

Minutes of Ordinary Council Meeting held on 13 August 2019**Meeting commenced at 6.32 pm****Present:**

Darcy Byrne	Mayor
Victor Macri	Deputy Mayor
Marghanita Da Cruz	Councillor
Lucille McKenna OAM	Councillor
Colin Hesse	Councillor
Tom Kiat	Councillor
Pauline Lockie	Councillor
Julie Passas	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
Brooke Martin	Group Manager Properties, Major Building Projects and Facilities
David Birds	Group Manager Strategic Planning
Ian Naylor	Manager Civic Governance
Katherine Paixao	Governance Coordinator

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

THAT apologies from Councillors Drury, Iskandar and Porteous be accepted.

Motion Carried

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

Against Motion: Nil

DISCLOSURES OF INTERESTS:

Councillor Raciti declared a non-significant, non-pecuniary interest in Item 5 Notice of Alteration: To Alter C0518 Item 1 Richard Murden Reserve - Provision of Three Netball Courts - 22 May 2018 as her family lives on Hawthorn Parade.

Councillor Steer declared a non-significant, non-pecuniary interest in Item 20 Mayoral Minute: Tempe Reserve Partnerships as her son attended Newington College 13 Years ago.

Motion: (Byrne/Passas)

THAT the Disclosures of Interest be received and noted.

Motion Carried**For Motion:** Crs Byrne, Da Cruz, Hesse, Kiat, Lockie, Macri, McKenna OAM, Passas, Raciti, Stamolis, Steer and York**Against Motion:** Nil**CONFIRMATION OF MINUTES****Motion: (Stamolis/Byrne)**

THAT the Minutes of the Council Meeting held on Tuesday, 23 July 2019 be confirmed as a correct record.

Motion Carried**For Motion:** Crs Byrne, Da Cruz, Hesse, Kiat, Lockie, Macri, McKenna OAM, Passas, 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.

C0819(1) Item 20 Mayoral Minute: Tempe Reserve Partnerships**Motion: (Byrne)****THAT:**

- 1. Council notes and supports the ongoing discussion with Newington College regarding it's in principle commitment to a possible financial contribution to the upgrade of Tempe Reserve;**
- 2. Council further notes the resolution of 28 May 2019 that Council continue to explore opportunities for partnerships for synthetic surface recreation facilities provision;**
- 3. Results of any further negotiations with all external parties be reported to Council at the conclusion of those negotiations in tandem with the Plan of Management for the Reserve; and**
- 4. The project must result in increased use of the grounds by multiple local sporting clubs including local soccer clubs.**

Motion Carried**For Motion:** Crs Byrne, Lockie, Macri, McKenna OAM, Passas, Raciti, Stamolis, Steer and York**Against Motion:** Crs Da Cruz, Hesse and Kiat**C0819(1) Item 21 Mayoral Minute: Footpaths Surrounding Balmain Hospital****Motion: (Byrne)****THAT:**

- 1. Council prioritise the delivery of funded footpath renewal works adjacent to Balmain Hospital to be completed before the end of this year; and**

2. **Officers engage with Hospital management in the development of the scope of footpath renewal works and pedestrian and traffic safety treatments required to ensure priority areas are addressed.**

Motion Carried

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

Against Motion: Nil

C0819(1) Item 22 Mayoral Minute: Greenway Challenges

Motion: (Byrne)

THAT:

1. **Council write to the relevant Ministers requesting their assistance in obtaining approvals from agencies currently preventing work from going ahead on the completion of the GreenWay and send a copy of these letters to the Member for Summer Hill and Member for Balmain seeking their support;**
2. **Subsequent to landowners consent being obtained for the development application and prior to the application being submitted that the revised concept plans be reported back to an Ordinary Council meeting for review; and**
3. **Council recommit to amendments to the Master Plan incorporated by Councillors at the time of its adoption.**

Motion Carried

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

Against Motion: Nil

C0819(1) Item 1 Public Domain Master Plan for the Dulwich Hill Station Precinct

Motion: (Passas/Kiat)

THAT:

1. **Council adopts the Public Domain Master Plan for the Dulwich Hill Station Precinct (Attachment 1); and**
2. **All residents and stakeholders who made submissions during the public exhibition period be notified of Council's decision; and**
3. **Council express its strong preference that the Masterplan's option to underground the electrical infrastructure to allow for the planting of large trees be pursued.**

Motion Carried

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

Against Motion: Nil

Amendment (Kiat/Hesse)

THAT Council express its strong preference that the Masterplan's option to underground the electrical infrastructure to allow for the planting of large trees be

pursued.

Motion Carried

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

Against Motion: Crs Macri, Passas and Raciti

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

C0819(1) Item 2 Land and Property Strategy

Motion: (Byrne/Passas)

THAT Council:

1. **Endorse the Land and Property Strategy shown as Attachment 1;**
2. **Endorse the Land and Property Policy shown in Attachment 2;**
3. **Rescind the former Policies including Ashfield Council Leasing Policy 2016, Leichhardt Council Leasing Policy 2010, Residential Leasing Policy 2010, Sale of Council Land Policy 2011, Airspace Leases Policy 2012, Marrickville Council Dividing fences Policy 1994, Leasing of Community Facilities Policy 2007;**
4. **Adopt a category of Neighbourhood Centre in the Land and Property Strategy.**
 - a. **Identify the Newtown Neighbourhood Centre and Summer Hill Community Centre as the two organisations currently located in Council properties which are allocated to this category. The definition of Neighbourhood Centre is to include only organisations that provide generalist neighbourhood services and advice, accessed by a wide cross-section of the community and have an existing, longstanding tenancy in Council premises;**
 - b. **Adopt a policy of a 100 per cent accommodation grant to Neighbourhood Centres to cover all rental costs;**
 - c. **Require Neighbourhood Centres to pay the costs outgoings;**
 - d. **Review existing grants to Neighbourhood Centres with a view to increasing the grant to reflect increased costs since the grants were first established; and**
 - e. **Establish formalised quarterly meetings between Council officers and the Board of Neighbourhood Centres to assist in collaboration, joint programing and maintenance of the premises.**
5. **Consult with Newtown Neighbourhood Centre and Summer Hill community Centre on the detail of the Neighbourhood Centre policy, confirm current subleasing and hiring revenue identify services provided and report back to Council urgently;**
6. **Pending the finalisation of the Neighbourhood Centre policy give in principle support to entering into a new lease with each Neighbourhood Centre of a minimum of 5 years; and**

7. Advise and engage with all tenants throughout the implementation of the LAPS, in order to actively support the continuity of essential community services delivered from tenanted properties.

Motion Carried

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

Against Motion: Crs Da Cruz, Hesse and Kiat

Amendment (Macri/Passas)

Amend point 4b to include '(subject to them demonstrating their need for 100 per cent subsidy to benefit the community)'.

Motion Lost

For Motion: Crs Macri, Passas and Raciti

Against Motion: Crs Byrne, Da Cruz, Hesse, Kiat, Lockie, McKenna OAM, Stamolis, Steer and York

Foreshadowed Motion (Kiat/Hesse)

THAT the item be deferred pending a Councillor briefing addressing the community engagement results, how the LAPS will address Council's strategic community objectives as well as its budgetary objectives, and how the accommodation grants will be applied so as not to unfairly disadvantage existing tenants.

This Foreshowed Motion lapsed.

C0819(1) Item 3 Land and Property Strategy Initiatives

Motion: (Hesse/Byrne)

THAT Council defer this item until the Confidential session.

Motion Carried

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

Against Motion: Nil

ADJOURNMENT

7.54pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

8.04pm - The Mayor, Clr Byrne resumed the meeting.

C0819(1) Item 4 Referral Of Draft 30 June 2019 Financial Statements For Audit.

Motion: (Macri/McKenna OAM)

THAT Council refer Council's draft 2018/19 Financial Reports for audit pursuant to S413 of the *Local Government Act 1993*.

Motion Carried

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

Against Motion: Nil

C0819(1) Item 5 Notice of Alteration: To Alter C0518 Item 1 Richard Murden Reserve - Provision of Three Netball Courts - 22 May 2018**Motion: (Passas/Byrne)****THAT:**

- 1. Council install additional fencing to enclose the perimeter of the facility. Funding for the estimated \$25,000 cost of this to be drawn from the \$3.6 Million budgeted for the greenway northern links; and**
- 2. Netball clubs using the facility for evening training be required to lock the courts at the conclusion of training and that council seek to vary the contract for closure and opening of the nearby Richard Murden Reserve toilet block to allow for the netball/basketball courts to be opened each morning and closed on the evenings on which netball training doesn't take place. If necessary, any further budget variation required could be reported back to Council.**

Motion Carried**For Motion:** Crs Byrne, Da Cruz, Hesse, Kiat, Lockie, Macri, McKenna OAM, Passas, Raciti, Stamolis, Steer and York**Against Motion:** Nil**Amendment (Da Cruz/Hesse)****THAT Council install 8 foot high netball hoops for junior players.****Motion Lost****For Motion:** Crs Da Cruz, Hesse, Kiat and Steer**Against Motion:** Crs Byrne, Lockie, Macri, McKenna OAM, Passas, Raciti, Stamolis and York**C0819(1) Item 6 Notice of Motion: Inner West Music Grants 2019****Motion: (Hesse/York)****THAT Council adopts the Inner West Music Grants 2019 recommended by officers deferred from the meeting of the 25 June 2019.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Hesse, Kiat, Lockie, McKenna OAM, Stamolis, Steer and York**Against Motion:** Crs Macri, Passas and Raciti**Amendment (Stamolis)****THAT Council review the smaller grants for LGBTQI for possible inclusion in the grants program.**

The Mayor ruled this amendment out of order.

C0819(1) Item 7 Notice of Motion: Tillman Park Unwins Bridge Road Pedestrian Crossing**Motion: (York/Hesse)****THAT Council:**

- 1. Notes Continued reports of serious accidents and near misses at Tillman Park Unwins Bridge Road crossing;**
- 2. Notes the regular representations made by members of the community and residents local to the area regarding concerns for pedestrian safety at the crossing, in the context of high demand for pedestrian access to Tillman Park and the adjacent childcare centre;**
- 3. Notes the officers' recommendation in response to Item C0819(1) that previous reviews of the crossing have informed the view that a signalised crossing and footpath widening is required to improve pedestrian safety, and maintain pedestrian access to the park and childcare centre;**
- 4. Notes that Council officers have made submissions to RMS for an upgrade, and a submission for 2019 Black Spot grant funding to undertake these pedestrian safety works; and**
- 5. Makes representations from the Mayor to RMS and relevant agencies to advocate for an upgrade and/or Black Spot grant funding to support improved pedestrian safety and safe pedestrian access at this spot.**

Motion Carried**For Motion:** Crs Byrne, Da Cruz, Hesse, Kiat, Lockie, Macri, McKenna OAM, Passas, Raciti, Stamolis, Steer and York**Against Motion:** Nil**C0819(1) Item 8 Notice of Motion: Heritage Conservation Areas: Lilyfield****Motion: (Stamolis/Hesse)****THAT Council:**

- 1. Report back on current progress in regard to possibilities for expanding or creating heritage conservation areas in Lilyfield; and**
- 2. Organise a local meeting of residents to discuss possibilities for expanding or creating heritage conservation areas in Lilyfield.**

Motion Carried**For Motion:** Crs Byrne, Da Cruz, Hesse, Kiat, Lockie, Macri, McKenna OAM, Passas, Raciti, Stamolis, Steer and York**Against Motion:** Nil**C0819(1) Item 9 Notice of Motion: Motions for Local Government NSW Conference****Motion: (Hesse/Byrne)****THAT Council submit the following motions to the 2019 Local Government NSW Conference:**

1. That BASIX be maintained as a minimum standard for assessment in the construction or renovation of buildings, but that each local government area be able to amend the BASIX formula to lift the environmental performance of new buildings or renovations of existing structures where the cost of renovations exceeds \$100, 000;
2. That the NSW Government not allow Councils to re-zone land for which the cost of local infrastructure does receive the full cost of that infrastructure from developer contributions;
3. That Local Government NSW call upon the NSW Government to phase out the use of private certifiers over the next three years and return certification to local government to eliminate the conflict of interest inherent in private certification of development;
4. That Local Government NSW works with the NSW and Federal Government to immediately develop an Australian based recycling industry to ensure the safe re-use or disposal of recycled materials in NSW and Australia; and
5. That Local Government NSW seeks to support core local businesses in shopping strips such as greengrocers, butchers, bakeries, chemists and the like to ensure the viability of independent small retailers and of main street.

Motion Carried

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

Against Motion: Nil

C0819(1) Item 10 Notice of Motion: Staff Commendation for Homelessness Program

Motion: (Byrne/Stamolis)

THAT Council commend officers for their extraordinary work in coordinating Council's homelessness outreach program, and their winning of the Community Partnerships and Collaboration Excellence award from the Local Government Excellence Awards.

Motion Carried

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

Against Motion: Nil

C0819(1) Item 11 Notice of Motion: Soap Box session Prior to Council Meetings

Motion: (Passas/Byrne)

THAT Council to introduce opportunities for the public to speak to Councillors such as soap box forums at Town Hall meetings across the LGA.

Motion Tied

For Motion: Crs Byrne, Macri, McKenna OAM, Passas, Raciti and York

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

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

Foreshadowed Motion (Stamolis/Hesse)

THAT Council investigate options for forums across the LGA and report back to Council in September 2019.

This Foreshadowed Motion lapsed.

ADJOURNMENT

9.09pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

9.18pm– The Mayor, Clr Byrne resumed the meeting

C0819(1) Item 12 Notice of Motion: Staff Positions

Motion: (Passas/Macri)

THAT Council receives a confidential report on the activities of positions of Office of Sport Coordinator, Multicultural officer, Pride Centre Community Projects Officer, WestConnex Community Liaison Officer and Place Manager Greenway.

Motion Lost

For Motion: Crs Macri, Passas, Raciti and Stamolis

Against Motion: Crs Byrne, Da Cruz, Hesse, Kiat, Lockie, McKenna OAM, Steer and York

C0819(1) Item 13 Notice of Motion: Council's Newsletters and Flyers

Motion: (Passas/Raciti)

THAT Councillors' input and suggestions be sought and included in all Council newsletters and that draft copies be made available to Councillors prior to printing and distribution.

Motion Lost

For Motion: Crs Macri, Passas and Raciti

Against Motion: Crs Byrne, Da Cruz, Hesse, Kiat, Lockie, McKenna OAM, Stamolis, Steer and York

C0819(1) Item 14 Notice of Motion: Parking in Front of Children Play Area, Haberfield

Motion: (Passas/Byrne)

THAT Council investigate the provision of 2 Hour restricted parking in the parking spaces immediately in front of the children play area near the Haberfield Light Rail stop.

Motion Carried

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

Against Motion: Nil

C0819(1) Item 15 Notice of Motion: Congratulations to Lucy's Florist

Motion: (Passas/Raciti)

THAT a letter be sent to Lucy's Florist on the well-deserved award and Council publicly congratulate this business on the Council page in the Inner West Courier and

on Council's website.

Motion Carried

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

Against Motion: Nil

C0819(1) Item 16 Notice of Motion: Council's Responsibility to Resident's Amenity

Motion: (Passas/Raciti)

THAT:

1. Council direct the Chief Executive Officer to arrange for the removal of political posters on power poles on a daily basis; and
2. A report be brought back to Council with the view that Council offers our local businesses and services advertising space on Council garbage bins and other appropriate spaces with an acceptable fee which would be a win win for all concerned.

Motion Tied

For Motion: Crs Byrne, Macri, McKenna OAM, Passas, Raciti and York

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

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

C0819(1) Item 17 Notice of Motion: Free Wifi

Motion: (Stamolis/Byrne)

THAT Council:

1. Report back on its free Wifi program including any recent changes and proposed expansion of this program; and
2. Provide some basic usage statistics for those areas which currently have a free Council Wifi service.

Motion Carried

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

Against Motion: Cr Passas

C0819(1) Item 19 Update on Ashfield Pool

Motion: (McKenna OAM/Byrne)

THAT Council receive and note the report.

Motion Carried

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

Against Motion: 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: (Kiat/Byrne)

THAT Council enter into confidential session.

Motion Carried**Motion Carried**

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

Against Motion: Nil

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

C0819(1) Item 3 Land and Property Strategy Initiatives and C0819(1) Item 18 Dawn Fraser Baths Essential Maintenance Project – Head Contractor Tender Recommendation **Section 10A (2) d(i)** commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

REPORTS WITH CONFIDENTIAL INFORMATION**C0819(1) Item 3 Land and Property Strategy Initiatives****Procedural motion (Kiat/Byrne)**

THAT Council deal with each recommendation in the report separately.

Motion Carried

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

Against Motion: Nil

Elliott Street Wharf restaurant**Motion: (Byrne/Stamolis)**

THAT Council endorse the Elliot Street Wharf restaurant initiative including community engagement on the concept and future use, demolition of the existing former restaurant building, construction of a new kiosk and seating area and reclassification of the subject land in Paringa Reserve.

Motion Carried

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

Against Motion: Cr Kiat

Foreshadowed motion (Kiat)

THAT the item be deferred pending Councillor briefing and community consultation.

This Foreshowed Motion lapsed.

Hay Street Car park

Motion: (Byrne/Passas)

THAT Council defer this item for 1 month.

Motion Carried

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

Against Motion: Nil

Councillor Passas retired from the Meeting at 9:55 pm.

ADJOURNMENT

9.55pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

9.57pm– The Mayor, Clr Byrne resumed the meeting.

Chester Street Carpark

Motion: (Macri/Raciti)

THAT Council:

- 1. Endorse the sale of the Chester Street Petersham carpark by public tender including provision of increased car spaces, cash and/or affordable housing and report back to Council on the outcomes of the tender process; and**
- 2. That the EOI includes:**
 - a. a requirement that any future development has net positive benefits to local traffic and parking conditions; and**
 - b. sympathetic design and architectural quality with the character and heritage of the surrounding area, including the adjacent Beynon and Hayward building, in order to enact the sale.**

Motion Carried

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

Against Motion: Crs Da Cruz, Hesse and Kiat

Absent: Cr Passas

Amendment (Kiat/Steer)

THAT the tender/EOI specify that any residential development on the proposed site must include at least 30% affordable housing, with these units to be transferred into

Council's ownership for management in accordance with Council's Affordable Housing Policy.

Motion Lost

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

C0819(1) Item 18 Dawn Fraser Baths Essential Maintenance Project - Head Contractor Tender Recommendation

Motion: (Byrne/Stamolis)

THAT:

- 1. Council endorse the final budget and program for the Dawn Fraser Baths 'Essential Maintenance' Project; and**
- 2. A contract is awarded to Belmadar Pty Ltd for the Dawn Fraser Baths 'Essential Maintenance' Head Contractor works for \$5,165,225 excluding GST.**

Motion Carried

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

Motion: (Byrne/Raciti)

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

Motion Carried

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

Meeting closed at 10.03 pm.

PUBLIC SPEAKERS:

Item #	Speaker	Suburb
Item 20:	Peter Yates	Director Corporate Services Newington College
Item 5:	Liliana Sanacore Analiese Cairis	Haberfield Haberfield
Item 7:	Lisa Sandik	Sydenham
Item 8:	Anne-Therese King Gary Rowley Louise Appel	Lilyfield Lilyfield Lilyfield

The Minutes of the Ordinary Meeting of Council held on the 13th day of August, 2019 were confirmed as a correct record on this 27th day of August, 2019.

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CHAIRPERSON