

**Minutes of Ordinary Council Meeting held on 24 September 2019 at
Ashfield Service Centre****Meeting commenced at 6.31pm****Present:**

Darcy Byrne	Mayor
Vittoria Raciti	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
Victor Macri	Councillor
Julie Passas	Councillor
Rochelle Porteous	Councillor (6.33pm)
John Stamolis	Councillor
Louise Steer	Councillor
Anna York	Councillor
Michael Deegan	Chief Executive Officer
Elizabeth Richardson	Deputy General Manager Assets and Environment
Cathy Edwards-Davis	Director Infrastructure
Gwilym Griffiths	Urban Forest Manager
David Birds	Group Manager Strategic Planning
Ian Naylor	Manager Civic Governance
Katherine Paixao	Governance Coordinator

APOLOGIES: Nil**Request to Video Record Council Meeting**

A request was received from a student to record the Council Meeting as part of their Journalism studies.

Motion: (Byrne/Hesse)**THAT Council allow the Student to record tonight's Council Meeting in accordance with Clause 15.21 of the Code of Meeting Practice.****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**DISCLOSURES OF INTERESTS:** Nil

Councillor Porteous entered the Meeting at 6:33 pm.

St Brigid's Marrickville**Motion: (Macri/Passas)**

THAT Council acknowledge the great work of the Good Samaritan Nuns and thank them for the legacy at St Brigid's Marrickville.

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: (Kiat/Hesse)**

THAT the Minutes of the Extraordinary Council meeting held on Tuesday, 16 July 2019, Council Meeting held on Tuesday, 27 August 2019 and Tuesday, 10 September 2019 be confirmed as a correct record, subject to the following change:

- **That the minutes for the Extraordinary Council Meeting of 10 September 2019 for the election of the Mayor and Deputy Mayor record the voting division for each election, noting that Council resolved unanimously to conduct each election openly by a show of hands.**

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**Motion: (Byrne/Passas)**

THAT Council hear from all registered speakers for Item 10.

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.

ADJOURNMENT

6.55pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

6.59pm– The Mayor, Clr Byrne resumed the meeting.

Motion: (Byrne/Porteous)

THAT Council hear from all registered speakers Item 13.

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

Suspension of Standing Order (Porteous/Hesse)

THAT Council Suspend Standing Orders to deal with Items 3, 5, 10, 13 and 17.

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

Councillor Passas left the Meeting at 7:40 pm.

Councillor Steer left the Meeting at 7:43 pm.

C0919(2) Item 22 Mayoral Minute: Condolence Motion: Dr Peter Reynolds

Motion: (Byrne)

THAT Council write a letter of condolence to Dr Peter Reynolds' family, expressing our sadness on his passing.

Motion Carried

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

Against Motion: Nil

Absent: Crs Passas and Steer

Councillor Steer returned to the meeting at 7.46pm.

C0919(2) Item 1 Mayoral Minute: Acknowledgement of Retiring Long Serving Staff Members

Motion: (Byrne)

THAT Council acknowledge and thank retiring long serving officers, Allan Wilding, Donald Lawler, Peter Clement, Karen Mohan and John Grant who have given many years of service to the former Leichhardt Council and Inner West Council and thank them for their dedication.

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: Crs Passas

Councillor Hesse left the Meeting at 7:51 pm.

Councillor Kiat left the Meeting at 7:51 pm.

Councillor Hesse returned to the Meeting at 7:54 pm.

Councillor Kiat returned to the Meeting at 7:54 pm.

C0919(2) Item 23 Mayoral Minute: Creation of Little Italy Precinct**Motion: (Byrne)****THAT Council:**

1. Note the long standing relationship between the Inner West community and Italo-Australians;
2. Consult with the Italian Consulate General regarding the naming of an Italian precinct in the Inner West;
3. Launch consultation at the Norton Street Italian Festa on Sunday 27 October, with community consultation to be offered on this day; and
4. Consult with the local Italian and Leichhardt community and businesses regarding:
 - An appropriate geographic area for a formal Italian precinct in the Inner West; and
 - An appropriate name for the precinct or precincts.

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

Councillor Passas returned to the Meeting at 8:04 pm.

C0919(2) Item 24 Mayoral Minute: Council Pioneering TCorp Green Investment Product**Motion: (Byrne)****THAT Council note that the Inner West Council's commitment to fossil-fuel divestment has led to the creation of an entirely new Green Term Deposit by TCorp, that lets Council maintain its sustainable investment ethos.****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**ADJOURNMENT**

8.15pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

8.17pm– The Mayor, Clr Byrne resumed the meeting.

C0919(2) Item 25 Mayoral Minute: WestConnex Overpass**Motion: (Byrne)****THAT Council:**

1. Formally object to the NSW Government's modification to Stage 3b M4/5 Link Rozelle Interchange overpass designs being put forward by the NSW Government;
2. Write to the Government restating our objections to the loss of parking and the failure to provide any onsite parking for workers as part of Stage 3 of WestConnex, and seeking funds for the consultation and implementation of a temporary resident parking scheme; and
3. Write to the Government seeking disclosure of all relevant data about traffic impacts on the City West Link, Parramatta Road and adjoining streets following the opening of Stage 1 of WestConnex.

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**C0919(2) Item 26 Mayoral Minute: Henson Park****Motion: (Byrne)****THAT:**

1. Council re-state its support for the partnership with NSW/ACT AFL and the Newtown Jets for the upgrade of Henson Park and seek grant funding from the Greater Sydney Sports Facility funding program for the previously endorsed project, at the earliest opportunity;
2. It is noted that funds have been allocated in the 2020-21 financial year for the renovation of the playing surface; and
3. Any surplus funds allocated to the refurbishment of the playing surface are dedicated to other ground improvements to be undertaken in consultation with the Newtown Jets.

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

Councillor Passas left the Meeting at 8:45 pm.

Councillor Raciti left the Meeting at 8:45 pm.

ADJOURNMENT

8.45pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

8.49pm - The Mayor, Clr Byrne resumed the meeting.

C0919(2) Item 2 Lobbying Policy and Register**Motion: (Drury/McKenna OAM)****THAT Council:**

1. **Adopt the Policy shown as Attachment 1, subject to no adverse submissions being received during the public exhibition process;**
2. **Place the policy on public exhibition for a period of 28 days;**
3. **Be provided with the results of the public exhibition process by Councillor memo;**
4. **Place the draft policy on public exhibition for at least 28 days with the results of the community consultation process to be reported back to the next available Ordinary Council meeting with recommendations accounting for community feedback;**
5. **Have a briefing on the lobbying policy; and**
6. **Investigate real time publishing of meeting diaries of the CEO, Mayor and all Councillors and senior staff.**

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

Councillor Raciti re-entered the Meeting at 8:52 pm.

Councillor Passas re-entered the Meeting at 8:55 pm.

C0919(2) Item 3 Long Term Accommodation Strategy EOI**Motion: (Drury/Macri)****THAT Council:**

1. **Proceeds to undertake an Expressions of Interest (EOI) for Council's long-term accommodation needs as provided in Attachment 1, with the following amendments:**
 - a. **Reword part 1 ("Invitation for Expression of Interest") to make it clear that Council invites submissions not only from "property developers and land owners", but also social enterprises, not-for-profits, community groups, and other types of organisations that may wish to make a proposal to Council for any of the sites listed in the EOI.**
2. **Receive a report on the outcomes of the EOI and proposed next steps, and ensure that the community is fully consulted on any options and draft strategies to consider;**
3. **Commit to retaining public ownership of all Town Halls;**
4. **Include in the EOI Council's resolved commitment to establish a new reuse centre; and**

5. Receive a briefing on the Long Term Accommodation Strategy.**Motion Carried****For Motion:** Crs Byrne, Drury, Iskandar, Lockie, Macri, McKenna OAM, Passas, Raciti, Stamolis and York**Against Motion:** Crs Da Cruz, Hesse, Kiat, Porteous and Steer**Amendment (Porteous/Steer)****THAT Council:****1. Notes that:**

- a. **The development of a Long Term Accommodation Strategy needs to be a public, open, accessible and transparent process;**
- b. **The strategy will plan the future use of community-owned public buildings and as such should be designed to meet the needs of the local community;**
- c. **The priority of the strategy should also be on ensuring the hire use of council buildings is costed at a rate that makes then financially accessibility to most of the community and most not for profit groups. The priority should not be on maximising income for council.**

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

2. **Develops a Community Spaces and Facilities Strategy which identifies all indoor community spaces and facilities within the LGA and undertakes full consultation with the community on the development of a strategy which will identify present and future community needs for community spaces and facilities and the council and community-owned buildings which provide and will provide into the future for these needs.**

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**3. Receive a briefing on the Long Term Accommodation Strategy.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Macri, McKenna OAM, Porteous, Stamolis, Steer and York**Against Motion:** Crs Iskandar, Passas and Raciti

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

Amendment (Hesse/Porteous)**THAT the EOI process does not include Town Halls of the three former Councils.**

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**Suspension of Standing Orders (Kiat/Drury)****THAT Council bring forward Items 13, 10, 16 and 17.****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

Councillor Kiat left the Meeting at 9:42 pm.

Councillor Kiat returned to the Meeting at 9:44 pm.

ADJOURNMENT

10.05pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

10.09pm– The Mayor, Clr Byrne resumed the meeting.

ADJOURNMENT

10.16pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

10.22pm– The Mayor, Clr Byrne resumed the meeting.

**C0919(2) Item 13 Notice of Motion to Rescind: C0819(2) Item 1 Tree Management
DCP 27 August 2019****Motion: (Steer/Hesse)****THAT Council's resolution of 27 August 2019, C0819(2) Item 1 Tree Management DCP
be rescinded.****Motion Lost****For Motion:** Crs Da Cruz, Hesse, Kiat, Lockie, Porteous and Steer**Against Motion:** Crs Byrne, Drury, Iskandar, Macri, McKenna OAM, Passas, Raciti, Stamolis and York

Councillor Passas retired from the Meeting at 10.53pm

Motion: (Porteous/Lockie)**THAT the meeting be extended for 15 minutes.****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**ADJOURNMENT**

11.00pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

11.04pm– The Mayor, Clr Byrne resumed the meeting.

Councillor Raciti retired from the Meeting at 11:07 pm.

C0919(2) Item 10 Tree DCP Amendment

Motion: (McKenna OAM/Stamolís)

THAT:

1. The following changes be made to the Trees DCP:
 - a. The permit application assessment criteria include that a tree growing within two (2) metres of a dwelling house or garage measured horizontally from the closest point of the trunk at one (1) metre from ground level to the closest point of the vertical alignment of the building structure's wall. The issued permit will identify the type of any replacement tree required with a preference for advanced species. As a condition of the permit, verification of the planting of any replacement tree is also required;
 - b. Remove Kaffir Plum, Bunya Bunya Pine, Norfolk Island Pine and Hoop Pine from the Weeds List;
 - c. Ensure that the list of 'Exempt Weeds' require the approval by Council by a 'Minor Works Request' prior to removal (to facilitate the replacement of the canopy by requiring a replacement tree be planted);
 - d. Include Clause 2.20.6.3 "Criteria not considered" from the original exhibited Tree DCP;
 - e. The issued tree permit will require the replacement tree where possible with a preference for advanced species; and
 - f. That "Weeds Species" where they exceed a height of 10 metres require a permit for removal.
2. The Tree DCP Amendment be placed on public exhibition; and
3. Council's directive that two trees be replaced or a fee paid when one is removed from a property is onerous and legal advice sought.

Motion Carried

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

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

Absent: Crs Passas and Raciti

Amendment (Passas/Raciti)

THAT where Council has refused a tree removal that has been found and verified by a practicing arborist is causing damage to residents and neighbouring properties, that Council cover all the costs the damage has caused.

The Mayor ruled this motion out of order as the motion did not identify a source of funds as required by Clause 5.1(1) of the Code of Meeting Practice.

Foreshadowed Motion (Kiat/Da Cruz)

That Council amend the Tree DCP to reflect the policy reported to Council on 27 August 2019, as exhibited to the community, with the inclusion of additional provisions with respect to CEO review mechanism.

This Foreshadowed Motion lapsed.

C0919(2) Item 16 Notice of Motion: A plan to increase tree canopy in Marrickville Ward

Motion: (Stamolis/McKenna OAM)

THAT Council:

1. Prepare a draft plan to prioritise tree canopy growth in Marrickville Ward (the biggest ward in the Inner West Council) which has the smallest proportion of tree canopy of all wards. Specific focus should be on three suburbs in the Marrickville Ward (Sydenham, St Peters and Tempe) which have very low tree canopy coverage (10% or less); and
2. Report the draft plan back to Council in early 2020.

Motion Carried

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

Against Motion: Nil

Absent: Crs Passas and Raciti

Councillor Macri retired from the Meeting at 11:14 pm.

C0919(2) Item 17 Notice of Motion: Increasing Tree Canopy

Motion: (McKenna/York)

THAT Council:

1. Develop a plan to work with the community to substantially increase the Tree canopy in the Inner West LGA including specific targets for plantings and green infrastructure by suburb, to be reported in advance of the adoption of the 2020/21 Budget to allow for funding allocation;
2. Consider increasing the budget for tree planting from \$600,000 to \$1,200,000 in the 2020/21 Budget and future budgets, to be considered as part of the upcoming Budget process;
3. Create a new category of award for tree canopy expansion, to acknowledge residents who have collaborated to expand canopy in their streets. This award could be included in either annual built environment or environment awards;
4. Develop a report on a dial-a-tree program that would allow residents request a tree from Council free of charge. The report should include costings and the capacity of Council's nurseries to provide saplings. The report should be tabled to an ordinary Council meeting within three months;

5. Review and expand the Heritage Tree List or create a Significant Tree List;
6. Develop a Tree List indicating trees suitable for planting close enough to living spaces to provide shade and cooling and which have less invasive root systems;
7. Provide a tree advice phone service to be promoted through Council communications channels, noting that this is not a substitute for inspections for applications;
8. Seek advice on how to achieve wherever underground power cables in medium and large scale developments to allow for major tree plantings;
9. Report on what compliance investigations or auditing has been conducted on large scale developments regarding their adherence to landscape plans and tree planting required as conditions of consent;
10. Develop a work plan for priority planting in streets with insufficient canopy and reported concurrently with the current audit of trees on public land;
11. Recognising the great benefits in heat reduction, amenity and property values where tree canopy meets in the middle of streets, Council identify streets, where substantial street trees could be planted to have the canopy meet in the middle;
12. Review all underutilised parks and other public spaces to identify priority locations for the creation of urban forests to be reported with the audit of trees on public land; and
13. Develop options to increase volunteerism amongst local residents to assist with the care and maintenance of street trees and seek the support of the community to water and care for new street tree plantings.

Motion Carried

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

Against Motion: Nil

Absent: Crs Macri, Passas and Raciti

Meeting closed at 11.18pm

The following Items will be considered at the Ordinary Council Meeting on 8 October 2019; Item 4, 5, 6, 7, 8, 9, 11, 12, 14, 15, 18, 19, 20 and 21.

PUBLIC SPEAKERS:

Item #	Speaker	Suburb
Item 3:	Guido Verbist	Marrickville (The Bower)
Item 5:	Scott Barwick	Surry Hills (SJB Planning)
Item 10:	Gareth Jolly	Balmain
	AJ Duncanson	Leichhardt
	David Singh	Summer Hill
	Dr. Hima Vedam	Summer Hill
	Wendy Nash	Ashfield
	Robert Mayer	Stanmore
	Rene Holmes	Ashfield
Item 13:	Gareth Jolly	Balmain
	Sara Arthur	Ashfield
	David Singh	Summer Hill
	Dr. Hima Vedam	Summer Hill
	Patrick Medley	Birchgrove
	Dr M Josephine Lusk	Annandale
	Jeff Angel	Marrickville
	Liz Locksley	Dulwich Hill
	AJ Duncanson	Leichardt
	Rene Holmes	Ashfield
Item 17:	Rene Holmes	Ashfield

The Minutes of the Ordinary Meeting of Council held on the 24th day of September, 2019 were confirmed as a correct record on this 8th day of October, 2019.

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CHAIRPERSON