

Minutes of Ordinary Council Meeting held on 25 June 2019**Meeting commenced at 6.31pm****Present:**

Darcy Byrne	Mayor
Victor Macri	Deputy Mayor
Marghanita Da Cruz	Councillor
Mark Drury	Councillor
Lucille McKenna OAM	Councillor
Colin Hesse	Councillor
Sam Iskandar	Councillor
Tom Kiat	Councillor
Pauline Lockie	Councillor
Julie Passas	Councillor
Rochelle Porteous	Councillor
Vittoria Raciti	Councillor
John Stamolis	Councillor
Louise Steer	Councillor
Anna York	Councillor
Michael Deegan	Chief Executive Officer
Elizabeth Richardson	Deputy General Manager Assets and Environment
John Warburton	Deputy General Manager Community and Engagement
Nellette Kettle	Group Manager Customer Service, Business Excellence and Civic Governance
David Birds	Group Manager Strategic Planning
Cathy Edwards-Davis	Group Manager Trees, Parks and Streetscapes
Daryl Jackson	Acting Chief Financial Officer
Ian Naylor	Manager Civic Governance

APOLOGIES: Nil**DISCLOSURES OF INTERESTS:**

Councillors Iskandar and Macri declared a non-significant, non-pecuniary conflict of interest in Item 6 - Sydney Eastern City Planning Panel Report: DA201700185: 728-750 Princes Highway, Tempe (Bunnings) as they are members of the Sydney Eastern City Planning Panel.

Motion: (Byrne/Passas)

THAT the Disclosures of Interest be received and noted.

Motion Carried

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

Against Motion: Nil

CONFIRMATION OF MINUTES**Motion: (Passas/Stamolis)**

THAT the Minutes of the Council Meeting held on Tuesday, 11 June 2019 be confirmed as a correct record.

Motion Carried

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

Against Motion: Nil

C0619(2) Item 10 Mayoral Minute: Gas Heating Safety

Motion: (Byrne)

THAT Council promote the safe use of gas heating in homes this winter, with an information page on Council's website which refers to the NSW Fire and Rescue, NSW Health and NSW Fair Trading information, and promotion through Council's Social Media and weekly Inner West Courier page. Information should be specifically promoted to residents from non-English speaking backgrounds.

Motion Carried

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

Against Motion: Nil

C0619(2) Item 11 Mayoral Minute: Thank you to Mr Michael Tzimoulas

Motion: (Byrne)

THAT Council note the contributions of Deputy General Manager, Mr Michael Tzimoulas during a challenging period in the history and formation of the Inner West Council and thank Mr Tzimoulas for his professionalism, expertise and support during the two and a half years he has served as Deputy General Manager and Chief Financial Officer of Inner West Council.

Motion Carried

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

Against Motion: Nil

PUBLIC FORUM

The registered speakers were asked to address the meeting. The list of speakers is available on the last page of these minutes.

Councillors Iskandar and Macri left the Meeting at 7:10 pm.

Councillors Iskandar and Macri returned to the Meeting at 7:15 pm.

C0619(2) Item 1 Adoption of Operational Plan and Budget 2019/20, Fees and Charges 2019/20, Long-Term Financial Plan 2019-29 and Delivery Program 2018-22

Motion: (Byrne/Passas)

THAT Council:

- 1. Adopts the Operational Plan and Budget 2019/20, Fees and Charges 2019/20, Long-Term Financial Plan 2019-29 and amended Delivery Program 2018-22;**
- 2. Make and levy the Rates and Charges for 2019/20 as contained in the Operational Plan in accordance with the *Local Government Act 1993*;**

3. Adopts the Business – Airport rate as the basis for determining equivalent rate payments;
4. Adopts the rate of 7.5% as the interest rate to apply on outstanding rates, in accordance with section 566(3) of the *Local Government Act 1993*;
5. Incorporate a \$10 million savings target into the Budget;
6. Defer the new fees and charges for sporting grounds pending consultation with the relevant peak sporting associations and that those associations be requested to formally submit a position to officers on how fees can best be harmonised, with the matter to be reported back to an August Council meeting. The existing fees system with standard CPI increase remain in place in the interim;
7. Adopt the position of no creation of new positions;
8. Adopt the position of no replacement of positions or appointment of new contractors unless essential as determined by the CEO;
9. Approve all Councillor conferences and workshops;
10. Note the existing requirement for real time reporting on Ashfield Pool costs;
11. Note the imminent reporting of reviews into events and grant programs and give in principle support to a net reduction in expenditure on both;
12. Defer the adoption of proposed new fees and charges listed on pp. 59-67 of the Draft Fees and Charges schedule, pending a review of the eligibility criteria for subsidies and exemptions from charges for indoor venues, rooms and community centres, and other facilities;
13. Include in the 2019/20 Operational Plan for Child and Family Services a ‘Key Action’ of reaching an agreed plan with the State Government for Council’s continued and long-term operation of Globe Wilkins Preschool on the Wilkins Primary School site; and
14. Notes that the high deficit \$18.8m in the 2019/20 budget and the ongoing projections of ongoing deficits in the Long term Financial Plan are unacceptable and must be addressed.

Motion Carried

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

Against Motion: Cr Kiat

Procedural Motion: (Lockie/Steer)

THAT Council vote on points 7 – 11 of the Primary Motion separately.

Motion Lost

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

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

Amendment: (York /McKenna OAM)

That Council defer the adoption of proposed new fees and charges listed on pp. 59-67 of the Draft Fees and Charges schedule, pending a review of the eligibility criteria for subsidies and exemptions from charges for indoor venues, rooms and community centres, and other facilities.

Motion Carried

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

Against Motion: Nil

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

Amendment: (Kiat/Hesse)**Affordable Housing****THAT:**

1. Council note that as of May 2019 it has received \$130,466 net income from its affordable housing stock after expenditure on maintenance, Strata fees, management costs etc., and that:
2. Council establish an affordable housing fund, reserve or trust fund in the next Operational Plan period, incorporating these funds and all future income from its affordable housing stock and any developers' contributions dedicated to affordable housing in the future;
3. The Delivery Program 2018-22 and Operational Plan 2019/20 be amended to include a key initiative and 2019/20 action for the establishment of this fund, reserve or trust fund, its governance arrangements, and a proposed plan of works; and
4. Implementation of a Boarding Houses policy and strategy, in accordance with Council's unanimous resolution of 22 May 2018, be incorporated as a "Key Action" for 2019/20 for the Strategic Planning Team.

Motion Lost

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

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

Amendment: (Kiat/Hesse)

That \$100,000 be included in Environment and Sustainability budget for 2019/20 as a 'revolving fund' for Council to assist with the financing (low- or zero-interest loans repayable to Council) of domestic, community organisation or small business rooftop solar PV investments.

Motion Lost

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

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

Amendment: (Kiat/Hesse)

That the 2019/20 Operational Plan include for Child and Family Services a ‘Key Action’ of reaching an agreed plan with the State Government for Council’s continued and long-term operation of Globe Wilkins Preschool on the Wilkins Primary School site.

Motion Carried

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

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

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

Amendment: (Kiat/Hesse)

That the 2019/20 Operational Plan include for Child and Family Services as a KPI that Council continue to operate all its current child care centres and Globe Wilkins Preschool at below market rates.

Motion Lost

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

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

Amendment: (Kiat/Hesse)

That in applying the changes to aquatic centre entry fees, CPI be applied rounding-down (rather than rounding-up) to the nearest 10c interval, noting the CEO’s memo of 24 May 2019 advises this change would cost only \$4879.20 across LPAC, AKAC and FDAC.

Motion Lost

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

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

Amendment: (Kiat/Hesse)

That fees and charges for the following community services be increased by a maximum of CPI (or lower if a lower increase is already proposed), rounding down to the nearest 10c (or lower if more convenient for the particular service): Community Bus (page 67); Food Services (p 67-68); Social Activities (p 68); Bus and Driver (p 68).

Motion Lost

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

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

Amendment: (Porteous/Steer)

That Council notes that the high deficit \$18.8 in the 2019/20 budget and the ongoing projections of ongoing deficits in the Long term Financial Plan are unacceptable and must be addressed.

Motion Carried

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

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

Amendment: (Porteous/Steer)

THAT Council requires at a minimum monthly budget briefing meetings between the CEO and the new Chief Financial Officer to inform Council on the progress in reducing the deficit.

Motion Lost

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

Amendment: (Porteous/Steer)

THAT Council requires that a report be brought to full council on outlining why the council has been in deficit since being amalgamated and why that deficit has continued to increase instead of returning to surplus as was promised in earlier budget papers.

Motion Lost

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

Amendment: (Porteous/Steer)

That Council requires that the budget process for the 2020/21 budget be initiated in July 2019; that the process is fully transparent with early community engagement and consultation.

Motion Lost

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

Amendment: (Porteous/Steer)

THAT Council requires that at all times all current council services are retained and where possible enhanced.

Motion Lost

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

ADJOURNMENT

8.25pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

8.35pm— The Mayor, Clr Byrne resumed the meeting.

C0619(2) Item 2 Balmain Leagues Club Precinct Development Control Plan Amendment**MOTION: (Byrne/Raciti)****THAT Council:**

1. Adopts the proposed amendments to Part D of Leichhardt Development Control Plan 2000 (DCP 2000) as outlined in Attachment 3;
2. Publicly notifies its decision in the Inner West Courier within 28 days; and
3. Advises those who made submissions and the Secretary of the NSW Department of Planning, Industry and Environment (DPI&E) of Council's decision.

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

1. This matter be deferred for 30 days to allow for further community consultation and a Councillor Briefing; and
2. Council defers the determination of the DCP for the Balmain Leagues Club DCP amendment until Councillors are provided with legal advice regarding the letter received at approx. 5pm on 25/6/19 from Laurus Projects Pty Ltd regarding the offer to release Grand Rozelle's security over Balmain Leagues Club Limited if Council agrees to vote to approve the DCP amendment at tonight's meeting.

The Foreshadowed Motion lapsed.

C0619(2) Item 3 Streetscape Operations - Service Review**Motion: (Passas/Macri)**

1. Adopt a service standard for street sweeping of seven days per week for mainstreets;
2. Retain the existing service standard for street sweeping of a 40 working day cycle for residential streets;
3. Adopt option 4 – extending a full verge mowing service in the former Ashfield LGA and rescind the Mowing of Verges Policy of the former Ashfield Council;
4. Adopt a service standard for verge maintenance of a 20 working day cycle from November to March and a 40 day working cycle from April to October;
5. Develop an Inner West Street Gardens Policy, allowing residents to plant and maintain the verge in front of their property; and
6. Have available an on-call verge maintenance hotspot crew, during each season,

should there be unseasonably warm weather which necessitates additional maintenance.

Motion Carried

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

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

Foreshadowed Motion: (Da Cruz/Kiat)

1. Adopt a service standard for street sweeping of seven days per week for mainstreets;
2. Retain the existing service standard for street sweeping of a 40 working day cycle for residential streets;
3. Council maintains the mowing policy of the former Ashfield Council in relation to Verges in the former Ashfield LGA and;
 - a) Notes the cost of extending the verge mowing service to the old Ashfield LGA would cost \$1.2 million (or \$720,000 if privatised);
 - b) Notes that there has been no community consultation on whether residents in Ashfield wish their rates to be spent in this way; and
 - c) Consults with the community in the old Ashfield LGA on measures to improve street amenity, including options such as verge mowing, garden planting, preventing and addressing illegal dumping, and footpath repairs or upgrades, with a view to spending some or all of the \$1.2 million saved per year by not extending the verge mowing service.
4. Adopt a service standard for verge maintenance of a 20 working day cycle from November to March and a 40 day working cycle from April to October.
5. Council consults with the community on a Verge Maintenance Policy to transition away from council maintained lawn verges to:
 - i) council maintained habitat verges providing where required paths connecting the footpath and kerbs or
 - ii) resident maintained verges including grass lawn and providing where required paths connecting the footpath and kerbs.

The Foreshadowed Motion lapsed.

C0619(2) Item 4 Post Exhibition Report - Amendment to DCPs (Housekeeping)

Motion: (Macri/Iskandar)

THAT Council:

1. Adopt the proposed draft amendments as exhibited and other minor amendments as outlined in Attachments 1, 2 and 3 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. Gives public notice of its decision with 28 days;
 3. Write to those who made submissions and the Secretary of the NSW Department of Planning and Environment advising them of Council's decision;
 4. Include a savings provisions that states the following to each amended DCP:

"If an application has been made before the commencement of the amendment to this DCP in relation to land to which the DCP applies, and the application has not been finally determined before that commencement, the application must be determined as if the DCP had not commenced.

All applications received after the commencement date of an amendment to the DCP are subject to the DCP as amended."
 5. DCP's be amended to include a provision that allows car sharing options within the whole LGA.

Motion Carried

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

Against Motion: Nil

C0619(2) Item 5 Inner West Live Music Grants 2019**Motion (York/Iskandar)****THAT:**

1. Council award grant funding to 18 applicants to the amount of \$150,000 under the 2019 Live Music Grants Program as outlined in Attachment 1; and
2. Noting the previous Council resolution not to proceed with a grants program for individual musicians, that component of the grants program not be endorsed.

Motion Lost

For Motion: Crs Byrne, Drury, Iskandar, Lockie, McKenna OAM and York

Against Motion: Crs Da Cruz, Hesse, Kiat, Macri, Passas, Porteous, Raciti, Stamolis and Steer

Amendment: (Byrne/Drury)

Noting the previous Council resolution not to proceed with a grants program for individual musicians, that component of the grants program not be endorsed.

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

Motion Carried

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

Against Motion: Crs Kiat, Stamolis and Steer

Foreshadowed Motion: (Porteous/Stamolis)

That this matter be deferred until the Guidelines are brought to Council as required in the resolution C1218(1) Item 6.

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

Councillors Iskandar and Macri left the Meeting at 9:49 pm. as they declared a non-significant, non-pecuniary conflict of interest in Item 6.

Councillor Passas left the Meeting at 9:49 pm.

Councillor Iskandar retired from the Meeting at 9:49 pm.

C0619(2) Item 6 Sydney Eastern City Planning Panel Report: DA201700185: 728-750 Princes Highway, Tempe (Bunnings)**Motion: (Byrne/Hesse)**

That Council make a submission to the Sydney Eastern City Planning Panel (SECPP) objecting to the proposal on the following grounds:

- i **The increase in traffic impacts on the local road network ie Union Street, Smith Street, Foreman Street and South Streets with customers seeking alternate routes on exit from the site;**
- ii **The loss of on-street parking along Princes Highway and Smith Street.**

Should the development be supported by the Panel, Council insists a condition be imposed on any consent granted requiring a Local Area Traffic Management study be submitted to Council's satisfaction addressing the works required to be undertaken to combat any adverse traffic impacts as a result of the proposal.

Motion Carried

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

Against Motion: Nil

Absent: Crs Macri, Passas and Iskandar

Councillor Passas returned to the Meeting at 9:52 pm.

C0619(2) Item 7 Investment Report as at 31 May 2019**Motion: (Drury/Stamolis)**

THAT the report be received and noted.

Motion Carried

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

C0619(2) Item 8 Notice of Motion: Re-use of Balmain Pump house

Motion: (Stamolis/Lockie)

THAT Council to prepare a flyer to inform nearby residents of the re-use of the Balmain Pump House.

Motion Carried

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

Councillor Macri returned to the Meeting at 9:54 pm.

C0619(2) Item 9 Notice of Motion: School Pedestrian Crossings: Audit

Motion: (Stamolis/Porteous)

THAT Council to conduct an audit of the quality of pedestrian crossings which are located next to schools without a defined time limit.

Motion Carried

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

Urgency Motion

Cr York raised an urgency motion in relation to Globe Wilkins Pre-School.

Motion: (York/McKenna OAM)

That a motion on Globe Wilkins Pre-School be considered as a matter of urgency.

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

The Mayor declared the matter urgent.

Urgency Motion - Globe Wilkins Pre-School**Motion: (York/McKenna OAM)****THAT Council:**

1. Notes and welcomes this morning's announcement from the NSW Minister for Education, the Hon Sarah Mitchell MLC, regarding the future of Globe Wilkins Pre-school proposing that:
 - the lease of the existing pre-school is extended for two years and
 - Council enter into discussions with the Department with a view to securing a permanent home for the pre-school, on the school grounds;
2. Congratulates the parents and community involved in the Save Globe Wilkins campaign for their dedicated efforts campaigning over the last 12 months to keep the pre-school open;
3. Notes Council's previously unanimously adopted position that the award-winning pre-school should continue to be operated by Council, on the grounds of the school, in partnership with the Department of Education and Wilkins PS;
4. Confirms that the responsible Council Executive/s will attend subsequent meetings with the Department as a matter of urgency, to work through the details of this proposal and ensure the needs of both the pre-school and the primary school are met.

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

Meeting closed at 10:00 pm.

PUBLIC SPEAKERS:

Item #	Speaker	Suburb
Item 1:	Anthony Sachs Michele Hacking Matt Misfud	Marrickville Rozelle Cricket NSW
Item 2:	David Hunt Glenda Sanders Robyn Steele David Eckstein Simon Lumsden	Leichhardt Lilyfield Rozelle Lilyfield Rozelle
Item 4:	Bruce Threlfo	Lewisham
Item 6:	Juliet Barr	Tempe