

**Minutes of Ordinary Council Meeting held on 26 March 2019****Meeting commenced at 6.32pm****Present:**

Darcy Byrne	Mayor
Victor Macri	Deputy Mayor
Marghanita Da Cruz	Councillor
Mark Drury	Councillor
Colin Hesse	Councillor
Sam Iskandar	Councillor
Tom Kiat	Councillor
Pauline Lockie	Councillor
Julie Passas	Councillor (6.35pm)
Rochelle Porteous	Councillor (6.37pm)
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
Nellette Kettle	Group Manager Customer Service, Business Excellence and Civic Governance
Ian Naylor	Manager Civic and Executive Support
Darcie Huisman	Acting Business Paper Coordinator

**APOLOGIES:****Motion: (Byrne/York)****THAT apologies from Clr McKenna OAM be accepted.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, Raciti, Stamolis, Steer and York**Against Motion:** Nil**DISCLOSURES OF INTERESTS:**

Clr Hesse declared a non-significant, non-pecuniary interest in Item 7 – Residents' Association Small Grants Program, as he is a member of the Marrickville Community Peace Group.

**Motion: (Byrne/Macri)****THAT the declaration of interest be noted.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, Raciti, Stamolis, Steer and York**Against Motion:** Nil

Councillor Passas entered the meeting at 6.35pm

**CONFIRMATION OF MINUTES****Motion: (Macri/Stamolis)****THAT the Minutes of the Council Meeting held on Tuesday, 12 March 2019 be confirmed as a correct record.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, Passas, Raciti, Stamolis, Steer and York**Against Motion:** Nil

Councillor Porteous entered the meeting at 6.37pm.

**C0319(2) Item 15      Mayoral Minute: Portuguese Precinct****Motion: (Byrne)****THAT Council:**

- 1. Note the long standing relationship between the Inner West community and the people of Portugal, as outlined in Council's Friendship Agreement;**
- 2. Welcome the proposal by the Consulado Geral to name the precinct as Portuguese Town; and**
- 3. Consult with the local Portuguese and Petersham community and businesses regarding:**
  - An appropriate geographic area for a Portuguese precinct in Petersham**
  - Whether Portuguese Town is an appropriate name for the precinct.**

**Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, Passas, Porteous, Raciti, Stamolis, Steer and York**Against Motion:** Nil**Suspension of Standing Orders****Motion: (Byrne/Passas)****THAT Council Suspend Standing Orders to hear from all registered speakers.****Motion Tied****For Motion:** Crs Byrne, Drury, Iskandar, Macri, Passas, Raciti and York**Against Motion:** Crs Da Cruz, Hesse, Kiat, Lockie, Porteous, Stamolis and SteerThe Chairperson used his Casting Vote for the **MOTION** and the **MOTION** was carried.

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

**THAT Council Suspend Standing Orders to hear from registered speakers and bring forward the items that they speak to.**

The Foreshadowed Motion lapsed.

**C0319(2) Item 1 Draft Development Control Plan and Contributions Plan Amendments for Victoria Road (Precinct 47)**

**Motion: (Byrne/Passas)**

**THAT:**

- 1. Council places on public exhibition, for a period of at least 28 days, the draft amendments to Marrickville Developer Contributions Plan 2014 (Victoria Road Precinct 47 sub - plan) contained in Attachment 3 and to Marrickville Development Control Plan 2011 (Victoria Road Precinct 47) contained in Attachment 4 (which includes changes outlined in Attachment 2) to this Report;**
- 2. A further report be received by Council following public exhibition of the draft Amendments referred to in point 1 seeking Council's decisions whether to adopt these draft amendments to Marrickville Developer Contributions Plan 2014 (Victoria Road Precinct 47 sub - plan) and Marrickville Development Control Plan 2011 (Victoria Road Precinct 47);**
- 3. Note that no liability has been incurred to Council at all through the previous adoption of the DCP and that the previous assessment of the potential cost of public domain works associated with the rezoning have now been revised down by approximately \$35 million; and**
- 4. Call on Councillors who following the adoption of the DCP have made potentially defamatory statements and imputations about other Councillors or who through those comments may have brought the Council into disrepute to withdraw those comments and apologise.**

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

**THAT:**

- 1. Council places on public exhibition, for a period of at least 28 days, the draft amendments to Marrickville Developer Contributions Plan 2014 (Victoria Road Precinct 47 sub - plan) contained in Attachment 3 and to Marrickville Development Control Plan 2011 (Victoria Road Precinct 47) contained in Attachment 4 (which includes changes outlined in Attachment 2) to this Report; and**
- 2. A further report be received by Council following public exhibition of the draft Amendments referred to in point 1 seeking Council's decisions whether to adopt these draft amendments to Marrickville Developer Contributions Plan 2014 (Victoria Road Precinct 47 sub - plan) and Marrickville Development Control Plan 2011 (Victoria Road Precinct 47).**

Councillors Da Cruz, Hesse, Kiat, Lockie, Porteous, Stamolis and Steer left the meeting at 8.09 pm.

### **ADJOURNMENT**

8.10pm - The Mayor, Clr Byrne adjourned the meeting as there was no quorum.

8.15pm – The Mayor adjourned the meeting to 6.30pm on 9 April 2019 as there was no quorum.

The meeting was resumed on 9 April 2019 at 6.35pm

Darcy Byrne	Mayor
Victor Macri	Deputy Mayor
Marghanita Da Cruz	Councillor
Mark Drury	Councillor
Colin Hesse	Councillor
Tom Kiat	Councillor
Pauline Lockie	Councillor
Lucille McKenna OAM	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
Wal Petschler	Group Manager Roads and Stormwater
Jan Orton	Group Manager Environment and Sustainability
Nellette Kettle	Group Manager Customer Service, Business Excellence and Civic Governance
Ian Naylor	Manager Civic Governance
Katherine Paixao	Governance Coordinator

### **DISCLOSURES OF INTERESTS:**

Councillors Hesse and Lockie declared a significant, pecuniary interest in Item 1 as point 4 of the motion is the subject of an unresolved legal matter to which they are a party to and they will leave the chamber during discussion and voting.

Councillor Steer declared a significant, non-pecuniary interest in Item 1 as she has been instructed to give pro-bono legal advice to Clr Hesse.

Councillors Hesse and Lockie left the meeting at 6.38 pm as they declared a significant, pecuniary interest in Item 1 Draft Development Control Plan and Contributions Plan Amendments for Victoria Road (Precinct 47) and left the chamber during discussion and voting.

**C0319(2) Item 1 Draft Development Control Plan and Contributions Plan Amendments  
for Victoria Road (Precinct 47)****Motion: (Byrne/Passas)****THAT:**

- 2. Council places on public exhibition, for a period of at least 28 days, the draft amendments to Marrickville Developer Contributions Plan 2014 (Victoria Road Precinct 47 sub - plan) contained in Attachment 3 and to Marrickville Development Control Plan 2011 (Victoria Road Precinct 47) contained in Attachment 4 (which includes changes outlined in Attachment 2) to this Report;**
- 5. A further report be received by Council following public exhibition of the draft Amendments referred to in point 1 seeking Council's decisions whether to adopt these draft amendments to Marrickville Developer Contributions Plan 2014 (Victoria Road Precinct 47 sub - plan) and Marrickville Development Control Plan 2011 (Victoria Road Precinct 47);**
- 6. Note that no liability has been incurred to Council at all through the previous adoption of the DCP and that the previous assessment of the potential cost of public domain works associated with the rezoning have now been revised down by approximately \$35 million; and**
- 7. Call on Councillors who following the adoption of the DCP have made potentially defamatory statements and imputations about other Councillors or who through those comments may have brought the Council into disrepute to withdraw those comments and apologise.**

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

- 3. Council places on public exhibition, for a period of at least 28 days, the draft amendments to Marrickville Developer Contributions Plan 2014 (Victoria Road Precinct 47 sub - plan) contained in Attachment 3 and to Marrickville Development Control Plan 2011 (Victoria Road Precinct 47) contained in Attachment 4 (which includes changes outlined in Attachment 2) to this Report; and**
- 4. A further report be received by Council following public exhibition of the draft Amendments referred to in point 1 seeking Council's decisions whether to adopt these draft amendments to Marrickville Developer Contributions Plan 2014 (Victoria Road Precinct 47 sub - plan) and Marrickville Development Control Plan 2011 (Victoria Road Precinct 47).**

This Foreshadowed Motion lapsed.

Councillors Hesse and Lockie returned to the meeting at 6.42 pm

**C0319(2) Item 2 Post Exhibition Report – 120C Old Canterbury Road, Summer Hill VPA****Motion: (Macri/Passas)****THAT Council enter into the Voluntary Planning Agreement for 120C Old Canterbury Road Summer Hill provided in ATTACHMENT 1.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Raciti, Stamolis, Steer and York**Against Motion:** Nil**Absent:** Cr Iskandar**C0319(2) Item 3 120C Old Canterbury Road, Summer Hill - Post-Exhibition Report****Motion: (Drury/McKenna OAM)****THAT Council:**

- 1. Amend the Ashfield Local Environmental Plan (LEP) 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;**
- 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;**
- 7. Note the concerns of the neighbouring residents and users of the childcare centre in relation to construction impacts, traffic, parking, over-shadowing and solar access, note that it is constrained in its ability to refuse the planning proposal in its current form on the basis of these concerns, and attempt to address these concerns at the DA stage; and**
- 8. Write to the Minister for Transport to re-emphasise the urgent need for additional light rail services in the area, which are already at capacity during peak times.**

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

**C0319(2) Item 4 Post Exhibition Report - Draft Marrickville Local Environmental Plan 2011 (Amendment No. 4)****Motion: (Macri/Lockie)****THAT Council:**

- 1. Adopt draft Marrickville Local Environmental Plan 2011 (Amendment No. 4), as amended by the recommendations contained in Tables 1, 2 and 3 in Attachment 10 to this report;**
- 2. Forward draft Marrickville Local Environmental Plan 2011 (Amendment No. 4), as amended by Part 1 of this recommendation, to the Department of Planning and Environment seeking final approval and gazettal;**
- 3. Request Roads and Maritime Services to expedite its investigations to determine the future of the SP2 Classified Road reservations that currently apply to land in the Inner West Local Government Area and confirms the land currently identified for acquisition that is no longer required; and**
- 4. Supports the removal of the proposal to zone land in and around Campbell St, St Peters as SP2 Classified Road and the proposals to zone land in James Street, Enmore and parts of 735-751 New Canterbury Road and 2 Kroombit Street, Dulwich Hill as SP2 Local Road.**

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

7.00pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

7.05pm– The Mayor, Clr Byrne resumed the meeting.

Councillor Passas re-entered to the Meeting at 7:07 pm.

**C0319(2) Item 5 Code of Meeting Practice****Motion: (Drury/Byrne)****THAT Council adopt the amended Code of Meeting Practice.****Motion Tied****For Motion:** Crs Byrne, Drury, Macri, McKenna OAM, Passas, Raciti and York**Against Motion:** Crs Da Cruz, Hesse, Kiat, Lockie, Porteous, Stamolis and Steer**Absent:** Cr IskandarThe Chairperson used his Casting Vote for the **MOTION** and the **MOTION** was carried.**Amendment: (Kiat/Hesse)****THAT Council amend the draft Code of Meeting Practice as follows:**

1. **Clause 4.3: delete** (limitation on number of items a person can speak to);
2. **Clause 4.11: delete words “This time limit is to be strictly enforced by the chairperson”.** (time limit for public forum speakers); and
3. **Clause 8.1: Insert after “Items of business by exception”, “Items of business addressed during Public Forum”.** (order of business).

**Motion Tied**

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

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

**Amendment: (Porteous/Steer)****THAT Council:**

1. **Remove the Public Forum and replace with the existing provisions regarding registered speakers; and**
2. **Add the following:**

**Items for which people are registered to speak are brought forward and dealt with before other items on the agenda. Items where there are small children present are prioritised and dealt with before other items.**

**Motion Tied**

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

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

**C0319(2) Item 6 Local Traffic Committee Meeting held on 4 March 2019****Motion: (York/Passas)**

**THAT the Minutes of the Local Traffic Committee Meeting held on 4 March 2019 be received and the recommendations be adopted subject to:**

1. **The Traffic Committee reviewing the decision in Item 10 in six months’ time; and**
2. **In relation to Item 14 the “No Stopping” signage not be installed in the three (3) nominated locations on Easton and Foucart Street Rozelle.**

**Motion Carried**

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

Councillor Hesse left the meeting at 7.20 pm as he declared a non-significant, non-pecuniary interest in Item 7 – Residents' Association Small Grants Program and left the chamber during discussion and voting.



**C0319(2) Item 7 Residents' Association Small Grants Program****Motion: (Porteous/Lockie)****THAT Council**

- 1) **Endorse the eligible applicants for Residents' Association Small Grants; and**
- 2) **Undertake a review of the small grants program, its scope and purpose with a report come back in August 2019.**

**Motion Lost**

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

**Foreshadowed Motion (Byrne/Drury)****THAT Council endorse the eligible applicants for Residents' Association Small Grants.****Motion Carried**

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

Councillor Hesse returned to the Meeting at 7:42 pm.

**C0319(2) Item 8 Investment Report as at 31 January 2019****Motion: (Drury/McKenna OAM)****THAT the report be received and noted.****Motion Carried**

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

**C0319(2) Item 9 Notice of Motion: Review of Aquatic Centre Times****Motion: (Da Cruz/Byrne)****THAT Council note a review of the opening times of swimming pools and other facilities at the Aquatic Centres including extending (or shortening) the season and hours is already underway and a report be brought back to Council.****Motion Carried**

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

Councillor Passas left the Meeting at 7:55 pm.

Councillor Passas returned to the Meeting at 8:01 pm.

**C0319(2) Item 10 Notice of Motion: Westconnex Satellite Imagery and Risk to Inner West Properties****Motion: (Lockie/Porteous)****THAT Council:**

- 1. Notes the recent media reports in relation to satellite imagery taken along the WestConnex M4 East and New M5 routes, which reveals:**
  - a. Ground movements along the routes that significantly exceed the settlement criteria for buildings as contained in the WestConnex Environmental Impact Statements and Approvals;**
  - b. That the satellite images indicate that the ground movement is linked to the timing of tunneling;**
  - c. That the area impacted by ground movement (known as the ‘zone of influence’) is not restricted to the 50m zone currently used in the WestConnex project to determine eligibility for free pre-and post-construction property dilapidation reports, noting the zone of influence appears to be up to 300 metres in some areas.**
- 2. Notes that under the WestConnex Approvals, the Roads and Maritime Authority (RMS) as the proponent of WestConnex is ultimately responsible for the protection of existing structures or rectifying any damage resulting from WestConnex;**
- 3. Notes that RMS has publicly stated that satellite technology could be "a valuable tool" in assessing damage claims, and is considering working with data providers to help review property owners' compensation claims;**
- 4. Calls on the NSW Government to:**
  - a. Make satellite imagery reports to detect ground movement available free of charge and in full to all property owners located within at least 300m of the built and planned WestConnex route to assist with determining cause for property damage; and**
  - b. Given the multiple reports of residents whose claims have been denied, ensure property owners who experience damage linked to WestConnex construction works are fairly compensated for the cost of repair.**
- 5. Writes to the Premier of NSW calling on the NSW Government to ensure the area impacted by ground movement (known as the “zone of influence”) is extended from the current 50 metres to 300 metres across the built and planned WestConnex route and all property owners within this catchment are made eligible for free pre- and post-construction property dilapidation reports.**
- 6. Write to the Premier of NSW calling on the NSW Government to undertake 4a) and 4b) above.**
- 7. a) Request the Mayor on behalf of Council writes to the Minister for Planning seeking a response regarding the numerous breaches of the environmental impact statements (EISs) for WestConnex where the EISs state that ground movements of 1-20mm are usual and within the settlement criteria, but the satellite images are clearly documenting movements far in excess of that**

with some movements between 50 – 60 mm and even up to 100mm or greater. Noting therefore that the premises on which these EISs have been developed is wrong and that SMC and RMT may well be in breach of the conditions of consent for these projects and that the EIS for the Stage 3B may well be invalid; and

- b) **Seek a meeting with the Minister for Planning to pursue this matter further and the Mayor and interested Councillors be invited to attend.**

8. **Also encourage State Government to use satellite imagery across all agencies undertaking infrastructure and other environmental works.**

**Motion Carried**

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

**Against Motion:** Cr Passas

**Absent:** Cr Iskandar

**Suspension of Standing Orders**

**Motion: (Byrne/Passas)**

**THAT Council Suspend Standing Orders to allow members of the public to speak on Item 11.**

**Motion Carried**

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

**Against Motion:** Nil

**Absent:** Cr Iskandar

Councillor Drury left the Meeting at 8:33 pm.

Councillor Drury returned to the Meeting at 8:40 pm.

**C0319(2) Item 11 Notice of Motion: Inner West Council: Community Plebiscite on Merger**

**Motion: (Stamolis)**

**THAT Council:**

- 1. Consider a community plebiscite to be held in 2019 in regard to whether the Inner West Council merger should continue or not. The plebiscite could allow residents to preference a full demerger or a more efficient restructure of the Council (e.g. a split);**
- 2. Given the huge cost of the merger on ratepayers to date, the plebiscite should ask the community if there has been any noticeable improvement in services and service delivery as a result of the merger;**
- 3. Given that State Government have taken no interest, over three years, to see if their merger policy is working in the best interests of the people of the Inner West, Council should seek discussions with the Premier and Minister for Local Government on achieving the best Local Government for the Inner West; and**

4. **Seek full or partial funding from State Government for activities that relate to the plebiscite.**

This Motion lapsed for want of seconder.

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

**THAT Council:**

1. **Notes after almost 3 years of amalgamation of 3 high functioning councils the amalgamation has placed enormous pressure on staff and systems which has impacted on the quality of services delivered by Council and have left the Council with on-going budget deficits;**
2. **Supports the right Councils in NSW to de-amalgamate where the community demonstrates their preference for Council to de-amalgamate;**
3. **Write to the Premier requesting funding from the NSW Electoral Commission to run a plebiscite as to whether residents want to proceed with the amalgamated Council or de-merge and get their former councils back. The result of the referendum to be binding and the reasonable costs of the de-merger process to be met by the state government; and**
4. **Receive a report on mechanisms currently available to council and the community to initiate a de-merger process including the use of a referendum and the use of community petitions under Sections 215 and 218E (2) of the Local Government Act 1993.**

**Motion Tied**

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

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

**Foreshadowed Motion (Byrne/Drury)**

**That Council note that a plebiscite would cost an estimated \$1.1-\$1.3 Million of ratepayers money and would not be binding.**

**Motion Carried**

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

Councillor Passas left the Meeting at 8:50 pm.  
Councillor Passas returned to the Meeting at 8:58 pm.

**C0319(2) Item 12 Notice of Motion: Leases and Service Agreements required to come to Council Meeting****Motion: (Porteous/Hesse)****THAT:**

1. Council notes the awarding of new leases, licences and service agreement contracts and the approvals of extensions of same on council owned properties can be of great importance to the local community and can significantly impact on the council budget and service delivery;
2. Further it is noted that under the current delegations of Inner west Council all leases, licences and agreements are done under delegation and not one is required to come to a full council meeting for determination; and
3. Council undertakes to bring a full report to council on the current delegations of leases, licences and agreements with recommendations on how to ensure that significant leases, licences and agreements on council property are brought to Councillors for consultation and to a council meeting for determination. This report to come to council for consideration at the same time as the post-exhibition report on the Land and Property Strategy.

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

Councillor Raciti retired from the meeting at 8.58 pm.

**C0319(2) Item 13 Notice of Motion: Motion for ALGA National General Assembly****Motion: (Porteous/Hesse)****THAT Council adopt the following motion for submission to the 2019 ALGA National General Assembly.**Motion

1. That ALGA calls on the Federal Government to review the national limit for PM 2.5 in light of the fact that recent scientific evidence finds there is no safe level of PM 2.5.
2. That ALGA calls on the Federal Government to take immediate steps to protect vulnerable people, for example school children from exposure to PM 2.5 air pollution.
3. That ALGA call on the Federal Government to release all reports, submissions and analysis including health studies on all major infrastructure projects in the future and to all current projects under construction.

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

**C0319(2) Item 16      Mayoral Minute: Richard Gill and Make Music Day****Motion: (Byrne)****THAT Council:**

1. **Note great level of interest from the community to hold a music event honoring the late Richard Gill;**
2. **Write to local schools across LGA inviting them to be part of Make Music Day 2019;**
3. **Promote Make Music Day 2019 through Council's communications channels and encourage local organisations and individuals to take part; and**
4. **Incorporate an acoustic music event based in Stanmore into the EDGE Newtown event.**

**Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Macri, McKenna OAM, Porteous, Raciti, Stamolis, Steer and York**Against Motion:** Cr Passas**Absent:** Crs Iskandar and Raciti**C0319(2) Item 17      Mayoral Minute: De-Amalgamation Costs and Risks**

The Mayor, Councillor Byrne withdrew this motion.

**Confidential 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: (Byrne/York)****THAT Council go into confidential session.****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

**That in accordance with Section 10A (2) (d) of the Local Government Act 1993, the following matters be considered in Closed Session of Council for the reasons provided:**

**C0319(2) Item 14 Selection of Recycling Processor - Tender results - South Service Area Marrickville) 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(2) Item 14      Selection of Recycling Processor - Tender results - South Service Area Marrickville)**

**Motion: (Byrne/Drury)**

**THAT Council accept the tender from Polytrade Recycling as the preferred service provider for processing residential commingled recyclables from the South Service Area (Marrickville) until 30 September 2020 (with 1+1+1 year options).**

**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

**Motion: (Byrne/Hesse)**

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

**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

Meeting closed at 9.24 pm.

**PUBLIC SPEAKERS:**

<b>Item #</b>	<b>Speaker</b>	<b>Suburb</b>
<b>Item 2:</b>	James Howieson Shunsuke Mukai	Leichhardt Lewisham
<b>Item 3:</b>	Conrad Johnston Anthony Betros Rick Timperi	Surry Hills Surry Hills Croydon
<b>Item 4:</b>	Ngaire Worboys	St Peters
<b>Item 6:</b>	Casey Mackay Julie Thompson Sean Wallace	Newtown Rozelle Rozelle
<b>Item 10:</b>	Rhea Liebmann Jacqui Goodyer Rosemarie Gates	Marrickville Annandale Leichhardt
<b>Item 11:</b>	Anne Picot Kath Hacking Paul Jeffrey Lawson Levy Elizabeth Levy	St Peters Rozelle Leichhardt Balmain Balmain

The Minutes of the Ordinary Meeting of Council held on the 26<sup>th</sup> day of March, 2019 were confirmed as a correct record on this 30<sup>th</sup> day of April, 2019.

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CHAIRPERSON