

**Minutes of Ordinary Council Meeting held on 12 March 2019****Meeting commenced at 6.31pm****Present:**

Darcy Byrne	Mayor
Victor Macri	Deputy Mayor
Marghanita Da Cruz	Councillor
Mark Drury	Councillor
Colin Hesse	Councillor
Sam Iskandar	Councillor
Tom Kiat	Councillor
Pauline Lockie	Councillor
Julie Passas	Councillor
Rochelle Porteous	Councillor
Vittoria Raciti	Councillor
John Stamolis	Councillor
Louise Steer	Councillor
Anna York	Councillor
Michael Deegan	Chief Executive Officer
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
David Birds	Group Manager Strategic Planning
Simon Duck	Group Manager Aquatic Services
Nellette Kettle	Group Manager Customer Service, Business Excellence and Civic Governance
Ian Naylor	Manager Civic and Executive Support
Katherine Paixao	Business Paper Coordinator
Darcie Huisman	Business Paper Support Officer

**APOLOGIES: (Byrne/Hesse)**

THAT apologies from Clr McKenna OAM be accepted.

**Motion Carried**

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

**Against Motion:** Nil

**DISCLOSURES OF INTERESTS:**

Nil

**CONFIRMATION OF MINUTES****Motion: (Hesse/York)**

THAT the Minutes of the Council Meeting held on Tuesday, 26 February 2019 be confirmed as a correct record.

**Motion Carried**

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

**Against Motion:** Crs Passas and Stamolis

**C0319(1) Item 10      Mayoral Minute: Michael Carney****Motion: (Byrne)**

**THAT Council commend Michael Carney for his long and distinguished years of service with the SES and wish him the best in his future endeavors.**

**Motion Carried**

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

**Against Motion:**                Nil

The Mayor, Cllr Byrne, made a presentation to Michael Carney to acknowledge his contribution to the Inner West area.

**C0319(1) Item 11      Mayoral Minute: Chamber of Commerce Support****Motion: (Byrne)****THAT:**

- 1. Council note the project between Inner West Council staff and local business chambers to establish a local business database to be owned by the Chambers;**
- 2. Council produce a report on proposals for use of the database to support business development and growth of chamber membership across the Inner West;**
- 3. Chamber representatives be invited to make a joint presentation to Councilors at a briefing session; and**
- 4. Council receive a briefing from the Economic Development Unit.**

**Motion Carried**

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

**Against Motion:**                Cr Hesse

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

**THAT Council Suspend Standing Orders to hear from the registered speakers for Item 1.**

**Motion Carried**

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

**Against Motion:**                Nil

**C0319(1) Item 1      Post Exhibition Report Draft Marrickville Local Environmental Plan 2011 (Amendment No. 17) - Heritage Listing of 73 and 73a the Boulevard, Dulwich Hill****Motion: (Macri/Passas)**

**THAT Council defer this item for a site inspection, with a heritage officer to be in attendance.**

**Motion Lost**

**For Motion:** Crs Byrne, Iskandar, Macri, Passas, Raciti, and Stamolis

**Against Motion:** Crs Da Cruz, Drury, Hesse, Kiat, Lockie, Porteous, Steer and York

**Foreshadowed Motion: (Drury/Porteous)**

**THAT Council**

- 1. Support the amendment to Marrickville Local Environmental Plan (MLEP) 2011 listing 73 The Boulevard and 73A The Boulevard as items of local heritage significance;**
- 2. Forwards the planning proposal to the Department of Planning and Environment and request that it makes arrangements for the publication of MLEP 2011 amendment on the NSW Legislation Website; and**
- 3. Delegate to the Group Manager Strategic Planning the authority to finalise the making of the MLEP 2011 amendment.**

**Motion Carried**

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

**Against Motion:** Crs Byrne, Iskandar, Macri, Passas and Raciti

**C0319(1) Item 2 NSW Government Reduction in Parking Fine Amounts**

**Motion: (Byrne/Porteous)**

**THAT Council defer the decision to be considered as part of the budget process, with additional advice in relation to how Council does and can deal with hardship applications in relation to parking fines.**

**Motion Carried**

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

**Against Motion:** Nil

**Foreshadowed Motion: (Stamolis/Passas)**

**THAT Council elects to 'opt-in' to enact the lower parking fines.**

This Foreshadowed Motion lapsed.

**C0319(1) Item 3 Historic Fee Waivers for Various Swimming and Water Polo Clubs at the Leichhardt Park Aquatic Centre and Dawn Fraser Baths and a Comparison to Club Arrangements at other Aquatic Centres in the LGA**

**Motion: (Passas/Macri)**

**THAT Council move refusal of the Fee Waiver requests.**

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

1. **Note the trial and additional request for use of Leichhardt Park Aquatic Centre between 8.00pm-9.00pm by Balmain UTS Water Polo club for water polo training;**
2. **Note how Pool Hire fees that support local community based Swimming and Water Polo clubs have been managed at Council's other Aquatic Centres;**
3. **Approve the fee waiver applications submitted by regular hirers of the Leichhardt Park Aquatic Centre and Dawn Fraser Baths during 2018 – 2019 only;**
4. **Endorse the approach that specific pool hire fees for Amateur Swimming Clubs and Water Polo Clubs from within the LGA be detailed in the 2019-2020 onwards Fee and Charges rather than granting fee waivers on a case by case basis;**
5. **Give consideration to inclusion in the 2019/2020 Budget of extension of the Concession swim rate to all IWC Aquatic Centres - Dawn Fraser, Ashfield, AKAC and FDAC. This Concession swim rates enables greater equity to pool patronage by allowing patrons of LPAC who hold a Pension Concession Card or a Health Card and children who are listed on their cards to pay a fixed swim rate of \$1; and**
6. **Approach Water Polo NSW to extend MOU across all aquatic centres and enter into further MOUs with Universities.**

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

Councillor Passas retired from the meeting at 7:56 pm.

**C0319(1) Item 4      Half-yearly Progress Report on the Operational Plan 2018/19****Motion: (Stamolis/Drury)****THAT the report be received and noted.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, Porteous, Raciti, Stamolis, Steer and York**Against Motion:** Nil**Absent:** Cr Passas

**C0319(1) Item 5      Model Code of Conduct****Motion: (Drury/Lockie)****THAT Council:**

- 1. Adopt the Code of Conduct and Procedures for the Administration of the Code of Conduct shown as Attachments 1 and 2 with the addition of references to Council's Social Media Policies; and**
- 2. Commence a training program on the new Code of Conduct for all Council Officials.**

**Motion Carried****For Motion:** Crs Byrne, Drury, Iskandar, Lockie, Macri, Raciti, Stamolis and York**Against Motion:** Crs Da Cruz, Hesse, Kiat, Porteous and Steer**Absent:** Cr Passas**Foreshadowed Motion: (Porteous/Kiat)****That Council put the Code of Conduct on Public Exhibition for 28 days.**

This Foreshadowed Motion lapsed.

**C0319(1) Item 6      Notice of Motion: Sustainable Community Buildings****Motion: (Da Cruz/Hesse)****THAT Council:**

- 1. Undertake a review to convert the composting toilet at Whites Creek Cottage to a conventional toilet. If the works can be undertaken within existing budgets complete the conversion as soon as possible. If the works require a capital budget, include the project in the 4 year delivery program; and**
- 2. Review the Sustainability of the White's Creek Cottage and report back on opportunities to improve its financial and environmental sustainability.**

**Motion Carried****For Motion:** Crs Byrne, Da Cruz, Hesse, Iskandar, Kiat, Lockie, Macri, Porteous, Raciti, Stamolis, Steer and York**Against Motion:** Cr Drury**Absent:** Cr Passas**C0319(1) Item 7      Notice of Motion: Birchgrove Oval**

Councillor Stamolis withdrew the Motion.

**C0319(1) Item 8      Notice of Motion: Women in STEM – IWC Traineeship / Work Experience Opportunities****Motion: (York/Porteous)**

**THAT:**

1. Council adopts a “Women in STEM” traineeship and/or work experience program, to offer young women and girls in the Inner West learning and development opportunities in science, technology and engineering; and exposure to senior women STEM leaders working in Council; and
2. That a report be prepared for Council outlining the existing Council traineeship / work experience opportunities that could be part of this program, potential new opportunities that could be included in such a traineeship / work experience program, and recommendations for how this program can be promoted to young women and girls within the Inner West.

**Motion Carried**

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

**Against Motion:** Nil

**Absent:** Cr Passas

**Confidential Session**

The Mayor, Councillor Byrne, asked the Chief Executive Officer if any representations had been received from the public on any of the items Council will be discussing in Closed Session as per the Agenda.

The Chief Executive Officer replied that no representations had been received to talk to the items in Closed Session.

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: (Lockie/Porteous)****THAT Council go into Confidential Session.****Motion Carried**

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

**Against Motion:** Nil

**Absent:** Cr 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:

**C0319(1) Item 9 Annette Kellerman Aquatic Centre and Fanny Durak Aquatic Centre Sites - Section 10A(2)(d)(i) Commercial Information of a Confidential Nature:**

This matter is being considered in Closed session as it relates to commercial information of a confidential nature.

**REPORTS WITH CONFIDENTIAL INFORMATION**

**C0319(1) Item 9      Annette Kellerman Aquatic Centre and Fanny Durak Aquatic Centre Sites**

**Motion: (York/Byrne)**

**THAT Council:**

- 1. Exercises the further 3 year options under the current Service Agreements with Belgravia Leisure for the management and operation of Annette Kellerman Aquatic Centre and Fanny Durack Aquatic Centre until June 2022 subject to Belgravia Leisure and Council entering into a variation of those agreements so as to contractually require Belgravia to implement the Fitness Industry Award in paying its staff and to implement other commitments made by Belgravia Leisure as identified in this report;**
- 2. Commences planning and due diligence on strategic direction and vision for the management and operation of AKAC and FDAC facilities from July 2022 onwards;**
- 3. Ensures, via proper contract management processes, that Belgravia Leisure continues to deliver on its service obligations, particularly with respect to management of customer feedback and centre cleaning and operations;**
- 4. Requires Belgravia Leisure to undertake a summer cleaning contract at Fanny Durack pool to the value of \$18,000 p.a., as a condition of the contract extension;**
- 5. Requires Belgravia Leisure to undertake a weekly 'late laps' session in the summer peak (ie during daylight savings) one night a week at Fanny Durack pool, as a condition of the contract extension;**
- 6. Requires Belgravia Leisure to partner with Council to undertake and respond to a community consultation and/or focus groups with current and former swim school users on possible improvements to the swim school program, and other relevant aquatic centre programming, as a condition of the contract extension;**
- 7. Prepare a report for Council on options for additional shade at Annette Kellerman and Fanny Durack pools, including funding options for these, with a view to:
  - a) At Annette Kellerman - shading the area down the Enmore Rd side of the pool for greater indoor/outdoor space;**
  - b) At Fanny Durack - providing shade over the grassed hill; and****
- 8. Extends the current swim season at Fanny Durack pool to the month of April, recognising the increased visitation at Fanny Durack this year is driven in large part by the closure of Ashfield Aquatic Centre for upgrade works, with the associated cost to be drawn from the General Aquatic Reserves.**

**Motion Carried**

**For Motion:** Crs Byrne, Drury, Iskandar, Lockie, Macri, Raciti, Stamolis and York

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

**Absent:** Cr Passas

**Amendment (York/Byrne)**

**THAT Council extends the current swim season at Fanny Durack pool to the month of April, recognising the increased visitation at Fanny Durack this year is driven in large part by the closure of Ashfield Aquatic Centre for upgrade works, with the associated cost to be drawn from the General Aquatic Reserves.**

**Motion Carried**

**For Motion:** Crs Byrne, Drury, Iskandar, Kiat, Lockie, Porteous, Stamolis, Steer and York

**Against Motion:** Crs Da Cruz, Hesse, Macri and Raciti

**Absent:** Cr Passas

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

**Foreshadowed Motion: (Kiat/Steer)**

**THAT:**

- 1. Council note that reversing the privatisation of the management of FDAC and AKAC would be cost neutral and improve services;**
- 2. Council not exercise the 3 year option on the outsourcing contract with Belgravia for the management of FDAC and AKAC;**
- 3. Council take immediate steps to take over the management of AKAC and FDAC so that there is no disruption to services;**
- 4. The CEO be delegated authority to negotiate a holdover contract with Belgravia if necessary for the transition to bringing AKAC and FDAC in-house, with a maximum term of 12 months. That this renegotiation include consideration of the various amendments to the contract proposed by Clr York; and**
- 5. Council note that there is an estimated \$190,035 in operating savings over three years by bringing the service in house. For costs not identified in this report may be associated with a transition, Council authorises the GM to use \$190,035 of the working funds, with any further proposed additional costs to be reported to the next available Council meeting with funding options identified for these additional costs.**

This Foreshadowed Motion lapsed.

**Motion: (Byrne/Lockie)**

**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, Porteous, Raciti, Stamolis, Steer and York

**Against Motion:** Nil

**Absent:** Cr Passas

Meeting closed at 8.51pm.



**PUBLIC SPEAKERS:**

<b>Item #</b>	<b>Speaker</b>	<b>Suburb</b>
<b>Item 1:</b>	Paul Davies	Balmain
	Soren-Dane Homme	Dulwich Hill

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The Minutes of the Ordinary Meeting of Council held on the 12<sup>th</sup> day of March, 2019 were confirmed as a correct record on this 26<sup>th</sup> day of March, 2019.

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CHAIRPERSON