

Minutes of Ordinary Council Meeting held on 26 February 2019**Meeting commenced at 6.35 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 (6.44pm)
John Stamolis	Councillor
Louise Steer	Councillor
Anna York	Councillor
Michael Deegan	Chief Executive Officer
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
Annette Morgan	Group Manager Children and Family Services
Cathy Edwards-Davis	Group Manager Trees, Parks and Streetscapes
Harjeet Atwal	Group Manager Development Assessment and Regulatory Services
Wal Petschler	Group Manager Roads and Stormwater
David Birds	Group Manager Strategic Planning
Jan Orton	Group Manager Environment and Sustainability
Brooke Martin	Group Manager Properties, Major Building Projects and Facilities
Ian Naylor	Manager Civic and Executive Support
Katherine Paixao	Business Paper Coordinator

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

THAT apologies for Cllr Raciti and lateness from Cllr Porteous be accepted.

Motion Carried

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

Against Motion: Nil

DISCLOSURES OF INTERESTS:

Cllr Lockie declared a non-significant, non-pecuniary interest in Item 19 Pill Testing as she is currently working for a client that advocates for drug reform and pill testing.

Motion: (Byrne/Hesse)

That council note the disclosure of interest.

Motion Carried

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

Against Motion: Nil

CONFIRMATION OF MINUTES**Motion: (Da Cruz/Lockie)**

THAT the Minutes of the Council Meetings held on Tuesday, 11 December 2018, Tuesday, 5 February 2019, and Tuesday, 12 February 2019 be confirmed, subject to the following amendments.

- 11 December 2018 - Item 45 - record Clr Kiat voting against the carried motion;
- 11 December 2018 - Item 48 - record Clrs Da Cruz and Porteous voting against the carried motion; and
- 12 February 2019 - Item 24 – record Clr Lockie voting for and Clr Porteous voting against the carried motion.

Motion Carried

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

Against Motion: Nil

Councillor Porteous entered the Meeting at 6:44 pm.

C0219(3) Item 25 Mayoral Minute: Condolences to Dominic Goffredo and family**Motion: (Byrne)**

THAT Council write a letter of condolence to the family of Susan Goffredo, expressing our sadness at her passing and thanking them for her many years of service to Council and the inner west community.

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

C0219(3) Item 26 Mayoral Minute: Thank You to Outgoing General Manager Rik Hart**Motion: (Byrne)**

THAT Council note the contributions of General Manager Mr Rik Hart during a challenging period in the history and formation of the Inner West Council and thank Mr Hart for his guidance and support during the two and a half years he has served as General Manager of Inner West Council.

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

Councillor Passas left the Meeting at 7:13 pm.

C0219(3) Item 27 Mayoral Minute: Globe Wilkins Preschool**Motion: (Byrne)****THAT Council:**

1. **Submit a tender for Globe Wilkins Preschool on the same terms as previously committed to through the EOI process; and**
2. **Write to the relevant Minister and Department Secretary requesting that the tender process not be rushed through for political reasons prior to the State election and seeking clarification about the timeline.**

Motion Carried**For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Porteous, Stamolis, Steer and York**Against Motion:** Nil**Absent:** Cr Passas**C0219(3) Item 28 Mayoral Minute: Lewis Herman Reserve****Motion: (Byrne)****THAT Council:**

1. **Write to the Minister for Roads, Maritime and Freight thanking the State government for agreeing to transfer care, control and management of Lewis Herman Reserve to Council, to allow the creation of a new public park;**
2. **Proceed to report the draft Plan of Management for Lewis Herman Reserve to Council; and**
3. **Prepare a Masterplan for Lewis Herman Reserve, in consultation with the community.**

Motion Carried**For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Porteous, Stamolis, Steer and York**Against Motion:** Nil**Absent:** Cr Passas**Suspension of Standing Orders****Motion: (Byrne/Macri)****THAT Council Suspend Standing Orders to hear from all registered speakers.**

Motion Carried

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

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

Absent: Cr Passas

Foreshadowed Motion (Porteous)

THAT Council Suspend Standing Orders and bring forward all items with registered speakers which are Items 1, 2, 7, 8, 16, 18 and 23.

This Foreshadowed Motion Lapsed.

Councillor Passas returned to the Meeting at 7:20 pm.

Councillor Passas left the Meeting at 7:26 pm.

Councillor York left the Meeting at 7:42 pm.

Councillor York returned to the Meeting at 7:45 pm.

Councillor Passas returned to the Meeting at 7:45 pm.

C0219(3) Item 1 DCP Housekeeping Project

Motion: (Drury/Porteous)

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.**
4. **Noting the importance to the community of each of the proposed topics for amendments to three councils existing DCPs, that the IWC Council put amendments for each topic on exhibition separately. The topics being:**
 - **Site and waste management**
 - **Car parking - calculation and rates for particular uses**
 - **Flood management**
 - **Stormwater management**
 - **Legislative and Administrative updates**
5. **The Councillors be briefed on additional proposed amendments not covered in the previous DCP amendments briefing.**

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**C0219(3) Item 2 Globe Wilkins Preschool****Motion: (Kiat/Byrne)****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.

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

Councillor Macri left the Meeting at 8:17 pm.

Councillor Macri returned to the Meeting at 8:20 pm.

Councillor Passas left the Meeting at 8:21 pm.

Councillor Passas returned to the Meeting at 8:22 pm.

C0219(3) Item 3 Ashfield Aquatic Centre Redevelopment Monthly Project Status Report**Motion: (Drury/Lockie)****THAT:**

1. Council receive and note the monthly status report;
2. Council endorse the template for ongoing monthly reports;
3. A meeting be convened as soon as possible between Councillors and the new CEO of Inner West Council with relevant staff and consultants to provide to Councillors a detailed and complete update on the budget, timeline and status of the redevelopment of Ashfield Pool;
4. Table 1.0 budget - to be revised to show stages of the project actual and expected expenditure, percentage spent and any over runs; and
5. Table 6.0 be revised to show the expected and actual timeline and any over runs.

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

ADJOURNMENT

8.30pm - The Mayor, Cllr Byrne adjourned the meeting for a short recess.

8.40pm – The Mayor, Cllr Byrne resumed the meeting.

C0219(3) Item 4 Reusable Coffee Cups**Motion: (Byrne/Da Cruz)****THAT Council:**

1. **Defer further consideration of the EOI pending further information being provided to councillors including:**
 - **Assessment of the likely impact on take-up of the scheme by customers if the proposed fees (\$4.99 per month) and penalties for lost cups (\$7.99 per month) are adopted;**
 - **Local café owners who might be willing to become advocates for the program (as requested in the original council motion);**
 - **Which local suburb particularly based on interest from business owners, should be targeted (as per the original resolution);**
 - **Identification of which shopping centres, including Marrickville Metro and Ashfield Mall are interested in hosting a reusable coffee cup scheme noting that Marrickville Metro have approached Council expressing such an interest;**
 - **Independent advice about whether Council can choose to fund the pilot scheme through domestic waste funds given the enormous proportion of disposable cups end up in domestic waste.**

Motion Carried**For Motion:** Cllrs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Stamolis, Steer and York**Against Motion:** Nil**C0219(3) Item 5 Weed Management****Motion: (Drury/Passas)****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.

Motion Carried

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

Against Motion: Crs Da Cruz, Kiat, Porteous and Steer

Amendment (Porteous/Da Cruz)**THAT:**

1. The Draft Weed Management Policy be amended to:

- a) Remove Objective 1:

"Demonstrate Council's commitment to ecologically sustainable development and minimising chemical pollution by minimising the use of herbicides weed control and to use alternatives where practicable and feasible. :

- b) Replace Objective 1 with:

That Council demonstrates its commitment to ecologically sustainable development and its commitment to working towards the elimination of chemical pollution of our green spaces and waterways through its policy of non-toxic weed control. Non-toxic weed control to include heat treatment - steam weeding; mechanical treatment - hand removal, mowers and whipper snippers.

2. Council commits to working towards the removal of glyphosate as a chemical product to control weeds within the IWC.

Motion Lost

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

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

Foreshadowed Motion (Steer)

That this item be deferred for a Councillor briefing on the proposed draft Weed Management Policy and the draft Pesticide Notification Plan before being considered by Council.

The Foreshadowed Motion lapsed.

Councillor Drury left the Meeting at 9:05 pm.

C0219(3) Item 6 Significant Major Projects Governance**Motion: (Byrne/Da Cruz)****THAT Council defer consideration of this matter pending an assessment by the newly appointed CEO.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, , Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Stamolis, Steer and York**Against Motion:** Nil**Absent:** Cr Drury

Councillor Drury returned to the Meeting at 9:09 pm.

Councillor Passas left the Meeting at 9:22 pm.

Councillor Passas returned to the Meeting at 9:25 pm.

C0219(3) Item 7 Increase in Court Appeals since Merger**Motion: (Byrne/Macri)****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;
3. The scheduled review of the Development Assessment scheme include input from the CEO as well as consultation with proponents, architects and town planners who deal regularly with Council; and
4. A briefing be provided to Councillors on Development Assessment and appeals.

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**C0219(3) Item 8 Local Traffic Committee Meeting held on 4 December 2018 and 4 February 2019****Motion: (Lockie/Da Cruz)****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, with the following amendment:**

- a) In regards to LTC1218 Item 9 (Lennox St car park upgrade and improvements) of 4 December 2018, the proposed nominal width of non-disabled parking spaces is to be kept at 2.4m rather than increased in size in order to reduce the number of legal parking spaces lost;
- b) Correct typo in Item 7 point 1(f) of 4 December meeting to refer to roundabout at Queen Street (not Church Street);

- c) Amend item 8 point 2 of 4 December meeting as follows "the provision of a pedestrian facility in Croydon Road at its intersection with Church Street to support pedestrian desire line along the southern side of Church Street to Centenary Park be investigated as a matter of urgency for implementation before or with the right hand turning lane in point 1'; and
- d) Amend Item 37 of 4 February Meeting to make provision for two parking spaces for Metro Assist on the Ashfield Mall Roof Top.

Motion Carried

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

Against Motion: Cr Passas

Motion: (Byrne/Macri)

THAT Council move en block Items 9, 11, 12 and 13

Motion Carried

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

Against Motion: Nil

Absent: Cr Passas

C0219(3) Item 9 Decision made Under Delegated Authority During the Council Recess

Motion: (Byrne/Macri)

THAT Council note the decision made under Delegation by the Mayor during the Council Recess.

Motion Carried

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

Against Motion: Nil

Absent: Cr Passas

C0219(3) Item 11 Status of Legal Proceedings

Motion: (Byrne/Macri)

THAT the Report be received and noted.

Motion Carried

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

Against Motion: Nil

Absent: Cr Passas

C0219(3) Item 12 Investment Report as at 31 December 2018**Motion: (Byrne/Macri)****THAT the report be received and noted.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Porteous, Stamolis, Steer and York**Against Motion:** Nil**Absent:** Cr Passas**C0219(3) Item 13 Quarterly Update on Tenders Awarded****Motion: (Byrne/Macri)****THAT information on tenders awarded by the General Manager be received and noted.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Porteous, Stamolis, Steer and York**Against Motion:** Nil**Absent:** Cr Passas**ADJOURNMENT**

9.49pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

9.51pm– The Mayor, Clr Byrne resumed the meeting.

C0219(3) Item 10 National General Assembly of Local Government 2019**Motion: (McKenna OAM/Byrne)****THAT Council:**

- 1. Endorse Councillors Iskander, McKenna OAM, Hesse, Da Cruz and Steer attending the National General Assembly of Local Government 2019; and**
- 2. Receive a report at the first council meeting in March with any motion submitted by a councillor for the conference by the deadline for Notices of Motion in Council's Code of Meeting Practice.**

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**C0219(3) Item 14 Notice of Motion to Rescind: C1016 Item 8 Establishment of Alcohol Free Zones - Ashfield LGA****Motion: (Kiat/Hesse)****THAT Council rescind resolution C1016 Item 8 Establishment of Alcohol Free Zones - Ashfield LGA.**

Motion Lost**For Motion:** Crs Da Cruz, Hesse, Kiat, Lockie, Porteous and Steer**Against Motion:** Crs Byrne, Drury, Iskandar, Macri, McKenna OAM, Passas, Stamolis and York**C0219(3) Item 15 Notice of Motion: Joining The Local Government Mayoral Taskforce For People Seeking Asylum To Advocate Against The SRSS Cuts****Motion: (Da Cruz/Steer)****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 Clr Da Cruz as the Inner West Council contact to the taskforce.**

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

Councillor Iskandar left the Meeting at 10:11 pm.

C0219(3) Item 16 Notice of Motion: Retaining Wall Condition - Corner of Ballast Point Rd and Short St, Birchgrove**Motion: (Stamolis/Porteous)****THAT Councillors receive an email update by April 2019 on this matter.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Stamolis, Steer and York**Against Motion:** Nil**Absent:** Cr Iskandar

Councillor Hesse left the Meeting at 10:15 pm.

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

C0219(3) Item 17 Notice of Motion: Callan Park**Motion: (Stamolis/Porteous)****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.**

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 Hesse

Councillor Hesse returned to the Meeting at 10:18 pm.

C0219(3) Item 18 Notice of Motion: The Cancelling of Classics in Callan Park with no consultation**Motion: (Porteous/Byrne)****THAT:**

- 1. Classics in Callan Park be run during autumn, spring or summer of 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 2019/20 budget.**

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

Clr Lockie declared a non-Significant, non-Pecuniary interest in this matter as she is currently working for a client that advocates for drug reform and pill testing.

C0219(3) Item 19 Notice of Motion: Pill Testing**Motion: (Hesse/Steer)****THAT Council:**

- 1. Supports the holding of a Drug Summit after the NSW state election on 23 March 2019 which will bring together a range of experts and allow all options and possible actions to be addressed. Progressive Drug Reform is likely to come about only when experts are given the opportunity to come together to clearly identify the issues and solutions; 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 and offer adequate treatment and effective rehabilitation and employment .**

Motion Carried**For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, McKenna OAM, Porteous, Stamolis, Steer and York**Against Motion:** Crs Macri and Passas**C0219(3) Item 20 Notice of Motion: St Peters Metro Rail Spoil****Motion: (Hesse/Steer)****THAT Council:**

- 1. Write to the Premier, Leader of the Opposition, and the Sydney Metro calling on them to consider as a matter of urgency transport by rail 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.**

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

C0219(3) Item 21 Notice of Motion: Ashfield Commuter Carpark**Motion: (Passas/Byrne)**

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.

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

Councillor McKenna OAM left the Meeting at 10:38 pm.

Urgency Motion - Dawn Fraser Baths Grant Fund Delegation

Councillor Byrne requested that the meeting consider an Urgency Motion with regards to Dawn Fraser Baths Grant Fund Delegation.

Motion: (Byrne/Passas)**THAT the motion be considered as a matter of urgency.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, Passas, Porteous, Stamolis, Steer and York**Against Motion:** Nil

The Mayor declared this matter was urgent.

Motion: (Byrne/Passas)**THAT Council:**

- 1. Enter into the Greater Sydney Sports Facility Fund Agreement for \$2.2 million for the Dawn Fraser Essential Maintenance Project; and**
- 2. Delegate to the General Manager authority to negotiate and execute the final fund agreement.**

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

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

There were none.

Members of the Public were asked to leave the Chamber.

Motion: (Byrne/Passas)

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

Motion Carried

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

Against Motion: Nil

Absent: Cr McKenna OAM

REPORTS WITH CONFIDENTIAL INFORMATION

C0219(3) Item 23 Public Exhibition of Greenway Draft Concept Design

Motion: (Drury/Passas)

THAT:

1. Council proceeds to acquire 43 Hercules Street, subject to relevant approvals.
2. Council:
 - Delegates all matters relating to the acquisition of 43 Hercules Street to Council's General Counsel and Deputy General Manager Assets and Environment;
 - Writes to the affected Owners advising them of Council's position;
 - Attempt to negotiate an agreement for the acquisition of the property with the affected Owners and their legal representatives; and
 - If the negotiation process fails, to proceed with compulsory acquisition as regulated by the *Land Acquisition (Just Terms Compensation) Act 1991*, pending Ministerial approval.
3. Council proceeds with the relocation of Sydney Trains high voltage aerial feeder into trackside troughs; and
4. A report be presented to Council at the conclusion of the Greenway concept design public exhibition process outlining details of recommended cost saving measures.

Motion Carried

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

Against Motion: Nil

Absent: Cr McKenna OAM

Councillor McKenna OAM returned to the meeting at 10:50 pm.

C0219(3) Item 22 Car Park Sale By Request For Tender - Chester Street Petersham**Motion: (Macri/Iskandar)****THAT Council:**

1. Endorse Option 4 as detailed in the confidential report attachment 1; and
2. Receive a report on the tender assessment recommendation for endorsement.

Motion Lost**For Motion:** Crs Iskandar, Macri, Passas and Stamolis**Against Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, McKenna OAM, Porteous, Steer and York**Foreshadowed Motion (York/Steer)****That this matter be deferred for consideration with the Land and Property Strategy (LAPS).****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, McKenna OAM, Porteous, Steer and York**Against Motion:** Crs Macri, Passas and Stamolis

Councillor Steer left the Meeting at 11:10 pm.

ADJOURNMENT

11.18pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

11.20pm– The Mayor, Clr Byrne resumed the meeting.

C0219(3) Item 24 Code of Conduct Complaint Investigation**Motion (Byrne/Drury)****That Council accept the recommendations of the Conduct Reviewer and include the letter of apology in the minutes of the meeting.****Motion Carried****For Motion:** Crs Byrne, Drury, Hesse, Iskandar, Lockie, Macri, McKenna OAM, Passas, Stamolis and York**Against Motion:** Crs Da Cruz, Kiat and Porteous**Absent:** Cr Steer**Foreshadowed Motion (Passas/Macri)****That Council accept the recommendations of the Conduct Reviewer, censure Councillor Steer for her actions and include the apology in the minutes of the meeting.**

The Foreshadowed Motion lapsed.

Foreshadowed Motion (Kiat/Porteous)

THAT Council note that Cr Steer has made written apologies to the Council and to the complainant, and accept this as adequate resolution of the matter.

Reason: Council believes that the matter has been dealt with adequately in the letters of apology and that this coheres with the intention of the recommendations made in the report.

This Foreshadowed Motion lapsed.

Motion: (Byrne/Stamolis)

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

Motion Carried

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

Against Motion: Nil

Absent: Cr Steer

Meeting closed at 11.36pm.

6 February 2019

Mr Danny

Fitzgerald

CEO

Petersham RSL

Dear Mr Fitzgerald

On 24 July 2018, at an Inner West Council meeting, I made certain comments during the Councillors'

debate on Item 11, Petersham RSL Voluntary Planning Agreement.

I understand that, subsequent to that meeting, you as a member of our community, made a complaint to Inner West Council expressing your concern that my comments may have an adverse effect on the community standing of the directors of Petersham RSL and and potentially had the effect of bringing the Council into disrepute in contravention of Part 3 of the Code of Conduct. That was not my intention. My comments were intended to be of a general nature and were not intended to be directed in any way to the directors of Petersham RSL or Petersham RSL itself.

Notwithstanding my intention, I understand that my comments may have had that unintended effect.

I apologise unreservedly for any adverse meaning to the directors of Petersham RSL arising from my comments and for causing offence to the directors of Petersham RSL. I withdraw the comments I made on 24 July 2018. I respectfully request that you accept my apology, which I make unreservedly.

Yours faithfully



Clr Louise Steer

Damun Stanmore Ward

Inner West Council

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PUBLIC SPEAKERS:

Item #	Speaker	Suburb
Item 27:	Kathryn Greguric Ramona Hewitt Jen Allison	Hurlstone Park Dulwich Hill Hurlstone Park
Item 1:	Rene Holmes	Ashfield
Item 2:	Annalise Pippard Karen Tan	Marrickville Leichhardt
Item 7:	Bruce Threlfo	Rozelle
Item 8:	Rachel Davies	Ashfield
Item 16:	Dulce Carolina Munoz Garcia	Annandale
Item 23:	Jo Blackman	Dulwich Hill