank	5,800,000	5,800,000
IMB Ltd	2,000,000	7,000,000
Members Equity Bank	35,000,000	34,000,000
MyState Bank	3,000,000	3,000,000
Newcastle Permanent Building Society	1,700,000	1,700,000
Rural Bank	2,000,000	2,000,000
Suncorp Bank	32,000,000	32,000,000
Teachers Mutual Bank	5,200,000	5,200,000
	147,288,051	156,288,051
	70%	75%
Socially Responsible Investments		
ANZ Group (Green)	2,000,000	2,000,000
Bank Australia (Sustainability)	2,000,000	2,000,000
CBA (Climate)	18,200,000	18,200,000
National Australia Bank (Social)	7,444,000	7,444,000
NSW T-Corp (Green)	5,000,000	5,000,000
Westpac Group (Climate)	8,400,000	8,400,000
Westpac Group (Green TD)	15,000,000	5,000,000
	58,044,000	48,044,000
	28%	23%
	209,867,110	208,866,383

* source: <http://www.marketforces.org.au>

Historical Portfolio Exposure to NFF Lending ADIs and SRIs

Weighted Average Yield - FF vs NFF Lending ADIs vs SRIs


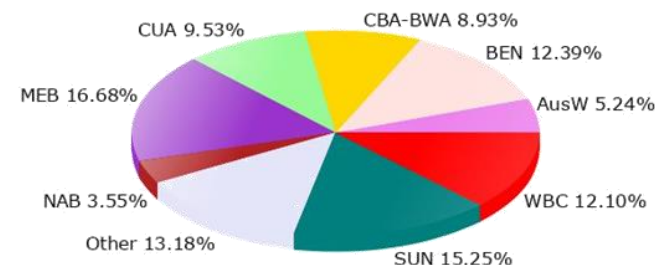
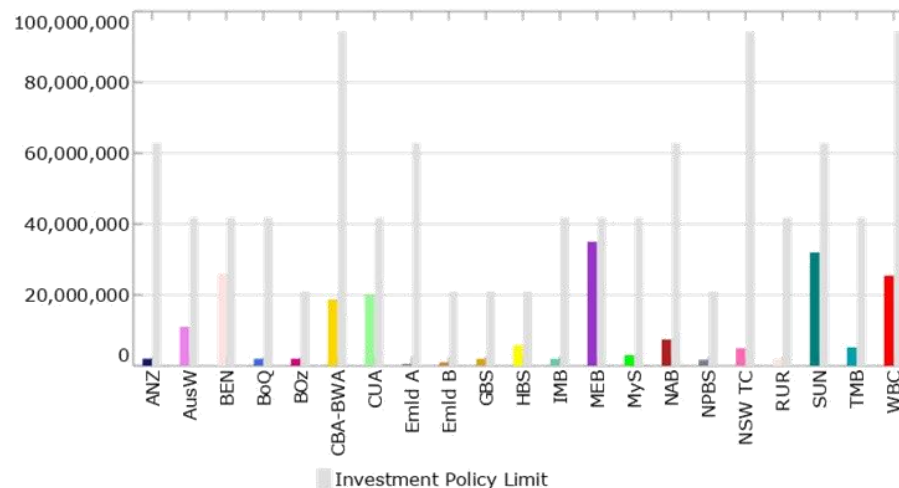
** Excludes funds held in Transactional Accounts

** Excludes Capital Movements

Inner West Council
Investment Policy Compliance Report - December 2018


Inner West Council
Individual Institutional Exposures Report - December 2018


Individual Institutional Exposures				Individual Institutional Exposure Charts	
Parent Group	Credit Rating	Portfolio Exposure (\$)	Investment Policy Limit (\$)		
ANZ Group	A-1+, AA-	2,000,000	62,960,133		
Auswide Bank	P-2, Baa2	11,000,000	41,973,422		
Bank Australia	A-2, BBB	2,000,000	20,986,711		
Bank of Queensland	A-2, BBB+	2,000,000	41,973,422		
Bendigo and Adelaide Bank	A-2, BBB+	26,000,000	41,973,422		
Commonwealth Bank of Australia	A-1+, AA-	18,735,058	94,440,199		
Credit Union Australia	A-2, BBB	20,000,000	41,973,422		
Emerald Reverse Mortgage (2006A)	AA	588,051	62,960,133		
Emerald Reverse Mortgage (2006B)	BBB	1,000,000	20,986,711		
Greater Building Society	A-2, BBB	2,000,000	20,986,711		
Heritage Bank	P-2, Baa1	5,800,000	20,986,711		
IMB Ltd	P-2, Baa1	2,000,000	41,973,422		
Members Equity Bank	A-2, BBB	35,000,000	41,973,422		
MyState Bank	P-2, Baa1	3,000,000	41,973,422		
National Australia Bank	A-1+, AA-	7,444,000	62,960,133		
Newcastle Permanent Building Society	A-2, BBB	1,700,000	20,986,711		
NSW T-Corp Bonds	A-1+, AAA	5,000,000	94,440,199		
Rural Bank	A-2, BBB+	2,000,000	41,973,422		
Suncorp Bank	A-1, A+	32,000,000	62,960,133		
Teachers Mutual Bank	A-2, BBB	5,200,000	41,973,422		
Westpac Group	A-1+, AA-	25,400,000	94,440,199		
		209,867,110			



Inner West Council
Cash Flows Report - December 2018


Current Month Cashflows					
<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u>	<u>Cashflow Received</u>
3-Dec-18	505284	ANZ Banking Group	Bonds	Coupon - Received	32,500.00
				<u>Deal Total</u>	<u>32,500.00</u>
	536702	Westpac Group	Bonds	Coupon - Received	29,450.00
				<u>Deal Total</u>	<u>29,450.00</u>
	536720	Westpac Group	Bonds	Coupon - Received	100,750.00
				<u>Deal Total</u>	<u>100,750.00</u>
Day Total					162,700.00
4-Dec-18	536169	Bendigo and Adelaide Bank	Term Deposits	Maturity Face Value - Received	5,000,000.00
		Bendigo and Adelaide Bank	Term Deposits	Interest - Received	107,239.73
				<u>Deal Total</u>	<u>5,107,239.73</u>
Day Total					5,107,239.73
11-Dec-18	536170	IMB Ltd	Term Deposits	Maturity Face Value - Received	5,000,000.00
		IMB Ltd	Term Deposits	Interest - Received	109,684.93
				<u>Deal Total</u>	<u>5,109,684.93</u>
	536172	ME Bank	Term Deposits	Maturity Face Value - Received	9,000,000.00
		ME Bank	Term Deposits	Interest - Received	201,304.11
				<u>Deal Total</u>	<u>9,201,304.11</u>
Day Total					14,310,989.04
20-Dec-18	534992	Credit Union Australia	Floating Rate Note	Coupon - Received	12,041.92
				<u>Deal Total</u>	<u>12,041.92</u>
	534993	Credit Union Australia	Floating Rate Note	Coupon - Received	12,041.92
				<u>Deal Total</u>	<u>12,041.92</u>
Day Total					24,083.84
21-Dec-18	537433	Westpac Group	Term Deposits	Settlement Face Value - Paid	-2,500,000.00
				<u>Deal Total</u>	<u>-2,500,000.00</u>
	537434	Westpac Group	Term Deposits	Settlement Face Value - Paid	-2,500,000.00
				<u>Deal Total</u>	<u>-2,500,000.00</u>
	537435	Westpac Group	Term Deposits	Settlement Face Value - Paid	-2,500,000.00

Inner West Council
Cash Flows Report - December 2018

Current Month Cashflows

<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u>	<u>Cashflow Received</u>
				<u>Deal Total</u>	<u>-2,500,000.00</u>
	537436	Westpac Group	Term Deposits	Settlement Face Value - Paid	-2,500,000.00
				<u>Deal Total</u>	<u>-2,500,000.00</u>
	537437	ME Bank	Term Deposits	Settlement Face Value - Paid	-10,000,000.00
				<u>Deal Total</u>	<u>-10,000,000.00</u>
				Day Total	-20,000,000.00
31-Dec-18	536454	Heritage Bank	Floating Rate Note	Coupon - Received	47,971.72
				<u>Deal Total</u>	<u>47,971.72</u>
				Day Total	47,971.72
				Net Cash Movement for Period	-347,015.68

Next Month Cashflows

<u>Transaction Date</u>	<u>Deal No.</u>	<u>Cashflow Counterparty</u>	<u>Asset Type</u>	<u>Cashflow Description</u>	<u>Cashflow Due</u>
2-Jan-19	536788	Teachers Mutual Bank	Floating Rate Note	Coupon - Received	33,332.73
				<u>Deal Total</u>	<u>33,332.73</u>
				Day Total	33,332.73
7-Jan-19	535107	ME Bank	Floating Rate Note	Coupon - Received	15,853.95
				<u>Deal Total</u>	<u>15,853.95</u>
	536331	ME Bank	Term Deposit	Maturity Face Value - Received	4,000,000.00
		ME Bank	Term Deposit	Interest - Received	89,183.56
				<u>Deal Total</u>	<u>4,089,183.56</u>
	536332	Suncorp Bank	Term Deposit	Maturity Face Value - Received	1,000,000.00
		Suncorp Bank	Term Deposit	Interest - Received	21,009.59
				<u>Deal Total</u>	<u>1,021,009.59</u>
				Day Total	5,126,047.10
14-Jan-19	534764	Bank of Queensland	Term Deposit	Interest - Received	60,328.77
		Bank of Queensland	Term Deposit	Maturity Face Value - Received	2,000,000.00
				<u>Deal Total</u>	<u>2,060,328.77</u>
	536320	Bendigo and Adelaide Bank	Term Deposit	Interest - Received	113,972.60

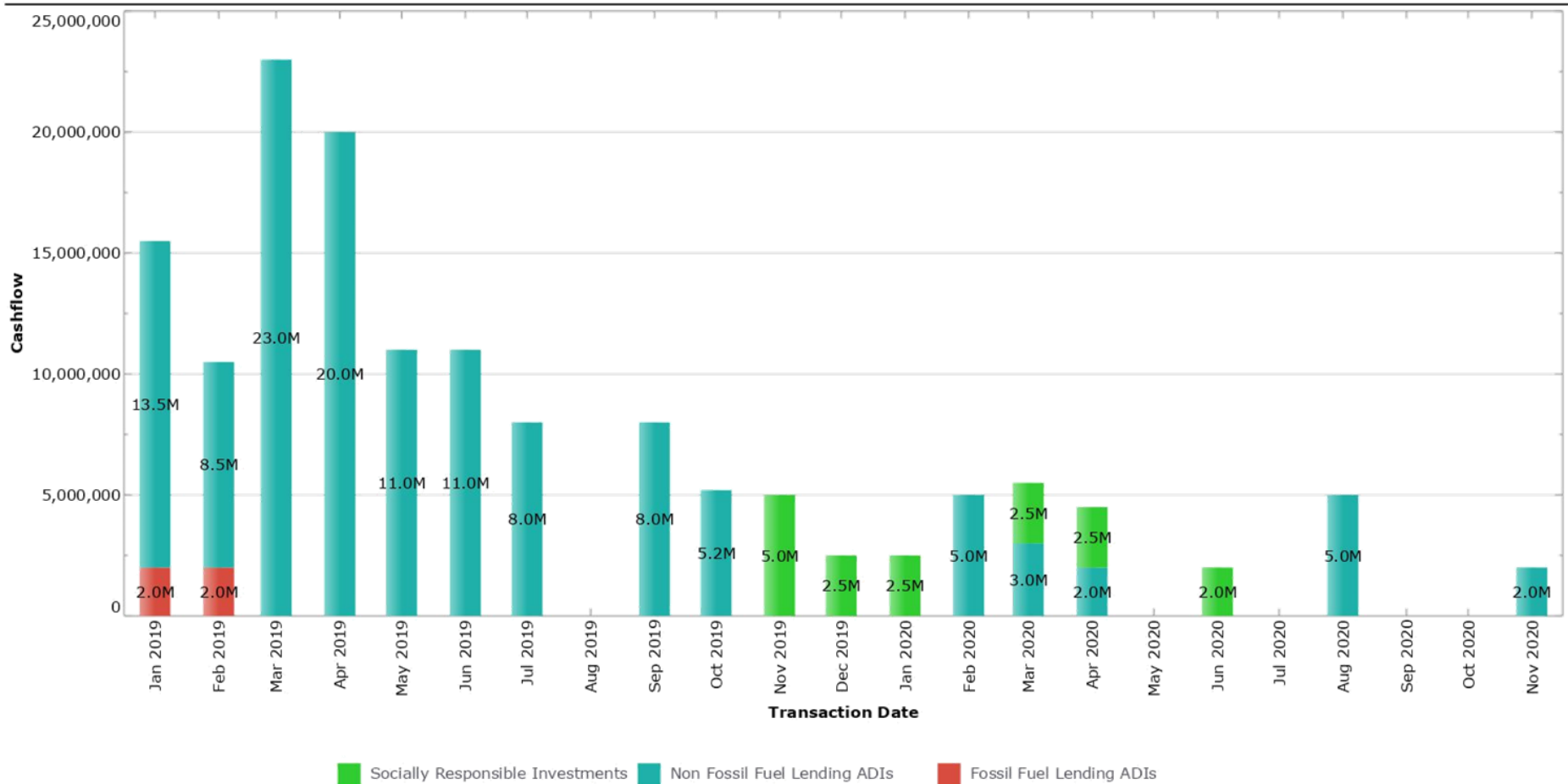
Inner West Council

Cash Flows Report - December 2018



Next Month Cashflows					
Transaction Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Cashflow Due
		Bendigo and Adelaide Bank	Term Deposit	Maturity Face Value - Received	5,000,000.00
				<u>Deal Total</u>	<u>5,113,972.60</u>
				Day Total	7,174,301.37
21-Jan-19	537202	Bendigo and Adelaide Bank	Floating Rate Note	Coupon - Received	18,936.49
				<u>Deal Total</u>	<u>18,936.49</u>
				Day Total	18,936.49
22-Jan-19	536251	Credit Union Australia	Term Deposit	Interest - Received	86,090.41
		Credit Union Australia	Term Deposit	Maturity Face Value - Received	3,500,000.00
				<u>Deal Total</u>	<u>3,586,090.41</u>
				Day Total	3,586,090.41
25-Jan-19	536141	Bendigo and Adelaide Bank	Floating Rate Note	Coupon - Received	11,229.04
				<u>Deal Total</u>	<u>11,229.04</u>
				Day Total	11,229.04
29-Jan-19	534461	Teachers Mutual Bank	Floating Rate Note	Coupon - Received	10,026.74
				<u>Deal Total</u>	<u>10,026.74</u>
				Day Total	10,026.74
				Net Cash Movement for Period	15,959,963.88

Inner West Council
Cash Flows Report - December 2018





Inner West Council Economic and Investment Portfolio Commentary December 2018

Global issues:

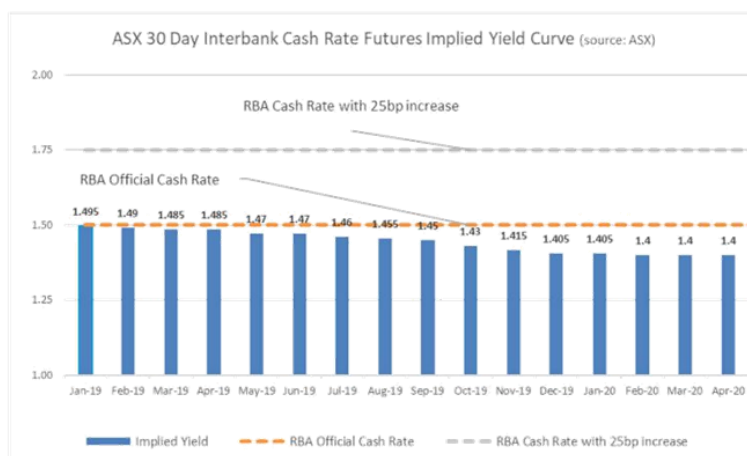
- Global share indices, particularly those in the US, were the focus of the financial markets as 2018 came to a close. Concerns of a protracted US government shutdown, ongoing trade rhetoric between US/China and signs of a slowdown in global growth all contributed to the negative sentiment at the end of the year.
- Economists are pointing out that with US corporates still performing well and consumer spending robust, the main threat to the US's ability to help push global growth higher will be political miscalculations and policy missteps.
- In Europe, steps are being made by member countries to agree on a common budget which will provide investor confidence in the EU. Meanwhile, the UK's efforts to withdrawal from the European bloc with an agreement in place remains stalled despite the March 31st deadline fast approaching.

Domestic issues:

- In Australia, GDP data showed the economy grew at its weakest pace in over two years last quarter dropping the year over year growth to 2.8%, down from a revised 3.1% in the June quarter, and well off the projected 3.3% growth rate.
- The surprisingly poor GDP result, driven by a slowdown in consumer spending, has fuelled expectations that the RBA will sharply lower its forecast of a 3.5% growth rate for 2018/19.

Interest rates

- The cash futures market has turned its back on the long held expectations of a rate hike by early 2020. Pricing is beginning to signal the next move to be a rate cut:





- Off the back of the GDP result, more economists are beginning to forecast the RBA's next move on rates will be a further cut rather than a hike. Consequently, term deposit rates were mostly lower by the end of December. The best indicative 3-month TD from an Australian major at month end was 2.65% down by 5bps from November. The same major's best 12 month rate was at 2.75%, down 3bps over the month, while the other majors were in the 2.60-2.69% range. Meanwhile, the best rates among the lower rated banks were in the 2.60%-2.80% range across 3-12 months, 5bps wider each side versus November.

Investment Portfolio Commentary

Council's investment portfolio posted a return of 4.07%pa for the month of December versus the bank bill index benchmark return of 1.81%pa. With interest rate markets now forecasting rate cuts, Council's fixed rate portfolio gained strongly as their high fixed rate yields became more attractive. For the financial year to date, the investment portfolio returned 3.10%pa, exceeding the bank bill index benchmark's 1.98%pa by 1.12%pa.

Without marked-to-market influences, Council's investment portfolio yielded 2.90%pa for the month. This is based on the actual interest rates being received on existing investments and excludes the underlying changes to the market value of the securities/deposits.

During December, Council's investment portfolio had \$19m in non-fossil fuel bank term deposits mature with a weighted average rate of approximately 2.58%pa. Meanwhile, \$20m was invested across 3 mo & 12-16 month periods at an average rate of 2.71%. Half of the of new deposits (\$10m) were in Westpac Green Tailored Deposits. The proceeds of the Green Tailored Deposits are targeted to specific ESG initiatives and projects and is certified to meet the Climate Bonds Standard. This helped Council increase its exposure to socially responsible investments to 28% of the portfolio, with Council's total exposure to non-fossil fuel and socially responsible investments remaining at 98%.

Council has a well-diversified portfolio invested among a range of term deposits and floating rate notes from highly rated Australian ADIs. 83% of the portfolio is spread among the top three credit rating categories (A long term/A2 short term and higher). It is expected that Council can continue to achieve above benchmark returns with prudent investment selection for its short and long term holdings.

Disclaimer: The statements and opinions contained in this report are based on currently prevailing conditions in financial markets and are so contained in good faith and in the belief that such statements and opinion are not false or misleading. In preparing this report, Prudential Investment Services Corp has relied upon information which it believes to be reliable and accurate. Prudential Investment Services Corp believes that this report and the opinions expressed in this report are accurate, but no warranty of accuracy or reliability is given. Prudential Investment Services Corp does not warrant that its investigation has revealed all of the matters which a more extensive examination might disclose. This report may not be reproduced, transmitted, or made available either in part or in whole to any third party without the prior written consent of Prudential Investment Services Corp. AFS Licence No. 468145.

Item No: C0219(3) Item 13

Subject: QUARTERLY UPDATE ON TENDERS AWARDED

Prepared By: Joe Cavagnino - Procurement Services Manager

Authorised By: Michael Tzimoulas - Deputy General Manager Chief Financial and Administration Officer

SUMMARY

Following resolution by Council at its meeting on 3rd July 2018, a list of tenders awarded under delegation by the General Manager is reported to Council for its information.

RECOMMENDATION

THAT information on tenders awarded by the General Manager be received and noted.

BACKGROUND

On 3rd July 2018, Council resolved that the General Manager be given the delegated authority to award tenders for Contracts up to the value of \$1,500,000.

Council further resolved:

2. Information on tenders issued and awarded under delegation by the General Manager be reported to Council for information only at the next possible council meeting.

Accordingly, this report provides advice to Council on tenders awarded by the General Manager that are below the \$1,500,000 delegated amount.

For the quarter 1 October 2018 to 31 December 2018, the following tender where awarded:

<i>Tender No</i>	<i>Description of Goods & or Services</i>	<i>Awarded Tenderer/Contractor</i>	<i>Amount Exc GST</i>
T17/18	Waterfront Drive Sporting Ground Upgrade	Landscape Solutions Australia Pty Ltd	\$1,380,000.00
T03/18	Construction of toilet in Wicks Park Amenities Building	Kellyville Building Pty Ltd	\$470,000.00
T23/18	Sydenham Green Landscape Interpretation	Landscape Solutions Australia Pty Ltd	\$400,000.00
T26/18	Upgrade of Share Building (Stage 1,2 & 3) at 135 Smith St Summer Hill NSW 2130	Maico Property Services Pty Ltd	\$300,895.00
T15/18	Mort Bay Park Lookout Construction	Growth Civil Landscapes Pty Ltd	\$188,182.00

FINANCIAL IMPLICATIONS

Nil.

OTHER STAFF COMMENTS

Nil.

PUBLIC CONSULTATION

Nil

CONCLUSION

Council to receive and note this report for information only.

ATTACHMENTS

Nil.

Item No: C0219(3) Item 14
Subject: NOTICE OF MOTION TO RESCIND: C1016 ITEM 8 ESTABLISHMENT OF ALCOHOL FREE ZONES - ASHFIELD LGA
From: Councillors Tom Kiat, Colin Hesse and Louise Steer

MOTION:**THAT:**

We, the abovementioned Councillors, hereby submit a Notice of Motion to rescind Council's resolution of 25 October 2016, C1016 Item 8 Establishment of Alcohol Free Zones – Ashfield LGA and if supported, we propose to move the following alternate motion;

THAT Council receive a report regarding the proposed alcohol free zones and alcohol prohibited areas for its consideration, with an expanded focus of community consultation to include users of public space for drinking and organisations that support those vulnerable to Police fines for drinking in public spaces.

Background

At the Council Meeting on 25 October 2016, the Administrator resolved:-

C1016 Item 8 Establishment of Alcohol Free Zones - Ashfield LGA

Administrator determined that:

1. Council adopt the establishment of Alcohol-Free Zones for a 4 year period operating 24 hours 7 days per week at the following locations:-
 - Chessell Lane, Ashfield;
 - Fox's Lane, Ashfield;
 - Hercules Street, Ashfield;
 - Summer Hill Car Park;
 - The Esplanade, Ashfield;
 - Directly outside the Exodus Foundation on Liverpool Road, Ashfield; and
 - Directly outside the Catholic Club on Station Street, Ashfield (including from the intersection of Elizabeth and Charlotte Streets)
2. Council adopt the establishment of Alcohol Prohibited Areas for a 4 year period operating from 9pm to 7am 7 days per week at the following locations:-
 - Bill Peters Reserve;
 - Darrell Jackson Park;
 - Allman Park;
 - Ashfield Park;
 - Centenary Park;
 - Hammond Park;
 - Pratten Park; and
 - Yeo Park.
3. Council adopt the establishment of Alcohol-Free Zones for a 4 year period operating 9pm to 7am 7 days per week at Summer Hill Fountain; and

4. A review be undertaken after 12 months.

During the period of the unelected Administrator, the Ashfield Police requested Council establish Alcohol Free Zones (AFZs) and Alcohol Prohibited Areas (APAs) in various public street and park locations. The Administrator acceded to this request. Minimal community consultation was conducted - of the 9 submissions to the statutorily required exhibition period, 6 thought the proposed APAs in parks were too restrictive.

There may be legitimate and persuasive reasons to restrict the freedom of people to drink alcohol in public by establishing AFZs and APAs in parks and streets. For example, drinking alcohol in a children's playground between midnight and 5am may be completely inconsistent with a park's Plan of Management and the peace and comfort of neighbouring residents.

However, as there are already statutory powers that allow police to deal with drunken and disorderly behaviour in public, Council should not lightly take the decision to restrict the freedom to lawfully and respectfully enjoy public space. This impacts on every person's ability to use our precious and limited public space. The impact is especially felt by young people and poor people who cannot afford to drink in increasing fancy bars. In Ashfield on Hercules St, I have often seen men who are experiencing homelessness drinking together without causing any disturbance or harm to anyone. Where people do engage in harmful or disorderly behaviour in public, police have existing powers to appropriately respond.

We propose that this matter be reported to the elected Council for its consideration. In keeping with the elected Council's commitment to community consultation, the community engagement for this issue should be expanded beyond mere exhibition of a proposal. We need to engage with those who are using our spaces, for drinking or otherwise, as well as community organisations who support those who may be disproportionately affected by AFZs (e.g. homelessness services). In relation to APAs in parks, we need to ensure that prohibitions do not unnecessarily restrict residents' use of parks for picnics and social events (e.g. in non-Anglo communities it is not unusual for families and groups to use parks after dark in Summer). Community engagement would determine where problematic public drinking behaviour actually exists and hopefully lead to more creative and positive solutions than prohibition.

ATTACHMENTS

Nil.

Item No: C0219(3) Item 15

Subject: NOTICE OF MOTION: JOINING THE LOCAL GOVERNMENT MAYORAL TASKFORCE FOR PEOPLE SEEKING ASYLUM TO ADVOCATE AGAINST THE SRSS CUTS

From: Councillor Marghanita Da Cruz

MOTION:

THAT Council:

- 1. Endorses the Joint Statement against changes to the Status Resolution Support Service as formulated by Councils that attended the Mayoral Roundtable held in Dandenong, Victoria on 31 July 2018 shown at Appendix 2;**
 - 2. Joins the Local Government Mayoral Taskforce Supporting People Seeking Asylum as a General Member;**
 - 3. Endorses the Back Your Neighbour Campaign run by the Taskforce; and**
 - 4. Nominates one or more Councillors as the Inner West Council contact(s) to the taskforce.**
-

Background

Changes by the Federal Government to the SRSS (Status Resolution Support Services) program are concerning many Councils as it will cut all income and case management support of many people seeking asylum and dramatically increase the demand for material aid resources at the local municipality level. This action will likely leave many people destitute and requests for places to live, money for clothes, food and medicine, will only escalate and there will likely be an impact on social cohesion. Within Victoria alone, the number at risk from these changes is 5,863.

People seeking asylum were already accessing emergency assistance in increasing numbers from support agencies and other charities such as the **Asylum Seeker's Centre in Newtown**. Many of these organisations receive no government funding. Cuts to the SRSS program increase the barriers facing asylum seekers in settling into local communities. In July, 2018 a Mayoral Roundtable was held of interested in Victorian Councils concerned about the issue. What was agreed was a joint statement see Appendix. Also there was agreement to form an ongoing taskforce to advocate on the issue. This taskforce, the Local Government Mayoral Taskforce for People Seeking Asylum expanded in October 2018 to become national and already has 20 member Councils including four from NSW.

Following the SRSS Mayoral Roundtable held in Dandenong on Tuesday 31 July to discuss joint advocacy against these changes as well as practical responses a group of Victorian Councils has now formed the **Local Government Mayoral Taskforce Supporting People Seeking Asylum**. The Taskforce is chaired by the City of Greater Dandenong Mayor, Cr Roz Blades AM.

On the 3rd December, the Taskforce launched the "Back Your Neighbour" campaign against the cuts. Social Change Projects is managing the Campaign on behalf of the Taskforce and has a strong record in this area, responsible in Victoria for managing the Make Rent Fair campaign and nationally and will be running a strong media and stakeholder campaign from now until at least the Federal election.

Previous Inner West Council Resolution on the SRSS Cuts

At the 24 July 2018 Council Meeting Inner West Council Resolved that:

1. Council writes to the Prime Minister and to the Federal Minister of Home Affairs asking the Federal Government to reverse cuts to the Status Resolution Support Services (SRSS) program and highlighting the unfair and devastating impact of these cuts on people seeking asylum and the Inner West community's disagreement with these cuts;
2. Council writes to the Premier of New South Wales asking her to make representation to both the Prime Minister and the Federal Minister of Home Affairs to highlight the devastating impact of these cuts on the NSW community and to reverse the cuts;
3. Members of Parliaments for the seats of Balmain, Heffron, Newtown, Strathfield, Summer Hill and Grayndler; New South Wales Senators; and Members of the NSW Legislative Council are informed of Council's position;
4. Other NSW Councils are contacted seeking their support for joint advocacy on this issue;
5. Council publicises practical way members of the Inner West Community can work with the **Asylum Seekers Centre** in Newtown to support people seeking asylum (<https://www.innerwest.nsw.gov.au/live/community-well-being/migrant-support-services>);
6. Council considers practical ways of supporting people seeking asylum; and
7. Council works with the Asylum Seekers Centre in Newtown to organise a civic leaders meetings with community leaders in the Inner West. The meeting will discuss ways the community can collectively address the challenges lying ahead for people seeking asylum.

APPENDIX 1 Taskforce purpose

Coordination of joint state-wide advocacy by Councils and sharing resources and practical responses by communities to the issues caused by the SRSS cuts.

Councils involved as Executive Members (Executive Members meet monthly and act as a steering group for the Taskforce.): Brimbank City Council, City of Darebin, City of Greater Dandenong, City of Hume, City of Monash, Hobsons Bay City Council, Moreland City Council, Yarra City Council

Councils involved as General Members (General Members get consulted on Taskforce direction, take an active role in Taskforce activities and contribute resources to the Taskforce.): Banyule City Council, Cardinia Shire Council, City of Ballarat, City of Port Phillip, City of Wagga Wagga (NSW), City of Whittlesea, Hawkesbury City Council (NSW), Leeton Shire Council (NSW), Maribynong City Council, Moonee Valley City Council and Wyndham City Council.

Back Your Neighbour Campaign

The Back Your Neighbour Campaign, which was launched on 3 December 2018, has seen 22 Councils band together to ensure people who have fled persecution do not end up suffering homelessness or destitution as a result of the Federal Government cuts. This campaign symbolises a unified approach with Councils from NSW and Victoria involved together with community ambassadors and advocates to have financial and support services reinstated for asylum seekers.

The objectives of the Back Your Neighbour campaign are to:

- Change (reverse or mitigate) the Federal Government's current policy on SRSS support for people seeking asylum in the community
- Increase humanitarian support from the Victorian Government
- Support the Federal Opposition to maintain its new position supporting people seeking asylum in the community during the election period and, if elected, into government

For more information visit backyourneighbour.com.au or facebook.com/backyourneighbour to join the campaign.

If your Council are interested in joining the Taskforce, or just want further information please contact Peter Johnstone, Coordinator, Community Development, City of

Greater Dandenong at peter.johnstone@cgd.vic.gov.au.

Source: <http://www.greaterdandenong.com/document/32480/local-governmentmayoral-taskforce-supporting-people-seeking-asylum>

APPENDIX 2 Joint Statement against changes to the Status Resolution Support Services for People Seeking Asylum

We the undersigned representatives of local governments in Victoria issue the following statement:

We want the Australian Government to provide adequate resources to meet the needs of people seeking asylum who live in the community. Over 4,000 children nationally could be affected by the changes and we call upon the Australia Government to adhere to its national and international obligations in accordance with the Charter of Human Rights.

We strongly believe more effective collaboration and coordination is essential between Commonwealth, State and Local Governments and we seek the following commitments from the Australian Government:

- **Commitment One:** *We want the Australian Government to reverse the recent assessment changes to the Status Resolution Support Services (SRSS) program and provide adequate income and case management support for people seeking asylum while they seek sustainable employment.*
- **Commitment Two:** *We strongly call on the Australian Government to provide funding to enable accurate initial job readiness assessment by trained employment consultants who understand the unique and significant barriers that people seeking asylum face.*
- **Commitment Three:** *We want the Australian Government to provide additional funding to enable asylum seekers to be registered as Stream B and C job seekers within the jobactive network of agencies to facilitate ongoing job readiness assessment and skilled employment consultant support.*
- **Commitment Four:** *The Australian Government needs to improve local area coordination in cooperation with LGA's. We call on the Australian Government to work with local municipalities in exploring the feasibility of local coordination points to better respond to local area need.*
- **Commitment Five:** *We strongly call on the Australian Government to provide greater resourcing to reinforce the capacity of community service and voluntary organisations to assist people seeking asylum to live safely in local communities and receive emergency relief and material aid support until such time as they receive a substantive visa or are deported. Accountability Additional resourcing will bring with it an obligation to ensure that Local Government allocates resources appropriately and resource areas of identified need. We commit to ensure efficiency and effectiveness. We commit to evaluate the application of resources in people seeking asylum support programs by measuring service delivery against agreed objectives and targets. The evaluation process will include annual program reports and Inter-Governmental consultations to review program effectiveness and refine objectives and activities*

ATTACHMENTS

Nil.

Item No: C0219(3) Item 16
Subject: NOTICE OF MOTION: RETAINING WALL CONDITION - CORNER OF
BALLAST POINT RD AND SHORT ST, BIRCHGROVE
From: Councillor John Stamolis

MOTION:

THAT Council receive a report on:

- a) The condition and stability of the retaining wall at the corner of Ballast Point Road and Short Street including any potential risk;
 - b) The heritage status and ownership of the retaining wall; and
 - c) 3. Who is responsible for the maintenance of the wall and an estimated cost of repair.
-

Background

The condition of the stone wall at the corner of Ballast Point Road and Short Street, Birchgrove is deteriorating to such an extent that the wall now has a definite lean and many of the stone blocks have loosened. The presence of self-grown figs has contributed to the instability of the wall. The wall's condition is a potential risk to the safety of the general public. If the wall were to collapse, there is a 15 metre drop below where the patent slipways of the Morts Dock and Engineering Company once were and there is nothing to protect the general public. Council should assess this potential problem.



Officer's Comments:**Comments from Development Assessment and Regulatory Services**

The retaining wall is located within the Town of Waterview Heritage Conservation Area and is located on private property. The onus of the retaining wall maintenance work and cost falls to the owner ie the private property. Council is not responsible to carry out or bare the cost of maintenance work to the retaining wall.

The concerns regarding the retaining wall stability and potential risk has been formally registered in Council's Customer Request Management System and referred to Council's Development Compliance team for investigation and to take the necessary action to rectify the issue.

ATTACHMENTS

Nil.

Item No: C0219(3) Item 17
Subject: NOTICE OF MOTION: CALLAN PARK
From: Councillor John Stamolis

MOTION:

THAT Council:

- 1. Convey to the leaders of all key political parties at the State Election that it fully supports the establishment of the Callan Park and Broughton Hall Trust and that any decisions or proposals which are not consistent with the Callan Park Special Provisions Act (2002) are not supported; and**
 - 2. Supports the uses set out by the Callan Park Act since 2002; for education, health and community.**
-

Background

Broughton Hall Trust, as well as initial funding for urgent works at Callan Park, is most welcome. The establishment of the trust, its non-political composition and the inclusion of community representatives on the Trust; should be the primary focus at this time. Callan Park is often conveniently portrayed as a vacant and derelict site. This misrepresents its value to our community. This, of course, is opportunistic for those who want to pursue commercial development or commercialisation of this State Significant site and who want to disregard the legal protections of the site as per the Callan Park Act.

The Act clearly defines the use of Callan Park for health, education and community purposes. If anyone goes to the area, they will see how effective the Act is, as follows:

- WHO's drug and alcohol rehabilitation
- Foundation House Rehabilitation Centre
- Mental Health Coordinating Council
- Red Nose (formerly SIDS)
- Sydney College of the Arts
- University of Tasmania
- NSW Ambulance Headquarters
- Writing NSW (formerly the NSW Writers Centre)
- Affordable housing for nurses
- Councils' refugee welcome centre - a Council initiative
- War memorials
- Laneways Festival
- Classics at Callan Park - a Council run community concert
- Glover Street Community Garden (the first in Australia)
- Aboriginal heritage and middens
- 5 sporting fields - all intensively used day and night
- The Bay Run
- Cycleway.

The Callan Park Masterplan (2011), led by Council, envisages even further opportunities: cafes, restoration of exceptional garden areas, restoration of heritage, the possibility for new and innovative mental health services, a Museum of the Mind and more. Sports fields have already been implemented from this plan with thousands more children and adults now enjoying the sporting amenities at Callan Park.

Education, health and community are protected by the act. These are vital uses that benefit us all. We need to ask why commercialisation should override education, health and community uses, at a time when communities all over NSW are crying out for government to provide these important outcomes.

One might also question the need for a restaurant precinct at Callan Park, in direct competition with our popular restaurant precincts of Balmain, Rozelle and Leichhardt. In fact, right now, our Council is expressing major concern about pubs closing down in the area. The Callan Park Act **protects** those opportunities to provide educational, health and community outcomes in our very own area and it prioritises these needs above high-rise development and commercialisation. That is a major benefit of the Act!

The Callan Park Act protects the large areas of green open space and the foreshore, it provides sporting amenity to our community, it supports the Bay Run and it provides a Council sponsored Refugee Welcome Centre. What would happen if building development and commercialisation were to become greater priorities?

ATTACHMENTS

Nil.

Item No: C0219(3) Item 18
Subject: NOTICE OF MOTION: THE CANCELLING OF CLASSICS IN CALLAN PARK WITH NO CONSULTATION
From: Councillor Rochelle Porteous

MOTION:

THAT:

- 1. Classics in Callan Park be run in 2019 as was promised to the community and that a new alternative date for it to be run be identified as soon as possible;**
 - 2. Further that any future proposal to cancel an existing council event must henceforth come to a council meeting for determination; and**
 - 3. Should there be any budgetary implications from this motion, that funding be identified in the next quarterly budget review.**
-

Background

Leichhardt Council's Sunset Series of outdoor concerts is a well-establish and very popular not only in the Leichhardt Council area but across the Inner West. They are four different music genre concerts with a bi-annual schedule. The series consists of Bluesfest held at War Memorial Park, Leichhardt/Lilyfield; Jazz in the Park held at Gladstone Park in Balmain; World Music fest held in Pioneer Park, Leichhardt and Classics at Callan Park held at Callan Park, Rozelle.

Classics in the Park is due to be held on the last Sunday in March this year - March 24 2019. It is eagerly anticipated by the Rozelle/Lilyfield community and is an important fixture in the calendar for lovers of classical music and opera. Council staff, without informing or consulting with Councillors or the community have decided to cancel Classics in the Park and have determined, again with no consultation, to instead to run the Bluesfest again this year (it was also run in 2018).

Reasons given by staff when I was made aware of this are that the Bluesfest is cheaper per person to run than Classics because more people go to Bluesfest than to the Classics concert and Bluesfest is easier for staff to run than Classics. Staff also noted that Bluesfest is easier to promote through traditional and social media because it will have a headline act with mass appeal and presents less challenges to staff as War Memorial Park is easier to find.

However, Councillors and the community were verbally assured that the all existing events from the 3 councils – Leichhardt, Ashfield and Marrickville would go ahead without change in the 2018/19 financial year. It is likely that staff, who have not previously been involved with these events, do not understand the importance these events have for the local and the arts and creatives community in the Inner West. This is a much loved event.

Different music genre have different audiences, some of these audiences may be larger and some smaller; similarly not everyone uses our libraries, needs disability or youth services or uses our sporting fields. Some of our sporting facilities cost more per capita to run, like the Dawn Fraser Pool, others cost less however all are highly valued by our community and cost per patron or attendee should not be the only criteria upon which decisions are made to provide services or run events. Our council has a varied demographic and the varied events program we run reflects that demographic. Not everyone enjoys the same events nor the same music.

Officer's Comments:**Comment from Group Manager Communications, Engagement and Events:**

Advice from Council staff who worked on the former Leichhardt Sunset Series events (Jazz in the Park, Bluesfest, Classics in Callan Park, Earthbeat) is that there has always been some operational flexibility around which two events are held each year, and previous changes to this series have not been resolved by Council.

The cost to cancel or change Bluesfest at this stage would be at least \$4,000 to cover the 50% cancellation fee for headliners Dragon. It is unlikely we could plan and program Classics at Callan Park six weeks out from the event as more time is generally required for Council's major events from a risk management, programming and marketing perspective.

Should Council resolve to hold the Classics at Callan Park event in 2019, it is proposed that the event runs in July or August 2019 (i.e. the 2019-20 financial year). This would enable the events team to use the 2019-20 event budget to cover costs and ensure adequate time for planning, risk management and programming. Please note this means that there would be no music event in March 2020 as the funds would be allocated to the July/August event instead.

No decisions have been made to cancel any event as part of Council's current major events program. The future operation of Council's major events program – including the Sunset Series – will be addressed in the events review being undertaken in 2019.

ATTACHMENTS

Nil.

Item No: C0219(3) Item 19
Subject: NOTICE OF MOTION: PILL TESTING
From: Councillor Colin Hesse

MOTION:

THAT Council:

- 1. Writes to the Premier and Leader of the Opposition requesting both leaders immediately commit to introduce a trial of pill testing at music festivals around NSW; and**
 - 2. Writes to the Prime Minister and Federal Leader of the Opposition, and the Premier and NSW Leader of the Opposition in support of an honest ongoing education campaign by the Federal and State Governments to inform potential users of both legal and illegal drugs of the negative effects of drug use and abuse.**
-

Background

In the last five months five young people in NSW have lost their lives as a result of taking illegal drugs at music festivals.

Many in the medical profession, including the Royal Australian College of General Practitioners and the Royal Australasian College of Physicians, as well as those involved in researching the use of illegal drugs have called for a trial of pill testing in NSW.

Pill testing has been trialed overseas to great success, and more recently in the Australian Capital Territory. Support for pill testing is strong in our community.

Campaigns advocating a “just say no” policy have clearly failed both in Australia and overseas. There is much greater evidence that honest public health campaigns outlining the effects of drugs, both legal and illegal, are more effective in controlling the use and abuse of drugs.

ATTACHMENTS

Nil.

Item No: C0219(3) Item 20
Subject: NOTICE OF MOTION: ST PETERS METRO RAIL SPOIL
From: Councillor Colin Hesse

MOTION:

THAT Council:

- 1. Write to the Premier, Leader of the Opposition, and the Sydney Metro calling on them to immediately halt transport by road through St Peters of spoil from the Metro tunnel;**
 - 2. Calls on the Premier to ensure that all spoil from the Metro Rail is removed by rail, and notes the negative cumulative effective on the community of St Peters of the construction of the WestConnex, Metro Rail and significant housing construction; and**
 - 3. Further calls on the Premier to immediately halt all work associated with the WestConnex and Metro Rail projects at St Peters and Marrickville so as to effectively coordinate construction work that reduces the effect of the work on local residents before any further work can proceed.**
-

Background

Residents of St Peters have advised that over the summer period trucks have begun to remove spoil from the Metro construction site at Marrickville by way of May Street St Peters. These truck movements have been by night, and are causing additional noise and vibration to residents already suffering the burden of 24 hours a day construction of the WestConnex.

It may be possible to construct a conveyor belt for spoil over the Illawarra Railway line from the Metro Rail site to the former goods rail siding on the St Peters side of the rail line, and for the goods rail siding to be re-connected to the Illawarra rail line for removal of spoil by rail at night.

Additionally residents have been affected by the noise and traffic of the construction of new high-rise fronting the Princes Highway in St Peters, and backing onto Applebee St, and also significantly affecting residents in Hutchinson and Lackey Streets.

Residents are concerned that State and local government authorities need to more effectively coordinate so as to minimise the effect on residents of major construction work, and eliminate night work in residential areas.

Officer's Comments:**Comments from Development Assessment and Regulatory Services**

Compliance and enforcement associated with Westconnex and the Metro rail are investigated and actioned by the Department of Planning and Environment and facilitated by Council's Westconnex Unit within the Strategic Planning Group.

Council's Ranger Services are actively investigating and monitoring the construction issues associated with the private construction sites at Applebee Street/Princes Highway, St Peters. These investigations entail Council's Ranger Services carrying out daily inspections which includes inspections before and after the approved construction hours to ensure to compliance with the development consent.

ATTACHMENTS

Nil.

Item No: C0219(3) Item 21
Subject: NOTICE OF MOTION: ASHFIELD COMMUTER CARPARK
From: Councillor Julie Passas

MOTION:

THAT Council call upon the State Labor members for Summer Hill and Strathfield to deliver a similar carpark and facilities at an appropriate location if Labor is successful at the March 19 State Election.

Background

The State Liberal Government has delivered on their 2015 election promise for a Commuter Carpark at Ashfield Station. The need for this facility is well known and it is reaching capacity by 7.45am daily. It is clear that the carpark should be expanded by adding extra levels or a separate facility at other locations ie. Summer Hill, Canterbury or Lewisham. I recall at the 2015 State Election the Member for Summer Hill stating that she would hold a State Liberal Government to account on the implementation of the Ashfield Commuter carpark. They were and have been accountable.

ATTACHMENTS

Nil.

Item No: C0219(3) Item 22

Subject: **CAR PARK SALE BY REQUEST FOR TENDER - CHESTER STREET
PETERSHAM**

Prepared By: Bojan Sodic - Strategic Investments Manager

Authorised By: Brooke Martin - Group Manager Properties, Major Building Projects and
Facilities

SUMMARY

The Draft Land and Property Strategy includes the initiative for improvements at the Chester Street carpark Petersham. The land is operational and has a total area of 704sqm, with a 20m height limit (6 storeys), Zone R4 FSR 1.3:1 and the surrounding properties are zoned B2 FSR 2.2:1. The carpark currently provides 18 off street carparking spaces. The Petersham parking study identified a need for more parking in the area and there are traffic and accessibility issues connecting New Canterbury Rd and Livingston Rd. It is recommended to undertake a Request For Tender to provide increased carparking (36 spaces), improvements to the rear lane access and cash income. The attached confidential report includes commercial information.

RECOMMENDATION

THAT Council:

1. Council moves into closed session to deal with this matter as the information contained in CONFIDENTIAL ATTACHMENTS 1-2 of this report are classified as confidential under the provisions of Section 10A (2) of the Local Government Act 1993 for the following reasons:

- c. information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business;

And in accordance with Sections 10A (4) of the Local Government Act 1993, that the Chairperson allow members of the public to make representations as to whether this part of the meeting should be closed.

2. Approves a public tender in accordance with Section 55 of the Local Government Act 1993 for the Sale of the Chester Street Car Park to provide increased carparking (36 spaces), improvements to the rear lane access, balance of cash minus assets.
 3. Receive a report on the tender assessment recommendation for endorsement.

BACKGROUND

Council considered a report on the sale of Chester Street Petersham carpark at the 11th December 2018 meeting and resolved in part the following:

Defer the proposal for Chester Street Carpark Petersham until the February 2019 Council Meeting;

Council own the Chester Street Car Park which comprises of Lots A & B in DP 438174 and Lots 1, 2 & 3 in DP 598422. The car park has an area of 704 square metres and currently provides 18 public car parking spaces.

ATTACHMENTS

1. Chester Street Carpark Petersham Sale by Tender Initiative Report - *Confidential*
2. Valuation Report - *Confidential*

Item No: C0219(3) Item 23

Subject: PUBLIC EXHIBITION OF GREENWAY DRAFT CONCEPT DESIGN

Prepared By: Ryan Hawken - Project Manager Greenway Delivery

Authorised By: Cathy Edwards-Davis - Group Manager Trees, Parks and Streetscapes

SUMMARY

Draft Concept Designs have been prepared for high priority works as identified in the Cooks to Cove GreenWay Master Plan. Options are presented for Councils consideration with relation to the potential part or full acquisition of 43 Hercules Street.

RECOMMENDATION

THAT:

1. Council moves into closed session to deal with this matter as the information contained in **CONFIDENTIAL ATTACHMENTS 1-5** of this report are classified as confidential under the provisions of Section 10A (2) of the Local Government Act 1993 for the following reasons:
 - a. personnel matters concerning particular individuals (other than councillors)
 - c. information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business;

And in accordance with Sections 10A (4) of the Local Government Act 1993, that the Chairperson allow members of the public to make representations as to whether this part of the meeting should be closed.

2. Adopt the recommendations contained in the Confidential Attachment.
-

BACKGROUND

The GreenWay Master Plan was adopted by Council on 14 August 2018. Following on from the Master Plan, draft Concept Designs have been prepared for high priority works as identified in the Master Plan. This broadly includes concept design of:

- all works, from Parramatta Road south to the Cooks River, excluding those areas covered by the Greenway Central Links Development Application;
- the shared path upgrade and associated lighting only, through Richard Murden Reserve and along the Bay Run from UTS Haberfield Rowing Club to, and inclusive of, the Lilyfield Road bridge

Due to their size, the draft Concept Design Plans are available to view electronically on Councils website

<https://www.innerwest.nsw.gov.au/live/environment-and-sustainability/sustainability-programs/greenway>

The draft Concept Designs are based directly on the adopted Master Plan.

A summary of key issues arising through the development of the draft Concept Design Plans are provided below.

Traffic modifications in Cooks River Precinct

The key traffic changes from the master plan, based on the outcomes of further community and stakeholder engagement or new information, are:

- A raised pedestrian and bicycle crossing is proposed across Ewart Street in lieu of traffic signals at Ewart Street and Terrace Road based on feedback from residents and RMS that traffic signals are not supported due to traffic volumes and amenity.
- A bike boulevard is proposed down Garnet Street in lieu of a separated cycle way based on feedback from residents the separated cycle way is not supported due to that the resultant loss of car parking.

Acquisition of 43 Hercules Street

As part of the draft Concept Designs, Council's consultants have developed a number of options to provide access from Hercules Street into the proposed Greenway corridor to the south. **CONFIDENTIAL ATTACHMENT 1** sets out options for Councils consideration with relation to the potential part or full acquisition of 43 Hercules Street.

Path at Waratah Mills

The other key issue raised during the engagement to date is the alignment of the path through the Waratah Mills bush care site and the impacts on the bush care site and adjacent property. Issues raised by residents and stakeholders include:

- Path alignment and construction type
- Light and noise
- Security and fencing
- Drainage at Terry Road
- Pedestrian safety at Terry Road

The path alignment remains as per the master plan. Although this alignment will have significant impacts on the existing bush care site, the path alignment protects vegetation with the greatest habitat value, and considers resident amenity. The path is located further away from residences where they have an active frontage on a similar level to the Greenway path.

Lighting nominated in the draft concept has been selected to have minimal spill, and poles located to minimize light spill and amenity impacts on residents. The location of the path within the corridor will have negligible effect on noise generated or received by residences.

Regarding security, it is well established that increasing activity reduces crime. No fencing upgrades are proposed along the property boundary with Waratah Mills as there is an existing 1.8m chain wire fence or a higher concrete wall. It is noted that under the *Dividing Fences Act 1991*, Council has no obligation to provide fencing of private property.

Drainage at Terry Road has been considered and addressed in the draft concept and will reduce the frequency of flooding, but not eliminate it.

Safety at the intersection of the Greenway path and Terry Road has been considered and addressed in the draft concept design, however it is noted that under the *Road Rules 2014* cars exiting a driveway or carpark are required to give way to any pedestrian, cyclist or other vehicle already on Terry Road, including the footpath or verge.

Next Steps

It is intended to publically exhibit the draft Concept Designs for 4 weeks in March 2019. Results of the public exhibition will be reported back to Council.

Following endorsement of a final concept design, staff will commence the next stages of planning to facilitate preparation of a development application and detailed design. This will include, but not be limited to:

- Utility investigations, geotechnical investigations and soil testing investigations to inform the detailed design and development assessment.
- Further liaison with state agencies and specifically in relation to approvals from RMS, Sydney Trains, Transdev and Sydney Water
- Wayfinding and interpretation plan for the Greenway, including consideration of directional signage and interpretation of ecology and industrial and aboriginal heritage.
- Statement of environmental effects and associated environmental and arboricultural studies to inform development assessment
- Detailed design, including civil, structural, landscape and lighting based on the endorsed concept design.

FINANCIAL IMPLICATIONS

As part of the draft concept design an updated cost estimate has been prepared. The cost of the proposed works set out in the draft concept exceeds current funding levels. As a result some elements shown in the draft concept plan will not be delivered unless additional funding becomes available.

Items which may need to be deferred or changed to make up the funding shortfall include (item numbers in brackets relate to items in the adopted Greenway Master Plan):

- Defer Canal Road bike friendly upgrade (Item 1.02)
- Defer Gadigal Reserve ecological restoration and informal nature play (Items 2.10 and 2.14)
- Defer Lewisham West Habitat wetland and community garden (Items 3.01 and 3.02)
- Defer Lewisham West Dog off leash area (Item 3.08)
- Modify raised path from Davis Street to Johnson Park to be on-grade (Item 4.02)
- Defer Davis Street Tunnel, relocation of isolation transformer and associated artwork (Item 4.06)
- Defer Johnson Park Signature artwork (Item 4.05)
- Defer Hercules Street open space grass terraces (Item 5.06)
- Defer Hercules Street open linear skateable edge (Item 5.07)
- Defer Modest artwork at southern end of Jack Shanahan Park (item 5.10)
- Defer Lighting upgrade Ness Ave (part item 6.07)
- Modify Lighting along Greenway from P2 to P3 standard (part item 1.40, 4.02, 4.12, 5.14)

CONFIDENTIAL ATTACHMENT 1 sets out costs based on the draft detailed design and quantifies possible cost savings. A more detailed report regarding costs will be reported back to Council at the end of the public exhibition process.

OTHER STAFF COMMENTS

These matters have been reviewed through the Greenway PCG.

PUBLIC CONSULTATION

The draft Concept Designs have been prepared based on the Master Plan with further input from community groups and directly affected residents as well as state agencies and staff.

Prior to the proposed public exhibition, two main rounds of engagement were undertaken in late September and early October; and in late November and early December. This included

- 8 resident workshops for directly affected residents;
- 2 community stakeholder workshops;
- Specific meetings with RMS, Sydney Trains and Canterbury Bankstown Council; and
- Specific engagement with individual residents as requested.

A summary of the community engagement comments are available on Council's engagement website: <https://yoursay.innerwest.nsw.gov.au/greenway>

It is intended to publically exhibit the draft Concept Designs for 4 weeks in March 2019.

This will include a newsletter to all residents within 400m of the GreenWay corridor informing of the draft Concept Design and seeking feedback, as well as providing the plans and a feedback form on Council's engagement website.

ATTACHMENTS

1. Confidential Attachment - *Confidential*
2. Letter to Residents - *Confidential*
3. 43 Hercules Street Options - *Confidential*
4. HV Option 1 - *Confidential*
5. HV Option 2 - *Confidential*

Item No: C0219(3) Item 24**Subject:** CODE OF CONDUCT COMPLAINT INVESTIGATION

Council at its meeting on 12 February 2019 resolved that the matter be deferred to the meeting to be held on 26 February 2019.

Prepared By: Suellen Bullock - Internal Ombudsman**Authorised By:** John Warburton - Acting General Manager**SUMMARY**

In August 2018, Council received a complaint alleging a breach of the Code of Conduct by a Councillor. The complaint was referred to a conduct reviewer in accordance with the Procedures for the Administration of the Model Code of Conduct for NSW councils (the Procedures). As required, the complaint was referred by the General Manager to Council's Complaints Coordinator, who under the Procedures, referred the matter to a conduct reviewer from Council's appointed panel of conduct reviewers. The matter was investigated and the conduct reviewer's final report is submitted for Council's consideration in accordance with Clause 8.43 of the Procedures.

RECOMMENDATION

THAT Council consider the conduct reviewer's report and take action in accordance with the Procedures as outlined in this report.

BACKGROUND

The subject complaint has been administered under the Procedures for the Administration of the Model Code of Conduct for NSW councils (the Procedures).

The Procedures state:

Final investigation report*Clause 8.43*

Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation or recommendations under clause 8.35, paragraphs (d) to (h), the complaints coordinator must, where practicable, arrange for the investigator's report to be reported to the next ordinary council meeting for the council's consideration unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case the report must be reported to the first ordinary council meeting following the election.

Consideration of the final investigation report by Council*Clauses 8.44-8.59*

8.44 The role of the council in relation to a final investigation report is to impose a sanction where an investigator determines that there has been a breach of the code of conduct and makes a recommendation in their final report under clause 8.35, paragraphs (d) to (h).

8.45 The council is to close its meeting to the public to consider the final investigation report where it is permitted to do so under section 10A of the Act.

8.46 Where the complainant is a councillor, they must absent themselves from the meeting and take no part in any discussion or voting on the matter. The complainant councillor may absent themselves without making any disclosure of interests in relation to the matter unless otherwise required to do so under the Act or the Model Code

8.47 Prior to imposing a sanction, the council must provide the subject person with an opportunity to make an oral submission to the council. The subject person is to confine their submission to addressing the investigator's recommendation/s.

8.48 Once the subject person has completed their oral submission they must absent themselves from the meeting and, where they are a councillor, take no part in any discussion or voting on the matter.

8.49 The council must not invite oral submissions from other persons for the purpose of seeking to rehear evidence previously considered by the investigator.

8.50 Prior to imposing a sanction, the council may by resolution:

- request that the investigator make additional enquiries and/or provide additional information to it in a supplementary report, or
- seek an opinion by the Division in relation to the report.

8.51 The council may, by resolution, defer further consideration of the matter pending the receipt of a supplementary report from the investigator or an opinion from the Division.

8.52 The investigator may make additional enquiries for the purpose of preparing a supplementary report.

8.53 Where the investigator prepares a supplementary report, they must provide copies to the complaints coordinator who shall provide a copy each to the council, the subject person and the complainant.

8.54 The investigator is not obliged to notify or consult with any person prior to submitting the supplementary report to the complaints coordinator.

8.55 The council is only required to provide the subject person a further opportunity to address it on a supplementary report where the supplementary report contains new information that is adverse to them.

8.56 A council may by resolution impose one or more of the following sanctions on a subject person:

- a) that the subject person apologise to any person or organisation affected by the breach in such a time and form specified by the resolution,
- b) that findings of inappropriate conduct be made public,
- c) in the case of a breach by the general manager, that action be taken under the general manager's contract for the breach,
- d) in the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Act,
- e) in the case of a breach by a councillor:
 - i. that the councillor be formally censured for the breach under section 440G of the Act, and
 - ii. that the matter be referred to the Division for further action under the misconduct provisions of the Act.

8.57 The council is not obliged to adopt the investigator's recommendation/s. Where the council does not adopt the investigator's recommendation/s, the council must resolve not to adopt the recommendation and state in its resolution the reasons for its decision.

8.58 The council may, by resolution, impose a sanction on the subject person under clause 8.56 different to the sanction recommended by the investigator in their final report.

8.59 Where the council resolves not to adopt the investigator's recommendation/s, the complaints coordinator must notify the Division of the council's decision and the reasons for it.

FINANCIAL IMPLICATIONS

The costs for this investigation as at 22 January 2019 were \$11,000 (excl. GST).

OTHER STAFF COMMENTS

Not applicable.

PUBLIC CONSULTATION

Not applicable. The substance of this matter is for consideration in closed meeting in accordance with the Local Government Act 1993 and the Procedures.

CONCLUSION

This report is submitted to Council in accordance with clause 8.43 of the Procedures.

Council must consider the report of the conduct reviewer and impose a sanction (Clause 8.44 of the Procedures).

In considering the conduct reviewer's report, Council must close the meeting (clause 8.45) and the subject person must be given the opportunity to make an oral submission to council addressing only the conduct reviewer's recommendations (clause. 8.47). Furthermore, once the subject person has completed their oral submission, they must absent themselves from the meeting and as a Councillor, take no further part in any discussion or voting on the matter (clause 8.48). Council must not, in its consideration of the matter, invite oral submissions from other persons for the purpose of seeking to rehear evidence previously considered by the investigator (clause 8.49).

Prior to imposing a sanction, the Council may:

- defer the matter and request the conduct reviewer to make additional enquiries (Clause 8.50 a) of the Procedures)
- defer the matter and seek an opinion from the Office of Local Government (Clause 8.50 b) of the Procedures)

Council is not obliged to adopt the conduct reviewer's recommendations, and where this is the case must state in its resolution the reasons for its decision (Clause 8.57 of the Procedures).

It is also open to the Council to impose a sanction on the subject person that is different to the sanction recommended by the conduct reviewer (clause 8.58 of the Procedures) where the Council considers this an appropriate course of action.

ATTACHMENTS

1. [↓](#) Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW (March 2013)
2. Conduct Reviewer's Final Investigation Report - *Confidential*



Premier & Cabinet
Division of Local Government

PROCEDURES FOR THE ADMINISTRATION OF THE MODEL CODE OF CONDUCT

for Local Councils in NSW

March 2013

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Premier & Cabinet
Division of Local Government

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PART 1 INTRODUCTION

These procedures ("the Model Code Procedures") are prescribed for the purposes of the administration of the Model Code of Conduct for Local Councils in NSW ("the Model Code"). The Model Code and Model Code Procedures are made under sections 440 and 440AA respectively of the Local Government Act 1993 ("the Act") and the Local Government (General) Regulation 2005 ("the Regulation").

Sections 440 and 440AA of the Act require every council to adopt a code of conduct and procedures for the administration of the code of conduct that incorporate the provisions of the Model Code and Model Code Procedures respectively.

In adopting procedures for the administration of their adopted codes of conduct, councils may supplement the Model Code Procedures. However provisions of a council's adopted procedures that are not consistent with those prescribed under the Model Code Procedures will have no effect.

PART 2 DEFINITIONS

For the purposes of the procedures, the following definitions apply:

the Act	the Local Government Act 1993
administrator	an administrator of a council appointed under the Act other than an administrator appointed under section 66
code of conduct	a code of conduct adopted under section 440 of the Act
code of conduct complaint	a complaint that alleges conduct on the part of a council official acting in their official capacity that on its face, if proven, would constitute a breach of the standards of conduct prescribed under the council's code of conduct
complainant	a person who makes a code of conduct complaint
complainant councillor	a councillor who makes a code of conduct complaint
complaints coordinator	a person appointed by the general manager under these procedures as a complaints coordinator
conduct reviewer	a person appointed under these procedures to review allegations of breaches of the code of conduct by councillors or the general manager
council committee	a committee established by resolution of council
council committee member	a person other than a councillor or member of staff of a council who is a member of a council committee
councillor	a person elected or appointed to civic office and includes a Mayor
council official	includes councillors, members of staff of council, administrators, council committee members, conduct reviewers and delegates of council
delegate of council	a person (other than a councillor or member of staff of a council) or body and the individual members of that body to whom a function of the council is delegated
the Division	the Division of Local Government, Department of Premier and Cabinet
investigator	a conduct reviewer or conduct review committee
the Regulation	the Local Government (General) Regulation 2005
subject person	a person whose conduct is the subject of investigation by a conduct reviewer or conduct review committee under these procedures

PART 3 ADMINISTRATIVE FRAMEWORK

The establishment of a panel of conduct reviewers

- 3.1** The council must by resolution establish a panel of conduct reviewers.
- 3.2** The council may by resolution enter into an arrangement with one or more other councils to share a panel of conduct reviewers.
- 3.3** The panel of conduct reviewers is to be established following a public expression of interest process.
- 3.4** An expression of interest for members of the council's panel of conduct reviewers must, at a minimum, be advertised locally and in the Sydney metropolitan area.
- 3.5** To be eligible to be a member of a panel of conduct reviewers, a person must, at a minimum, meet the following requirements:
 - a) an understanding of local government, and
 - b) knowledge of investigative processes including but not limited to procedural fairness requirements and the requirements of the Public Interest Disclosures Act 1994, and
 - c) knowledge and experience of one or more of the following:
 - i) investigations, or
 - ii) law, or
 - iii) public administration, or
 - iv) public sector ethics, or
 - v) alternative dispute resolution, and
 - d) meet the eligibility requirements for membership of a panel of conduct reviewers under clause 3.6.

- 3.6** A person is not eligible to be a member of the panel of conduct reviewers if they are:
- a) a councillor, or
 - b) a nominee for election as a councillor, or
 - c) an administrator, or
 - d) an employee of a council, or
 - e) a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
 - f) a nominee for election as a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
 - g) a person who has a conviction for an indictable offence that is not an expired conviction.
- 3.7** A person is not precluded from being a member of the council's panel of conduct reviewers if they are a member of another council's panel of conduct reviewers.
- 3.8** A panel of conduct reviewers established under this Part is to have a term of up to four years.
- 3.9** The council may terminate the panel of conduct reviewers at any time by resolution.
- 3.10** When the term of the conduct reviewers concludes or is terminated, the council must establish a new panel of conduct reviewers in accordance with the requirements of this Part.
- 3.11** A person who was a member of a previous panel of conduct reviewers established by the council may be a member of subsequent panels of conduct reviewers established by the council.

The appointment of complaints coordinators

- 3.12** The general manager must appoint a member of staff of the council to act as a complaints coordinator. Where practicable, the complaints coordinator should be a senior and suitably qualified member of staff.
- 3.13** The general manager may appoint other members of staff to act as alternates to the complaints coordinator.
- 3.14** The general manager must not undertake the role of complaints coordinator.
- 3.15** The person appointed as complaints coordinator or alternate complaints coordinator must also be a nominated disclosures coordinator appointed for the purpose of receiving and managing reports of wrongdoing under the Public Interest Disclosures Act 1994.
- 3.16** The role of the complaints coordinator is to:
- a) coordinate the management of complaints made under the council's code of conduct,
 - b) liaise with and provide administrative support to a conduct reviewer or conduct review committee,
 - c) liaise with the Division of Local Government, and
 - d) arrange the annual reporting of code of conduct complaints statistics.

PART 4**HOW MAY CODE OF CONDUCT COMPLAINTS BE MADE?****What is a code of conduct complaint?**

- 4.1 For the purpose of these procedures, a code of conduct complaint is a complaint that alleges conduct on the part of a council official acting in their official capacity that on its face, if proven, would constitute a breach of the standards of conduct prescribed under the council's code of conduct.
- 4.2 Only code of conduct complaints are to be dealt with under these procedures. Complaints that do not satisfy the definition of a "code of conduct complaint" are to be dealt with under council's routine complaints management processes.

When must a code of conduct complaint be made?

- 4.3 A code of conduct complaint must be made within three months of the alleged conduct occurring or within three months of the complainant becoming aware of the alleged conduct.
- 4.4 A complaint made after 3 months may only be accepted if the general manager, or, in the case of a complaint about the general manager, the Mayor, is satisfied that there are compelling grounds for the matter to be dealt with under the code of conduct.

How may a code of conduct complaint about a council official other than the general manager be made?

- 4.5 All code of conduct complaints other than those relating to the general manager are to be made to the general manager in writing.
- 4.6 Where a code of conduct complaint about a council official other than the general manager cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.
- 4.7 In making a code of conduct complaint about a council official other than the general manager, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.

- 4.8 The general manager or, where the complaint is referred to a conduct reviewer, the conduct reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.
- 4.9 Notwithstanding clauses 4.5 and 4.6, where the general manager becomes aware of a possible breach of the council's code of conduct, he or she may initiate the process for the consideration of the matter under these procedures without a written complaint.

How may a code of conduct complaint about the general manager be made?

- 4.10 Code of conduct complaints about the general manager are to be made to the Mayor in writing.
- 4.11 Where a code of conduct complaint about the general manager cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.
- 4.12 In making a code of conduct complaint about the general manager, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.
- 4.13 The Mayor or, where the complaint is referred to a conduct reviewer, the conduct reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.
- 4.14 Notwithstanding clauses 4.10 and 4.11, where the Mayor becomes aware of a possible breach of the council's code of conduct by the general manager, he or she may initiate the process for the consideration of the matter under these procedures without a written complaint.

PART 5**HOW ARE CODE OF CONDUCT COMPLAINTS TO BE MANAGED?****How are code of conduct complaints about staff (other than the general manager) to be dealt with?**

- 5.1** The general manager is responsible for making enquiries or causing enquiries to be made into code of conduct complaints about members of staff of council and for determining the outcome of such complaints.
- 5.2** Where the general manager decides not to make enquiries into a code of conduct complaint about a member of staff, the general manager must give the complainant reasons in writing for their decision.
- 5.3** Without limiting clause 5.2, the general manager may decide not to enquire into the matter on grounds that the complaint is trivial, frivolous, vexatious or not made in good faith.
- 5.4** Enquiries made into staff conduct that might give rise to disciplinary action must occur in accordance with the relevant industrial instrument or employment contract and make provision for procedural fairness including the right of an employee to be represented by their union.
- 5.5** Sanctions for staff depend on the severity, scale and importance of the breach and must be determined in accordance with any relevant industrial instruments or contracts.

How are code of conduct complaints about delegates of council and council committee members to be dealt with?

- 5.6** The general manager is responsible for making enquiries or causing enquiries to be made into code of conduct complaints about delegates of council and council committee members and for determining the outcome of such complaints.
- 5.7** Where the general manager decides not to make enquiries into a code of conduct complaint about a delegate of council or a council committee member, the general manager must give the complainant reasons in writing for their decision.
- 5.8** Without limiting clause 5.7, the general manager may decide not to enquire into the matter on grounds that the complaint is trivial, frivolous, vexatious or not made in good faith.

5.9 Sanctions for delegates of council and/or members of council committees depend on the severity, scale and importance of the breach and may include one or more of the following:

- a) censure,
- b) requiring the person to apologise to any person or organisation adversely affected by the breach,
- c) prosecution for any breach of the law,
- d) removing or restricting the person's delegation, or
- e) removing the person from membership of the relevant council committee.

5.10 Prior to imposing a sanction against a delegate of council or a council committee member under clause 5.9, the general manager or any person making enquiries on behalf of the general manager must comply with the requirements of procedural fairness. In particular:

- a) the substance of the allegation (including the relevant provision/s of council's code of conduct that the alleged conduct is in breach of) must be put to the person the subject of the allegation, and
- b) the person must be given an opportunity to respond to the allegation, and
- c) the general manager must consider the person's response in deciding whether to impose a sanction under clause 5.9.

How are code of conduct complaints about conduct reviewers to be dealt with?

5.11 The general manager must refer all code of conduct complaints about conduct reviewers to the Division for its consideration.

5.12 The general manager must notify the complainant of the referral of their complaint in writing.

5.13 The general manager must implement any recommendation made by the Division as a result of its consideration of a code of conduct complaint about a conduct reviewer.

How are code of conduct complaints about administrators to be dealt with?

- 5.14** The general manager must refer all code of conduct complaints about administrators to the Division for its consideration.
- 5.15** The general manager must notify the complainant of the referral of their complaint in writing.

How are code of conduct complaints about councillors to be dealt with?

- 5.16** The general manager must refer the following code of conduct complaints about councillors to the Division:
- a) complaints alleging a breach of the pecuniary interest provisions of the Act,
 - b) complaints alleging a failure to comply with a requirement under the code of conduct to disclose and appropriately manage conflicts of interests arising from reportable political donations (see section 328B),
 - c) complaints alleging a breach of Part 8 of the code of conduct relating to the maintenance of the integrity of the code, and
 - d) complaints the subject of a special complaints management arrangement with the Division under clause 5.40.
- 5.17** Where the general manager refers a complaint to the Division under clause 5.16, the general manager must notify the complainant of the referral in writing.
- 5.18** Where the general manager considers it to be practicable and appropriate to do so, the general manager may seek to resolve code of conduct complaints about councillors, other than those requiring referral to the Division under clause 5.16, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation or apology instead of referring them to the complaints coordinator under clause 5.20.
- 5.19** Where the general manager resolves a code of conduct complaint under clause 5.18 to the general manager's satisfaction, the general manager must notify the complainant in writing of the steps taken to resolve the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.20** The general manager must refer all code of conduct complaints about councillors other than those referred to the Division under clause 5.16 or resolved under clause 5.18 to the complaints coordinator.

How are code of conduct complaints about the general manager to be dealt with?

- 5.21** The Mayor must refer the following code of conduct complaints about the general manager to the Division:
- a) complaints alleging a breach of the pecuniary interest provisions of the Act,
 - b) complaints alleging a breach of Part 8 of the code of conduct relating to the maintenance of the integrity of the code, and
 - c) complaints the subject of a special complaints management arrangement with the Division under clause 5.40.
- 5.22** Where the Mayor refers a complaint to the Division under clause 5.21, the Mayor must notify the complainant of the referral in writing.
- 5.23** Where the Mayor considers it to be practicable and appropriate to do so, he or she may seek to resolve code of conduct complaints about the general manager, other than those requiring referral to the Division under clause 5.21, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation or apology instead of referring them to the complaints coordinator under clause 5.25.
- 5.24** Where the Mayor resolves a code of conduct complaint under clause 5.23 to the Mayor's satisfaction, the Mayor must notify the complainant in writing of the steps taken to resolve the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.25** The Mayor must refer all code of conduct complaints about the general manager other than those referred to the Division under clause 5.21 or resolved under clause 5.23 to the complaints coordinator.

Referral of code of conduct complaints to external agencies

- 5.26** The general manager, Mayor or a conduct reviewer or conduct review committee may, at any time, refer a code of conduct complaint to an external agency or body such as, but not limited to, the Division, the Independent Commission Against Corruption, the NSW Ombudsman or the Police for its consideration, where they consider such a referral is warranted.

- 5.27** Where the general manager, Mayor, conduct reviewer or conduct review committee refers a complaint to an external agency or body under clause 5.26, they must notify the complainant of the referral in writing where it is appropriate for them to do so.
- 5.28** Referral of a matter to an external agency or body shall finalise consideration of the matter under the code of conduct unless the council is subsequently advised otherwise by the referral agency or body.

Disclosure of the identity of complainants

- 5.29** In dealing with matters under these procedures, information that identifies or tends to identify complainants is not to be disclosed unless:
- a) the complainant consents in writing to the disclosure, or
 - b) it is generally known that the complainant has made the complaint as a result of the complainant having voluntarily identified themselves as the person who made the complaint, or
 - c) it is essential, having regard to procedural fairness requirements, that the identifying information be disclosed, or
 - d) a conduct reviewer or conduct review committee is of the opinion that disclosure of the information is necessary to investigate the matter effectively, or
 - e) it is otherwise in the public interest to do so.
- 5.30** Clause 5.29 does not apply to code of conduct complaints made by councillors about other councillors or the general manager.
- 5.31** Where a councillor makes a code of conduct complaint about another councillor or the general manager and the complainant councillor considers that compelling grounds exist that would warrant information that identifies or tends to identify them as the complainant not to be disclosed, they may request in writing that such information not be disclosed.
- 5.32** A request made by a complainant councillor under clause 5.31 must be made at the time they make a code of conduct complaint and must state the grounds upon which the request is made.

- 5.33** The general manager or Mayor or, where the matter is referred, a conduct reviewer or conduct review committee must consider a request made under clause 5.31 before disclosing information that identifies or tends to identify the complainant councillor but are not obliged to comply with the request.
- 5.34** Where a complainant councillor makes a request under clause 5.31, the general manager or Mayor or, where the matter is referred, a conduct reviewer or conduct review committee shall notify the councillor in writing of their intention to disclose information that identifies or tends to identify them prior to disclosing the information.

Code of conduct complaints made as public interest disclosures

- 5.35** Code of conduct complaints that are made as public interest disclosures under the Public Interest Disclosures Act 1994 are to be managed in accordance with the requirements of that Act, the council's internal reporting policy and any guidelines issued by the NSW Ombudsman that relate to the management of public interest disclosures.
- 5.36** For a code of conduct complaint to be dealt with as a public interest disclosure, the complainant must state at the outset and in writing at the time of making the complaint that it is made as a public interest disclosure.
- 5.37** Where a councillor makes a code of conduct complaint about another councillor or the general manager as a public interest disclosure, before the matter may be dealt with under these procedures, the complainant councillor must consent in writing to the disclosure of their identity as the complainant.
- 5.38** Where a complainant councillor declines to consent to the disclosure of their identity as the complainant under clause 5.37, the general manager or the Mayor must refer the complaint to the Division for consideration. Such a referral must be made under section 26 of the Public Interest Disclosures Act 1994.

Special complaints management arrangements

- 5.39** The general manager may request in writing that the Division enter into a special complaints management arrangement with the council in relation to code of conduct complaints made by or about a person or persons.
- 5.40** Where the Division receives a request under clause 5.39, it may agree to enter into a special complaints management arrangement where it is satisfied that the number or nature of code of conduct complaints made by or about a person or persons has:
- a) imposed an undue and disproportionate cost burden on the council's administration of its code of conduct, or
 - b) impeded or disrupted the effective administration by the council of its code of conduct, or
 - c) impeded or disrupted the effective functioning of the council.
- 5.41** A special complaints management arrangement must be in writing and must specify the following:
- a) the code of conduct complaints the arrangement relates to, and
 - b) the period that the arrangement will be in force.
- 5.42** The Division may by notice in writing, amend or terminate a special complaints management arrangement at any time.
- 5.43** While a special complaints management arrangement is in force, an officer of the Division (the assessing Divisional officer) must undertake the preliminary assessment of the code of conduct complaints specified in the arrangement in accordance with the requirements of these procedures except as provided by clause 5.44 below.
- 5.44** Where, following a preliminary assessment, the assessing Divisional officer determines that a code of conduct complaint warrants investigation by a conduct reviewer or a conduct review committee, the assessing Divisional officer shall notify the complaints coordinator in writing of their determination and the reasons for their determination. The complaints coordinator must comply with the recommendation of the assessing Divisional officer.
- 5.45** Prior to the expiry of a special complaints management arrangement, the Division shall, in consultation with the general manager, review the arrangement to determine whether it should be renewed or amended.
- 5.46** A special complaints management arrangement shall expire on the date specified in the arrangement unless renewed under clause 5.45.

PART 6 PRELIMINARY ASSESSMENT

Referral of code of conduct complaints to conduct reviewers

- 6.1** The complaints coordinator must refer all code of conduct complaints about councillors or the general manager submitted to the complaints coordinator within 21 days of receipt of a complaint by the general manager or the Mayor.
- 6.2** For the purposes of clause 6.1, the complaints coordinator will refer a complaint to a conduct reviewer selected from:
- a) a panel of conduct reviewers established by the council, or
 - b) a panel of conduct reviewers established by an organisation approved by the Chief Executive of the Division.
- 6.3** In selecting a suitable conduct reviewer, the complaints coordinator may have regard to the qualifications and experience of members of the panel of conduct reviewers.
- 6.4** A conduct reviewer must not accept the referral of a code of conduct complaint where:
- a) they have a conflict of interests in relation to the matter referred to them, or
 - b) a reasonable apprehension of bias arises in relation to their consideration of the matter, or
 - c) they or their employer has entered into one or more contracts with the council in the 2 years preceding the referral and they or their employer have received or expect to receive payments under the contract or contracts of a cumulative value that exceeds \$100,000, or
 - d) at the time of the referral, they or their employer are the council's legal service providers or are a member of a panel of legal service providers appointed by the council.
- 6.5** For the purposes of clause 6.4(a), a conduct reviewer will have a conflict of interests in a matter where a reasonable and informed person would perceive that they could be influenced by a private interest when carrying out their public duty (see clause 4.1 of the Model Code of Conduct).
- 6.6** For the purposes of clause 6.4(b), a reasonable apprehension of bias arises where a fair-minded observer might reasonably apprehend that the conduct reviewer might not bring an impartial and unprejudiced mind to the matter referred to the conduct reviewer.

- 6.7** Where the complaints coordinator refers a matter to a conduct reviewer, they will provide the conduct reviewer with a copy of the code of conduct complaint and any other information relevant to the matter held by the council.
- 6.8** The complaints coordinator must notify the complainant in writing that the matter has been referred to a conduct reviewer and advise which conduct reviewer the matter has been referred to.

Preliminary assessment by a conduct reviewer

- 6.9** The conduct reviewer is to undertake a preliminary assessment of a complaint referred to them by the complaints coordinator for the purposes of determining how the complaint is to be managed.
- 6.10** The conduct reviewer may determine to do one or more of the following in relation to a complaint referred to them by the complaints coordinator:
- a) to take no action, or
 - b) to resolve the complaint by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation or apology, or
 - c) to refer the matter back to the general manager or, in the case of a complaint about the general manager, the Mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, or apology, or
 - d) to refer the matter to another agency or body such as, but not limited to, the ICAC, the NSW Ombudsman, the Division or the Police, or
 - e) to investigate the matter, or
 - f) to recommend that the complaints coordinator convene a conduct review committee to investigate the matter.
- 6.11** In determining how to deal with a matter under clause 6.10, the conduct reviewer must have regard to the complaint assessment criteria prescribed under clause 6.27.
- 6.12** The conduct reviewer may make such enquiries the conduct reviewer considers to be reasonably necessary to determine what option to exercise under clause 6.10.

- 6.13** The conduct reviewer may request the complaints coordinator to provide such additional information the conduct reviewer considers to be reasonably necessary to determine what option to exercise in relation to the matter under clause 6.10. The complaints coordinator will, as far as is reasonably practicable, supply any information requested by the conduct reviewer.
- 6.14** The conduct reviewer must refer to the Division any complaints referred to him or her that should have been referred to the Division under clauses 5.16 and 5.21.
- 6.15** The conduct reviewer must determine to take no action on a complaint that is not a code of conduct complaint for the purposes of these procedures.
- 6.16** Where the conduct reviewer completes their preliminary assessment of a complaint by determining to exercise an option under clause 6.10, paragraphs (a), (b) or (c), they must provide the complainant with written notice of their determination and provide reasons for it and this will finalise consideration of the matter under these procedures.
- 6.17** Where the conduct reviewer refers a complaint to another agency or body, they must notify the complainant of the referral in writing where it is appropriate for them to do so.
- 6.18** The conduct reviewer may only determine to investigate a matter or to recommend that a conduct review committee be convened to investigate a matter where they are satisfied as to the following:
- a) that the complaint is a “code of conduct complaint” for the purposes of these procedures, and
 - b) that the alleged conduct, on its face, is sufficiently serious to warrant investigation, and
 - c) that the matter is one that could not or should not be resolved by alternative means.
- 6.19** The conduct reviewer may only determine to recommend that a conduct review committee be convened to investigate a matter after consulting with the complaints coordinator and where they are satisfied that it would not be practicable or appropriate for the matter to be investigated by a sole conduct reviewer.

- 6.20** The conduct reviewer must complete their preliminary assessment of the complaint within 28 days of referral of the matter to them by the complaints coordinator.
- 6.21** The conduct reviewer is not obliged to give prior notice to or to consult with any person before making a determination in relation to their preliminary assessment of a complaint except as may be specifically required under these procedures.

Referral back to the general manager or Mayor for resolution

- 6.22** Where the conduct reviewer determines to refer a matter back to the general manager or to the Mayor to be resolved by alternative and appropriate means, they must write to the general manager or, in the case of a complaint about the general manager, to the Mayor, recommending the means by which the complaint may be resolved.
- 6.23** The conduct reviewer must consult with the general manager or Mayor prior to referring a matter back to them under clause 6.22.
- 6.24** The general manager or Mayor may decline to accept the conduct reviewer's recommendation. Where the general manager or Mayor declines to do so, the conduct reviewer may determine to deal with the complaint by other means under clause 6.10.
- 6.25** Where the conduct reviewer refers a matter back to the general manager or Mayor under clause 6.22, the general manager or, in the case of a complaint about the general manager, the Mayor, is responsible for implementing or overseeing the implementation of the conduct reviewer's recommendation.
- 6.26** Where the conduct reviewer refers a matter back to the general manager or Mayor under clause 6.22, the general manager, or, in the case of a complaint about the general manager, the Mayor, must advise the complainant in writing of the steps taken to implement the conduct reviewer's recommendation once these steps have been completed.

Complaints assessment criteria

- 6.27** In undertaking the preliminary assessment of a complaint, the conduct reviewer may have regard to the following considerations:
- a) whether the complaint is a “code of conduct complaint”,
 - b) whether the complaint is trivial, frivolous, vexatious or not made in good faith,
 - c) whether the complaint discloses prima facie evidence of a breach of the code,
 - d) whether the complaint raises issues that would be more appropriately dealt with by another agency or body,
 - e) whether there is or was an alternative and satisfactory means of redress available to the complainant in relation to the conduct complained of,
 - f) whether the complaint is one that can be resolved by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, informal discussion, negotiation or apology,
 - g) whether the issue/s giving rise to the complaint have previously been addressed or resolved,
 - h) whether the conduct complained of forms part of a pattern of conduct,
 - i) whether there were mitigating circumstances giving rise to the conduct complained of,
 - j) the seriousness of the alleged conduct,
 - k) the significance of the conduct or the impact of the conduct for the council,
 - l) how much time has passed since the alleged conduct occurred, or
 - m) such other considerations that the conduct reviewer considers may be relevant to the assessment of the complaint.

PART 7 OPERATIONS OF CONDUCT REVIEW COMMITTEES

- 7.1** Where a conduct reviewer recommends that the complaints coordinator convene a conduct review committee to investigate a matter, the conduct reviewer must notify the complaints coordinator of their recommendation and the reasons for their recommendation in writing.
- 7.2** The complaints coordinator must convene a conduct review committee comprising three conduct reviewers selected from:
- a) a panel of conduct reviewers established by the council, or
 - b) a panel of conduct reviewers established by an organisation approved by the Chief Executive of the Division.
- 7.3** In selecting suitable conduct reviewers for membership of a conduct review committee convened under clause 7.2, the complaints coordinator may have regard to the following:
- a) the qualifications and experience of members of the panel of conduct reviewers, and
 - b) any recommendation made by the conduct reviewer about the membership of the committee.
- 7.4** The conduct reviewer who made the preliminary assessment of the complaint must not be a member of a conduct review committee convened under clause 7.2.
- 7.5** A member of a panel of conduct reviewers may not be appointed to a conduct review committee where they would otherwise be precluded from accepting a referral of the matter to be considered by the committee under clause 6.4.
- 7.6** Where the complaints coordinator convenes a conduct review committee, they will advise the complainant in writing that the committee has been convened and the membership of the committee.
- 7.7** Where, after a conduct review committee has been convened, a member of the committee becomes unavailable to participate in further consideration of the matter, the complaints coordinator may appoint another person from a panel of conduct reviewers to replace them.
- 7.8** Meetings of a conduct review committee may be conducted in person or by teleconference.
- 7.9** The members of the conduct review committee must elect a chairperson of the committee.
- 7.10** A quorum for a meeting of the conduct review committee is two members.

- 7.11** Business is not to be conducted at any meeting of the conduct review committee unless a quorum is present.
- 7.12** If a quorum is not present at a meeting of the conduct review committee, it must be adjourned to a time and date that is specified.
- 7.13** Each member of the conduct review committee is entitled to one vote in relation to a matter. In the event of an equality of votes being cast, the chairperson will have a casting vote.
- 7.14** If the vote on a matter is not unanimous, then this should be noted in the report of the conduct review committee in which it makes its determination in relation to the matter.
- 7.15** The chairperson may make a ruling on questions of procedure and the chairperson's ruling is to be final.
- 7.16** The conduct review committee may only conduct business in the absence of the public.
- 7.17** The conduct review committee must maintain proper records of its proceedings.
- 7.18** The complaints coordinator shall undertake the following functions in support of a conduct review committee:
- a) provide procedural advice where required,
 - b) ensure adequate resources are provided including secretarial support,
 - c) attend meetings of the conduct review committee in an advisory capacity, and
 - d) provide advice about council's processes where requested.
- 7.19** The complaints coordinator must not be present at, or in sight of a meeting of, the conduct review committee where it makes its final determination in relation to the matter.
- 7.20** The conduct review committee may adopt procedures governing the conduct of its meetings that supplement these procedures. However any procedures adopted by the committee must not be inconsistent with these procedures.

PART 8 INVESTIGATIONS

What matters may a conduct reviewer or conduct review committee investigate?

- 8.1** A conduct reviewer or conduct review committee (hereafter referred to as an “investigator”) may investigate a code of conduct complaint that has been referred to them by the complaints coordinator and any matters related to or arising from that complaint.
- 8.2** Where an investigator identifies further separate possible breaches of the code of conduct that are not related to or arise from the code of conduct complaint that has been referred to them, they are to report the matters separately in writing to the general manager, or, in the case of alleged conduct on the part of the general manager, to the Mayor.
- 8.3** The general manager or the Mayor is to deal with a matter reported to them by an investigator under clause 8.2 as if it were a new code of conduct complaint in accordance with these procedures.

How are investigations to be commenced?

- 8.4** The investigator must at the outset of their investigation provide a written notice of investigation to the subject person. The notice of investigation must:
 - a) disclose the substance of the allegations against the subject person, and
 - b) advise of the relevant provisions of the code of conduct that apply to the alleged conduct, and
 - c) advise of the process to be followed in investigating the matter, and
 - d) invite the subject person to make a written submission in relation to the matter within 28 days or such other reasonable period specified by the investigator in the notice, and
 - e) provide the subject person the opportunity to address the investigator on the matter within such reasonable time specified in the notice.
- 8.5** The subject person may within 14 days of receipt of the notice of investigation, request in writing that the investigator provide them with such further information they consider necessary to assist them to identify the substance of the allegation against them. An investigator will only be obliged to provide such information that the investigator considers reasonably necessary for the subject person to identify the substance of the allegation against them.

- 8.6** An investigator may at any time prior to issuing a draft report, issue an amended notice of investigation to the subject person in relation to the matter referred to them.
- 8.7** Where an investigator issues an amended notice of investigation, they will provide the subject person with a further opportunity to make a written submission in response to the amended notice of investigation within 28 days or such other reasonable period specified by the investigator in the amended notice.
- 8.8** The investigator must also, at the outset of their investigation, provide written notice of the investigation to the complainant, the complaints coordinator and the general manager, or in the case of a complaint about the general manager, to the Mayor. The notice must:
- a) advise them of the matter the investigator is investigating, and
 - b) in the case of the notice to the complainant, invite them to make a written submission in relation to the matter within 28 days or such other reasonable period specified by the investigator in the notice.

Written and oral submissions

- 8.9** Where the subject person or the complainant fails to make a written submission in relation to the matter within the period specified by the investigator in their notice of investigation or amended notice of investigation, the investigator may proceed to prepare their draft report without receiving such submissions.
- 8.10** The investigator may accept written submissions received outside the period specified in the notice of investigation or amended notice of investigation.
- 8.11** Prior to preparing a draft report, the investigator must give the subject person an opportunity to address the investigator on the matter being investigated. The subject person may do so in person or by telephone.
- 8.12** Where the subject person fails to accept the opportunity to address the investigator within the period specified by the investigator in the notice of investigation, the investigator may proceed to prepare a draft report without hearing from the subject person.
- 8.13** Where the subject person accepts the opportunity to address the investigator in person, they may have a support person or legal advisor in attendance. The support person or legal advisor will act in an advisory or support role to the subject person only. They must not speak on behalf of the subject person or otherwise interfere with or disrupt proceedings.

- 8.14** The investigator must consider all written and oral submissions made to them in relation to the matter.

How are investigations to be conducted?

- 8.15** Investigations are to be undertaken without undue delay.
- 8.16** Investigations are to be undertaken in the absence of the public and in confidence.
- 8.17** Investigators must make any such enquiries that may be reasonably necessary to establish the facts of the matter.
- 8.18** Investigators may seek such advice or expert guidance that may be reasonably necessary to assist them with their investigation or the conduct of their investigation.
- 8.19** An investigator may request that the complaints coordinator provide such further information that the investigator considers may be reasonably necessary for them to establish the facts of the matter. The complaints coordinator will, as far as is reasonably practicable, provide the information requested by the investigator.

Referral or resolution of a matter after the commencement of an investigation

- 8.20** At any time after an investigator has issued a notice of investigation and before they have issued a draft report, an investigator may determine to:
- a) resolve the matter by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation or apology, or
 - b) refer the matter to the general manager, or, in the case of a complaint about the general manager, to the Mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation or apology, or
 - c) refer the matter to another agency or body such as, but not limited to, the ICAC, the NSW Ombudsman, the Division or the Police.

- 8.21** Where an investigator determines to exercise any of the options under clause 8.20 after the commencement of an investigation, they must do so in accordance with the requirements of Part 6 of these procedures relating to the exercise of these options at the preliminary assessment stage.
- 8.22** Where an investigator determines to exercise any of the options under clause 8.20 after the commencement of an investigation, they may by written notice to the subject person, the complainant, the complaints coordinator and the general manager, or in the case of a complaint about the general manager, the Mayor, discontinue their investigation of the matter.
- 8.23** Where the investigator discontinues their investigation of a matter under clause 8.22, this shall finalise the consideration of the matter under these procedures.
- 8.24** An investigator is not obliged to give prior notice to or to consult with any person before making a determination to exercise any of the options under clause 8.20 or to discontinue their investigation except as may be specifically required under these procedures.

Draft investigation reports

- 8.25** When an investigator has completed their enquiries and considered any written or oral submissions made to them in relation to a matter, they must prepare a draft of their proposed report.
- 8.26** The investigator must provide their draft report to the subject person and invite them to make a written submission in relation to it within 28 days or such other reasonable period specified by the investigator.
- 8.27** Where the investigator proposes to make adverse comment about any other person (an affected person) in their report, they must also provide the affected person with relevant extracts of their draft report containing such comment and invite the affected person to make a written submission in relation to it within 28 days or such other reasonable period specified by the investigator.
- 8.28** The investigator must consider written submissions received in relation to the draft report prior to finalising their report in relation to the matter.

- 8.29** The investigator may, after consideration of all written submissions received in relation to their draft report, make further enquiries into the matter. Where as a result of making further enquiries, the investigator makes any material change to their proposed report that makes new adverse comment about the subject person or an affected person, they must provide the subject person or affected person as the case may be with a further opportunity to make a written submission in relation to the new adverse comment.
- 8.30** Where the subject person or an affected person fails to make a written submission in relation to the draft report within the period specified by the investigator, the investigator may proceed to prepare and issue their final report without receiving such submissions.
- 8.31** The investigator may accept written submissions in relation to the draft report received outside the period specified by the investigator at any time prior to issuing their final report.

Final investigation reports

- 8.32** Where an investigator issues a notice of investigation they must prepare a final report in relation to the matter unless the investigation is discontinued under clause 8.22.
- 8.33** An investigator must not prepare a final report in relation to the matter at any time before they have finalised their consideration of the matter in accordance with the requirements of these procedures.
- 8.34** The investigator's final report must:
- a) make findings of fact in relation to the matter investigated, and
 - b) make a determination that the conduct investigated either:
 - i) constitutes a breach of the code of conduct, or
 - ii) does not constitute a breach of the code of conduct, and
 - c) provide reasons for the determination.

8.35 Where the investigator determines that the conduct investigated constitutes a breach of the code of conduct, the investigator may make one or more of the following recommendations:

- a) that the council revise any of its policies or procedures,
- b) that the subject person undertake any training or other education relevant to the conduct giving rise to the breach,
- c) that the subject person be counselled for their conduct,
- d) that the subject person apologise to any person or organisation affected by the breach in such a time and form specified by the recommendation,
- e) that findings of inappropriate conduct be made public,
- f) in the case of a breach by the general manager, that action be taken under the general manager's contract for the breach,
- g) in the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Act,
- h) in the case of a breach by a councillor, that the council resolves as follows:
 - i) that the councillor be formally censured for the breach under section 440G of the Act, and
 - ii) that the matter be referred to the Division for further action under the misconduct provisions of the Act.

8.36 Where the investigator determines that the conduct investigated does not constitute a breach of the code of conduct, the investigator may make one or more of the following recommendations:

- a) that the council revise any of its policies or procedures,
- b) that a person or persons undertake any training or other education.

8.37 In making a recommendation under clause 8.35, the investigator may have regard to the following:

- a) the seriousness of the breach,
- b) whether the breach can be easily remedied or rectified,
- c) whether the subject person has remedied or rectified their conduct,
- d) whether the subject person has expressed contrition,
- e) whether there were any mitigating circumstances,

- f) the age, physical or mental health or special infirmity of the subject person,
- g) whether the breach is technical or trivial only,
- h) any previous breaches,
- i) whether the breach forms part of a pattern of conduct,
- j) the degree of reckless intention or negligence of the subject person,
- k) the extent to which the breach has affected other parties or the council as a whole,
- l) the harm or potential harm to the reputation of the council or local government arising from the conduct,
- m) whether the findings and recommendations can be justified in terms of the public interest and would withstand public scrutiny,
- n) whether an educative approach would be more appropriate than a punitive one,
- o) the relative costs and benefits of taking formal enforcement action as opposed to taking no action or taking informal action,
- p) what action or remedy would be in the public interest.

8.38 At a minimum, the investigator's final report must contain the following information:

- a) a description of the allegations against the subject person,
- b) the relevant provisions of the code of conduct that apply to the alleged conduct investigated,
- c) a statement of reasons as to why the conduct reviewer considered that the matter warranted investigation,
- d) a statement of reasons as to why the conduct reviewer considered that the matter was one that could not or should not be resolved by alternative means,
- e) where the matter is investigated by a conduct review committee, a statement as to why the matter was one that warranted investigation by a conduct review committee instead of a sole conduct reviewer,
- f) a description of any attempts made to resolve the matter by use of alternative means,

- g) the steps taken to investigate the matter,
- h) the facts of the matter,
- i) the investigator's findings in relation to the facts of the matter and the reasons for those findings,
- j) the investigator's determination and the reasons for that determination,
- k) any recommendations.

- 8.39** The investigator must provide a copy of their report to the complaints coordinator, the subject person and the complainant.
- 8.40** Where the investigator has determined that there has not been a breach of the code of conduct, the complaints coordinator must provide a copy of the investigator's report to the general manager or, where the report relates to the general manager's conduct, to the Mayor and this will finalise consideration of the matter under these procedures.
- 8.41** Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation or recommendations under clause 8.35, paragraph (a), the complaints coordinator must provide a copy of the investigator's report to the general manager. Where the general manager agrees with the recommendation/s, the general manager is responsible for implementing the recommendation/s.
- 8.42** Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation or recommendations under clause 8.35, paragraphs (b) or (c), the complaints coordinator must provide a copy of the investigator's report to the general manager or, where the report relates to the general manager's conduct, to the Mayor. The general manager is responsible for arranging the implementation of the recommendation/s where the report relates to a councillor's conduct. The Mayor is responsible for arranging the implementation of the recommendation/s where the report relates to the general manager's conduct.
- 8.43** Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation or recommendations under clause 8.35, paragraphs (d) to (h), the complaints coordinator must, where practicable, arrange for the investigator's report to be reported to the next ordinary council meeting for the council's consideration unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case the report must be reported to the first ordinary council meeting following the election.

Consideration of the final investigation report by council

- 8.44** The role of the council in relation to a final investigation report is to impose a sanction where an investigator determines that there has been a breach of the code of conduct and makes a recommendation in their final report under clause 8.35, paragraphs (d) to (h).
- 8.45** The council is to close its meeting to the public to consider the final investigation report where it is permitted to do so under section 10A of the Act.
- 8.46** Where the complainant is a councillor, they must absent themselves from the meeting and take no part in any discussion or voting on the matter. The complainant councillor may absent themselves without making any disclosure of interests in relation to the matter unless otherwise required to do so under the Act or the Model Code.
- 8.47** Prior to imposing a sanction, the council must provide the subject person with an opportunity to make an oral submission to the council. The subject person is to confine their submission to addressing the investigator's recommendation/s.
- 8.48** Once the subject person has completed their oral submission they must absent themselves from the meeting and, where they are a councillor, take no part in any discussion or voting on the matter.
- 8.49** The council must not invite oral submissions from other persons for the purpose of seeking to rehear evidence previously considered by the investigator.
- 8.50** Prior to imposing a sanction, the council may by resolution:
- a) request that the investigator make additional enquiries and/or provide additional information to it in a supplementary report, or
 - b) seek an opinion by the Division in relation to the report.
- 8.51** The council may, by resolution, defer further consideration of the matter pending the receipt of a supplementary report from the investigator or an opinion from the Division.
- 8.52** The investigator may make additional enquiries for the purpose of preparing a supplementary report.

- 8.53** Where the investigator prepares a supplementary report, they must provide copies to the complaints coordinator who shall provide a copy each to the council, the subject person and the complainant.
- 8.54** The investigator is not obliged to notify or consult with any person prior to submitting the supplementary report to the complaints coordinator.
- 8.55** The council is only required to provide the subject person a further opportunity to address it on a supplementary report where the supplementary report contains new information that is adverse to them.
- 8.56** A council may by resolution impose one or more of the following sanctions on a subject person:
- a) that the subject person apologise to any person or organisation affected by the breach in such a time and form specified by the resolution,
 - b) that findings of inappropriate conduct be made public,
 - c) in the case of a breach by the general manager, that action be taken under the general manager's contract for the breach,
 - d) in the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Act,
 - e) in the case of a breach by a councillor:
 - i) that the councillor be formally censured for the breach under section 440G of the Act, and
 - ii) that the matter be referred to the Division for further action under the misconduct provisions of the Act.
- 8.57** The council is not obliged to adopt the investigator's recommendation/s. Where the council does not adopt the investigator's recommendation/s, the council must resolve not to adopt the recommendation and state in its resolution the reasons for its decision.
- 8.58** The council may, by resolution, impose a sanction on the subject person under clause 8.56 different to the sanction recommended by the investigator in their final report.
- 8.59** Where the council resolves not to adopt the investigator's recommendation/s, the complaints coordinator must notify the Division of the council's decision and the reasons for it.

PART 9 RIGHTS OF REVIEW

Failure to comply with a requirement under these procedures

- 9.1** Where any person believes that a person has failed to comply with a requirement prescribed under these procedures, they may, at any time prior to the council's consideration of an investigator's final report, raise their concerns in writing with the Division.

Practice rulings

- 9.2** Where a subject person and an investigator are in dispute over a requirement under these procedures, either person may make a request in writing to the Division to make a ruling on a question of procedure (a practice ruling).
- 9.3** Where the Division receives a request in writing for a practice ruling, the Division may provide notice in writing of its ruling and the reasons for it to the person who requested it and to the investigator, where that person is different.
- 9.4** Where the Division makes a practice ruling, all parties are to comply with it.
- 9.5** The Division may decline to make a practice ruling. Where the Division declines to make a practice ruling, it will provide notice in writing of its decision and the reasons for it to the person who requested it and to the investigator, where that person is different.

Requests for review

- 9.6** A person the subject of a sanction imposed under Part 8 of these procedures other than one imposed under clause 8.56, paragraph (e), may, within 28 days of the sanction being imposed, seek a review of the investigator's determination and recommendation by the Division.
- 9.7** A review under clause 9.6 may be sought on the following grounds:
- a) that the investigator has failed to comply with a requirement under these procedures, or
 - b) that the investigator has misinterpreted or misapplied the standards of conduct prescribed under the code of conduct, or
 - c) that the council has failed to comply with a requirement under these procedures in imposing a sanction.

- 9.8** A request for a review made under clause 9.6 must be made in writing and must specify the grounds upon which the person believes the investigator or the council has erred.
- 9.9** The Division may decline to conduct a review, where the grounds upon which the review is sought are not sufficiently specified.
- 9.10** The Division may undertake a review of a matter without receiving a request under clause 9.6.
- 9.11** The Division will undertake a review of the matter on the papers. However, the Division may request that the complaints coordinator provide such further information that the Division considers reasonably necessary for it to review the matter. The complaints coordinator must, as far as is reasonably practicable, provide the information requested by the Division.
- 9.12** Where a person requests a review under clause 9.6, the Division may direct the council to defer any action to implement a sanction. The council must comply with a direction to defer action by the Division.
- 9.13** The Division must notify the person who requested the review and the complaints coordinator of the outcome of the Division's review in writing and the reasons for its decision. In doing so, the Division may comment on any other matters the Division considers to be relevant.
- 9.14** Where the Division considers that the investigator or the council has erred, the Division may recommend that a decision to impose a sanction under these procedures be reviewed.
- 9.15** In the case of a sanction implemented by the general manager or Mayor under clause 8.42, where the Division recommends that the decision to impose a sanction be reviewed:
- a) the complaints coordinator must provide a copy of the Division's determination in relation to the matter to the general manager or the Mayor, and
 - b) the general manager or Mayor must review any action taken by them to implement the sanction, and
 - c) the general manager or Mayor must consider the Division's recommendation in doing so.

9.16 In the case of a sanction imposed by the council by resolution under clause 8.56, where the Division recommends that the decision to impose a sanction be reviewed:

- a) the complaints coordinator must, where practicable, arrange for the Division's determination to be tabled at the next ordinary council meeting unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case it must be tabled at the first ordinary council meeting following the election, and
- b) the council must:
 - i) review its decision to impose the sanction, and
 - ii) consider the Division's recommendation in doing so, and
 - iii) resolve to either rescind or reaffirm its previous resolution in relation to the matter.

9.17 Where having reviewed its previous decision in relation to a matter under clause 9.16 the council resolves to reaffirm its previous decision, the council must state in its resolution its reasons for doing so.

PART 10 PROCEDURAL IRREGULARITIES

- 10.1** A failure to comply with these procedures does not, on its own, constitute a breach of the code of conduct except as may be otherwise specifically provided under the code of conduct.
- 10.2** A failure to comply with these procedures will not render a decision made in relation to a matter invalid where:
- a) the non-compliance is isolated and/or minor in nature, or
 - b) reasonable steps are taken to correct the non-compliance, or
 - c) reasonable steps are taken to address the consequences of the non-compliance.

PART 11 PRACTICE DIRECTIONS

- 11.1** The Division may at any time issue a practice direction in relation to the application of these procedures.
- 11.2** The Division will issue practice directions in writing, by circular to all councils.
- 11.3** All persons performing a function prescribed under these procedures must consider the Division's practice directions when performing the function.

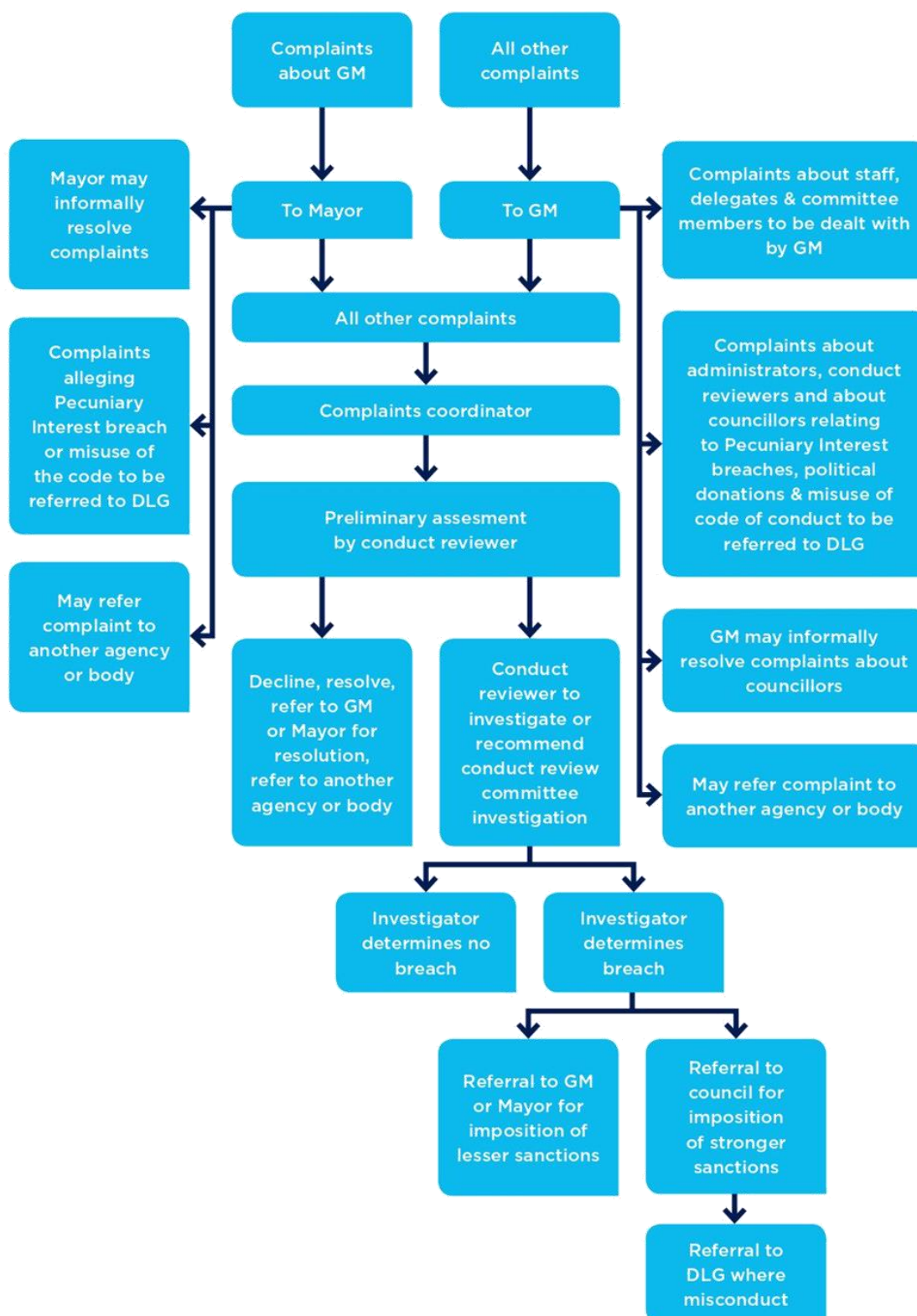
PART 12 REPORTING ON COMPLAINTS STATISTICS

- 12.1** The complaints coordinator must arrange for the following statistics to be reported to the council within 3 months of the end of September of each year:
- a) the total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September,
 - b) the number of code of conduct complaints referred to a conduct reviewer,
 - c) the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage and the outcome of those complaints,
 - d) the number of code of conduct complaints investigated by a conduct reviewer,
 - e) the number of code of conduct complaints investigated by a conduct review committee,
 - f) without identifying particular matters, the outcome of code of conduct complaints investigated by a conduct reviewer or conduct review committee under these procedures,
 - g) the number of matter reviewed by the Division and, without identifying particular matters, the outcome of the reviews, and
 - h) the total cost of dealing with code of conduct complaints made about councillors and the general manager in the year to September, including staff costs.
- 12.2** The council is to provide the Division with a report containing the statistics referred to in clause 12.1 within 3 months of the end of September of each year.

PART 13 CONFIDENTIALITY

- 13.1** Information about code of conduct complaints and the management and investigation of code of conduct complaints is to be treated as confidential and is not to be publicly disclosed except as may be otherwise specifically required or permitted under these procedures.

**MODEL CODE
PROCEDURE
FLOWCHART**





**For more information
on the Division of
Local Government
Code of Conduct
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www.dlg.nsw.gov.au



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