

**Minutes of Ordinary Council Meeting 28 May 2019****Meeting commenced at 6.34pm****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 (6.37pm)
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
Nellette Kettle	Group Manager Customer Service, Business Excellence and Civic Governance
Harjeet Atwal	Group Manager Development Assessment and Regulatory Services
Cathy Edwards-Davis	Group Manager Trees, Parks and Streetscapes
Wal Petschler	Group Manager Footpaths, Roads, Traffic and Stormwater
Ian Naylor	Manager Civic Governance

**APOLOGIES:**

Nil.

**DISCLOSURES OF INTERESTS:**

Councillor Lockie declared a non-significant, non-pecuniary conflict of interest in Item 3 – Sydney Eastern City Planning Panel Report: DA201800173: 3-7 & 13-17 Regent Street, 287-309 Trafalgar Street & 16-20 Fisher Street, Petersham, as she is a member of the Petersham RSL Club.

**Motion: (Kiat/Stamolis)**

That the Disclosure of Interest be received and noted.

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

Clr Lockie made a statement about the comments published on her Facebook page.

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

That the Minutes of the Council Meeting held on Tuesday, 14 May 2019 be confirmed as a correct record.

**Motion Carried**

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

**Against Motion:** Nil

**Absent:** Cr Porteous

Clr Porteous entered the Meeting 6.37pm.

**ADJOURNMENT**

6.39pm The Mayor, Clr Byrne adjourned the Meeting for a short recess.

6.41pm The Mayor, resumed the Meeting.

**C0519(2) Item 9 Mayoral Minute: Dogs Off-Leash in Callan Park****Motion: (Byrne)****THAT Council:**

- 1. Write to the State Government requesting reversal of the ban on off-leash dog walking in Callan Park and the commencement of consultation with Council, the community and park users about management of companion animals in Callan Park;**
- 2. Note it has no jurisdiction to enforce the off-leash ban in areas that Council does not control in Callan Park and will not be doing so.**
- 3. Receive a report after discussions with State Agencies about solutions to the problems.**

**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

**C0519(2) Item 10 Mayoral Minute: CEO Performance Review Panel****Motion: (Byrne)**

**THAT Council appoint the Mayor, Cr Darcy Byrne, Cr Rochelle Porteous, Cr Vittoria Raciti, Cr John Stamolis and Cr Anna York to the Chief Executive Officer's Performance Review Panel.**

**Motion Carried**

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

**Against Motion:** Cr Passas

**PUBLIC FORUM**

The registered speakers were asked to address the meeting. The list of speakers are

available on the last page of the minutes.

**C0519(2) Item 1 Increasing Sporting Participation and Capacity through Synthetic Turf Field Development**

**Motion: (Byrne/Passas)**

**THAT Council:**

- 1. Endorse Tempe Reserve as the preferred site for synthetic sports surface upgrade and proceed to community engagement and detailed design in 2018-2019 and construction in Summer 2020-2021;**
- 2. Proceed with concept designs and costings for a synthetic sports surface at Leichhardt Oval #2 suitable for future grant funding applications and community engagement as part of the Draft Plan of Management for Leichhardt Park;**
- 3. Staff review priorities for the other shortlisted sites together with the Recreation Needs Strategy sports field renewal program preparation in 2019-2020; and**
- 4. Continues to explore opportunities for partnerships with schools and private development for synthetic surface recreation facilities provision.**

**Motion Carried**

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

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

**Foreshadowed Motion (Kiat/Porteous)**

**That Council defer the decision pending a report being brought to a Council meeting which addresses the following issues, noting that this information has not yet been provided to Councillors:**

- 1. Competing unfunded priority projects arising from the Recreation Needs Study. Comparative analysis to include initial capital costs, depreciation/renewal and ongoing costs of synthetic turf compared to major competing priority projects that Council will have the opportunity to pursue within the current Delivery Program period.**
- 2. Council's Climate Emergency commitment and other environmental impacts, noting that a review of available scientific evidence by the WA Department of Local Government, Sporting and Cultural Industries indicates that synthetic turf has adverse environmental impacts including on local water systems, biodiversity, soil health, removes carbon sinking capacity and increases carbon emissions compared to natural turf, and end of life disposal.**
- 3. Receive a report on options on increasing the allocation of sports grounds to Women's and Girl's teams.**
- 4. The Feasibility Study be provided to Councillors.**

**The Foreshadowed Motion lapsed.**

Clr Passas retired from the Meeting at 8.17pm  
Clr Iskandar left the Meeting at 8.21pm  
Clr Iskandar returned to the Meeting at 8.27pm

**C0519(2) Item 2 Weed Management Policy****Motion: (Drury/McKenna OAM )****THAT Council:**

1. **Adopts the final Inner West Weed Management Policy and Pesticide Notification Plan;**
2. **Rescind the Weed Control Policy of the former Marrickville Council;**
3. **Rescind the Weed Policy of the former Leichhardt Council;**
4. **Rescind the Noxious Weeds Policy of the former Ashfield Council; and**
5. **Rescind the respective Pesticide Notification Plans of the former Marrickville, Leichhardt and Ashfield Councils.**
6. **Only use glyphosate as a matter of last resort where other methods cannot be applied and spot control of persistent weeds that resist other treatments occur. Any use glyphosate must be done in a way that avoids it running off into stormwater drains and our waterways. The Council will continue to monitor the science regarding Glyphosates and review as needed.**

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

The Chairperson used his Casting Vote and the **MOTION** was **CARRIED**

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

1. **That Council note that the General Secretary of the United Services Union, the industrial body representing Council's staff, has written to Councillors to notify Council that the USU has recently engaged with Safework NSW to further discuss the potential risks of Glyphosate to their workers.**
2. **That Council defer adoption of the new policy until the USU has completed discussions with Safework NSW and advise us of its position.**
3. **That Council note there have been recently published studies from the University of Washington and the University of California, San Diego, that indicate a link between Glyphosate and cancer.**

The Foreshadowed Motion lapsed.

**C0519(2) Item 3 Sydney Eastern City Planning Panel Report: DA201800173: 3-7 & 13-17 Regent Street, 287-309 Trafalgar Street & 16-20 Fisher Street, Petersham**

**Motion: (Byrne/ Macri)**

**That Council make a submission to the City Eastern City Planning Panel in regards to Application 2018ECI013 DA (Petersham RSL redevelopment) stating that:**

**Inner West Councillors believe that some of the proposed conditions with regards to Application 2018ECI013 contradict adopted Council policy positions and objectives including:**

- **The proposal to ban live music within the Club or to limit it to prior to 10:00pm. This proposal is at odds with the adopted Council policy to promote and support live music and to protect the existing use rights of live music venues. The amenity of residents above the club can be protected by requiring the highest standard of noise insulation, allowing live music to continue. Inner West Councillors request that the Panel impose a condition requiring noise insulation that will allow the Club to continue to host live music to the extent it does currently.**
- **The proposed reduction in hours of operation. To impose an entirely unanticipated reduction in operating hours at the final step in the approval process risks making the development financial unviable in a commercial and a risk management sense. Council in support of the night time economy. As such an attempt to reduce the existing hours of use of the club is contradictory to this strongly supported policy position. Inner West Councillors instead call for the highest standards of noise insulation to be required as a condition instead, so that residential amenity can be upheld whilst allowing the Club to operate.**

**Motion Carried**

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

**Against Motion:** Crs Hesse and Steer

**Absent:** Cr Passas

**Amendment (Kiat/Da Cruz)**

**That Council's submission to the Panel include a focus on the opportunity for the RSL development to include at least 15% of the residential development as rent-controlled, secure and affordable housing, prioritising homeless veterans, inviting partnership with Council and/or RSL Life Care or other services targeted at assisting homeless veterans.**

**Motion Lost**

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

**Against Motion:** Crs Byrne, Drury, Iskandar, Macri, McKenna OAM, Raciti, Stamolis and York

**Absent:** Cr Passas

**Amendment (Porteous/Steer)**

**That Council's submission to the Panel convey Council's position that the extended hours of operation should not apply to gambling operations.**

**Motion Tied**

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

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

**C0519(2) Item 4 Draft Impounding Policy and Protocol (Shopping Trolleys)**

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

**THAT Council:**

- 1. Adopt the Impounding Policy (Shopping Trolleys);**
- 2. Rescind the former Ashfield Council Shopping Trolley Policy; and**
- 3. Receive and note the Impounding Protocol (Shopping Trolleys).**
- 4. That in the case of Council being able to identify shops or shopping centres from where trollies are persistently abandoned that the CEO/Mayor convene a meeting with the owners of the owners of the trollies to express community concern and seek commitments to comply.**
- 5. Develop target timeframes for taking the steps listed in the Impounding Protocol, to be published on Council's website and communicated where possible to those reporting abandoned trolleys.**

**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

Clr Kiat left the Meeting at 9.01pm

**C0519(2) Item 5 Local Traffic Committee Meeting held on 6 May 2019**

**Motion: (Macri/Stamolis)**

**THAT the Minutes of the Local Traffic Committee Meeting held on 6 May 2019 be received and the recommendations be adopted.**

**Motion Carried**

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

**C0519(2) Item 6 Investment Report as at 30 April 2019**

**Motion: (Drury/Stamolis)**

**THAT the report be received and noted.**

**Motion Carried**

**For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Lockie, Macri, McKenna

**Against Motion:** OAM, Porteous, Raciti, Stamolis, Steer and York  
**Absent:** Nil  
Crs Kiat and Passas

Clr Kiat returned to the Meeting at 9.03pm

**C0519(2) Item 7 Notice of Motion: Policy for Increased Transparency and Probity for Inner West Council**

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

**THAT Council calls on the CEO to recommend a policy for increased transparency and probity for the IWC. In developing the policy the CEO should:**

- a. **Use the existing disclosure, conflict of interest and requirements of the Local Government Act as a minimum baseline;**
- b. **Assess all recommendations from the NSW Independent Commission Against Corruption and the NSW Auditor General (as they pertain to local government) and the Office of Local Government, that are relevant to improving probity; and**
- c. **Consider establishing a lobbyist register to ensure transparency regarding advocacy on behalf of commercial and corporate interests relating to Council approvals, policy decisions and appointments.**
- d. **Uphold the right of local residents to contact and seek assistance from Councillors in relation to Council business.**
- e. **When establishing the register consideration be given to implementing the provisions of the Lobbying of Government Officials Act 2011 as far as they can be applied to local government.**

**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

**C0519(2) Item 8 Notice of Motion: Good Neighbour Policy**

**Motion: (Byrne/ McKenna OAM)**

**THAT Council expand the Good Neighbour policy to cover the entire Inner West Council local government area, to ensure Council Officers work with licensed venues, live music providers and local residents to find a solution to amenity-related complaints prior to taking any formal regulatory action.**

**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

Meeting closed at 9.15 pm.

**PUBLIC SPEAKERS:**

<b>Item #</b>	<b>Speaker</b>	<b>Suburb</b>
<b>Item 1:</b>	Sharon Laura Ruby Bruce Liza Schaeper Mackenzie Hughes Leonie Sinclair	Haberfield Leichhardt Annandale Leichhardt Marrickville
<b>Item 4:</b>	Anton Jarvis Orlagh Healy	Ashfield Ashfield

The Minutes of the Ordinary Meeting of Council held on the 28<sup>th</sup> day of May, 2019 were confirmed as a correct record on this 11<sup>th</sup> day of June, 2019.

.....  
CHAIRPERSON