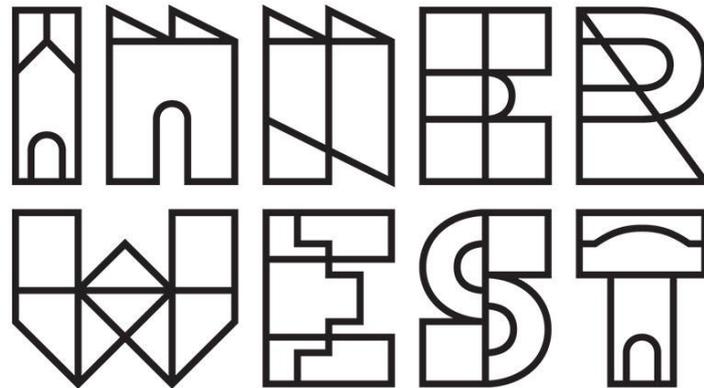


AGENDA



COUNCIL MEETING

TUESDAY 21 APRIL 2020

6.30pm

In the spirit of open, accessible and transparent government, this meeting of the Inner West Council is being streamed live on Council's website. Any part of this meeting that is held in closed session will not be recorded.

Location: Remote meeting

PRECIS

1	Acknowledgement of Country		
2	Apologies		
3	Notice of Webcasting		
4	Disclosures of Interest (Section 451 of the Local Government Act and Council’s Code of Conduct)		
5	Moment of Quiet Contemplation		
6	Confirmation of Minutes	Page	
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7	Condolence Motions		
	Nil at the time of printing.		
8	Mayoral Minutes		
	Nil at the time of printing.		
9	Reports with Strategic Implications		
	Nil at the time of printing.		
10	Reports for Council Decision		
	Nil at the time of printing.		
11	Reports for Noting		
	Nil at the time of printing.		
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14 Questions From Councillors

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Minutes of Ordinary Council Meeting held on 10 March 2020 at Ashfield Service Centre

Meeting commenced at 6.30pm

Present:

Darcy Byrne	Mayor
Vittoria Raciti	Deputy Mayor
Marghanita Da Cruz	Councillor
Lucille McKenna OAM	Councillor
Colin Hesse	Councillor
Sam Iskandar	Councillor
Pauline Lockie	Councillor
Victor Macri	Councillor
Julie Passas	Councillor
Rochelle Porteous	Councillor (6.36pm)
John Stamolis	Councillor
Louise Steer	Councillor
Anna York	Councillor
Michael Deegan	Chief Executive Officer
Elizabeth Richardson	Chief Operating Officer, Director Development and Recreation
Cathy Edwards-Davis	Director Infrastructure
Harin Perera	Chief Information Officer
Sasha Sutarov	ICT Infrastructure Manager
Ian Naylor	Manager Governance
Katherine Paixao	Governance Coordinator

APOLOGIES:

Motion: (Hesse/Steer)

THAT apologies from Councillors Drury and Kiat be accepted.

Motion Carried

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

Against Motion: Nil

DISCLOSURES OF INTERESTS:

Clr Steer declared a non-significant, non-pecuniary in item 8 as her husband works for Optus.

Motion: (Hesse/Raciti)

THAT Council note the Disclosure of Interest.

Motion Carried

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

Against Motion: Nil

CONFIRMATION OF MINUTES

Motion: (Hesse/York)

THAT the Minutes of the Council Meeting held on Tuesday, 25 February 2020 and Extraordinary Council Meeting held on Tuesday, 3 March 2020 be confirmed.

Motion Carried

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

Against Motion: Cr Passas

Councillor Porteous entered the Meeting at 6:36 pm.

C0320(2) Item 12 Mayoral Minute: International Day for the Elimination of Racial Discrimination

Motion: (Byrne)

THAT Council:

1. **Recognises the 21 March as the International Day for the Elimination of Racial Discrimination and commits to observing it annually;**
2. **Supports the Inner West March and Festival for the Elimination of Racial Discrimination on 21 March and encourages Inner West residents to attend; and**
3. **Supports calls for a new federally funded national anti-racism campaign.**

Motion Carried

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

Against Motion: Cr Passas

C0320(2) Item 1 Amendment to Leichhardt Development Control Plan clarifying car share provisions

Motion: (McKenna OAM/York)

THAT Council approves exhibition of an amendment to the Leichhardt Development Control Plan 2013 that removes clause C25(c) which currently provides that one car share space can be provided in lieu of five car spaces and the comments from GoGet be reviewed during the exhibition period.

Motion Carried

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

Against Motion: Nil

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: (Byrne/McKenna OAM)

THAT Council enter into Confidential session.

Motion Carried

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

Against Motion: Nil

That in accordance with Section 10A(1) of the Local Government Act 1993, the following matters be considered in Closed Session of Council for the reasons provided:

C0320(2) Item 7 Cooks River Parklands - HJ Mahoney Reserve – Tender

Recommendation (Section 10A(2)(c) of the Local Government Act 1993) that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business; and commercial information of a confidential nature (Section 10A(2)(d)(ii) of the Local Government Act 1993) that would, if disclosed confer a commercial advantage on a competitor of the Council.

C0320(2) Item 8 RFQ 51-19 WAN, Internet and associated Services (Section 10A(2)(d)(ii) of the Local Government Act 1993) that would, if disclosed confer a commercial advantage on a competitor of the Council.

C0320(2) Item 9 SSROC Tender for Clean up processing (Section 10A(2)(d)(i) of the Local Government Act 1993) that would, if disclosed prejudice the commercial position of the person who supplied it; and commercial information of a confidential nature (Section 10A(2)(d)(ii) of the Local Government Act 1993) that would, if disclosed confer a commercial advantage on a competitor of the council; and commercial information of a confidential nature (Section 10A(2)(d)(iii) of the Local Government Act 1993) that would, if disclosed reveal a trade secret. (Commercial in confidence information)

C0320(2) Item 10 Lease to Transport for NSW - Land in Camdenville Park and Campbell Street St Peters (Section 10A(2)(d)(i) of the Local Government Act 1993) that would, if disclosed prejudice the commercial position of the person who supplied it; and commercial information of a confidential nature (Section 10A(2)(d)(ii) of the Local Government Act 1993) that would, if disclosed confer a commercial advantage on a competitor of the council; and commercial information of a confidential nature (Section 10A(2)(d)(iii) of the Local Government Act 1993) that would, if disclosed reveal a trade secret.

Motion: (Byrne/McKenna OAM)

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

Motion Carried

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

Against Motion: Nil

REPORTS WITH CONFIDENTIAL INFORMATION

C0320(2) Item 7 Cooks River Parklands - HJ Mahoney Reserve - Tender Recommendation

Motion: (Byrne/McKenna OAM)

THAT:

1. Council enters into a Contract with Regal Innovations Pty Ltd for the lump sum amount of \$1,819,078.26 including GST; and
2. The Chief Executive Officer be delegated the authority to sign the contract.

Motion Carried

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

Against Motion: Nil

C0320(2) Item 8 RFQ 51-19 WAN, Internet and associated Services

Motion: (Da Cruz/Passas)

THAT:

1. Council accept the tender from Optus Networks Pty Ltd, limited for a total contract value not to exceed \$2.85 million (including GST) over three years;
2. The Chief Executive Officer (CEO) be delegated the authority to sign the contract;
3. Council approve the review and extension of contract for two years at the end of initial three-year period;
4. Council delegate the authority to approve extension of contract for further two years to the CEO; and
5. Council note the prices will be included in the confidential report.

Motion Carried

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

Against Motion: Nil

C0320(2) Item 9 SSROC Tender for Clean up processing

Motion: (Byrne/McKenna OAM)

THAT:

1. Council accepts the tender from Bingo-Industries for the receipt and processing of Clean Up material with an approximate contract value of \$1,681,250 +GST per year.; and
2. The Chief Executive Officer be delegated the authority to sign the contract.

Motion Carried

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

Against Motion: Crs Da Cruz and Passas

Foreshadowed Motion (Da Cruz/Passas)

THAT this item be deferred pending the Councillor Briefing next week.

This Foreshadowed Motion lapsed.

C0320(2) Item 10 Lease to Transport for NSW - Land in Camdenville Park and Campbell Street St Peters

Motion: (Passas/McKenna OAM)

THAT Council approves the proposed short-term construction leases to Transport for NSW for the rental amounts specified in the report and delegate authority to the CEO to finalise the terms of the section 30 agreement and execute the section 30 agreement and leases.

Motion Carried

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

Against Motion: Cr Porteous

C0320(2) Item 2 Notice of Motion to Rescind: C0718 Item 5 Delegations to the General Manager - Contracts

Motion: (Stamolis/Passas)

THAT Council rescind C0718 Item 5 Delegations to the General Manager – Contracts.

Motion Lost

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

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

Councillor Passas left the Meeting at 7:39 pm.

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

C0320(2) Item 3 Notice of Motion: Transition of Council’s Fleet

Motion: (Da Cruz/Byrne)

THAT Council:

1. **Note the receipt of a petition of over 100 signatures reflecting community support for the transition of the Council fleet to electric vehicles and receive an update on the Fleet Transition Plan in early 2020;**
2. **Write to the Federal Government to look at exemption electric vehicles from luxury tax;**
3. **Write to the state government proposing a period of 5 years registration free as an incentive to help people change over; and**
4. **Consider as part of the budget providing electric vehicles with free parking in metered zones.**

Motion Carried

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

Against Motion: Nil

Amendment (Macri/Byrne)

THAT Council:

1. **Write to the Federal Government to look at exemption electric vehicles from luxury tax;**
2. **Write to the state government proposing a period of 5 years registration free as an incentive to help people change over; and**
3. **Consider as part of the budget providing electric vehicles with free parking in metered zones.**

Motion Carried

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

Against Motion: Cr Da Cruz

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

C0320(2) Item 4 Notice of Motion: Council's Electricity and Heating Costs (Large Increases)

Motion: (Stamolis/Passas)

THAT Council receive a report back at the first April Ordinary Council meeting, on the doubling of its electricity and heating costs since the merger.

Motion Carried

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

Against Motion: Cr McKenna OAM

C0320(2) Item 5 Notice of Motion: Stanmore and Camdenville OOSH Services

Motion: (York/Steer)

THAT Council:

1. **Note that tenders were awarded in February 2020 for the OOSH services at Stanmore and Camdenville Public Schools – both previously provided in long-running and well-established services by Inner West Council;**
2. **Note that an alternative private provider was awarded these contracts, and that Inner West Council will no longer be providing OOSH services at these schools after the current contracts have been completed;**
3. **Write to the NSW Minister for Education and Early Childhood Learning:**
 - a) **seeking a comprehensive debrief of Council staff of the tender process and outcome for both schools;**
 - b) **noting concerns parents have raised with the tender process and outcome,**
 - c) **seeking a response as a matter of urgency to residents' concerns; and**
 - d) **seeking confirmation of the order and timing of any further tender processes for Council-run OOSH services in the Inner West LGA.**
4. **Seek a meeting with the Network of Community Activities to learn from the experience of other Councils and related organisations also being required to tender for existing OOSH services, with a view to understanding how to position Council's highly regarded, high quality OOSH services successfully in future decisions about preferred providers at the school or Departmental level; and**
5. **The outcome of the meeting and requirements be reported back to Councillors.**

Motion Carried

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

Against Motion: Nil

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: (Byrne/McKenna OAM)

THAT Council enter into Confidential session.

Motion Carried

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

Against Motion: Nil

C0320(2) Item 11 Code of Conduct Complaint Investigation contains alleged contraventions of any code of conduct requirements applicable under section 440.

Motion: (McKenna OAM/York)

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

Motion Carried

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

Against Motion: Nil

Absent: Crs Byrne and Lockie

REPORT WITH CONFIDENTIAL INFORMATION

Councillor Lockie retired from the Meeting at 8:07 pm.

Councillor Byrne retired from the Meeting at 8:09 pm.

The Deputy Mayor, Clr Raciti assumed the chair.

C0320(2) Item 11 Code of Conduct Complaint Investigation

Motion (York/Passas)

THAT Council publish the finding and recommendations of the conduct reviewer's report in the minutes of this meeting.

Motion Carried

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

Against Motion: Nil

Absent: Crs Byrne and Lockie

Motion (York/Passas)

THAT Council make minor amendments to the Social Media Policy for Councillors as recommended in the final investigation report.

Motion Lost

For Motion: Crs Iskandar, Macri, McKenna OAM, Raciti and York

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

Absent: Crs Byrne and Lockie

Meeting closed at 8.28pm.

Findings and Recommendation for the Code of Conduct Report Item 11.

Respondent: Councillor Darcy Byrne
Complainant: Councillor Pauline Lockie

6 Findings

This section of the report sets out the findings in respect of each potential breach of the Code. These findings are based on the considerations set out in section 4 of this report.

Finding 1

That the Respondent was carrying out a *'function'* for the purposes of the Local Government Act 1993 and Council's Code of Conduct in relation to his posts concerning the apology issued to him by the Complainant.

Finding 2

That the Respondent breached the provisions of Council's Social Media Policy for Councillors in that he made comments about another Councillor which a reasonable person would consider humiliating, and which included aligning motives of personal advancement to the Complainant and accusing her of being unprofessional, disrespectful and having bad manners.

Finding 3

That the Respondent breached clause 3.1(a) of the Code of Conduct, in that his social media posts and comments relating to an apology made to him by the Complainant was conduct which was likely to bring Council and a council officer (the Complainant) into disrepute.

Finding 4

That the Respondent breached the provisions of clause 3.1(b) of the of the Code of Conduct by failing to appropriately manage comments made to his posts and which was contrary to his obligations under the Council's Social Media Policy for Councillors.

Finding 5

That the Respondent breached clause 3.2 of the Code of Conduct (Section 439 of the Local Government Act 1993), in that he did not apply a reasonable degree of care and diligence, in ensuring his comments on his social media platforms complied with his obligations under the Council's Code of Conduct and Social Media Policy for Councillors.

Finding 6

That the Respondent breached clause 3.2 of the Code of Conduct (Section 439 of the Local Government Act 1993) in that he did not apply a reasonable degree of care and diligence, in ensuring the removal of material from his social media accounts which did not comply with his obligations under the Code of Conduct and Social Media Policy for Councillors.

Recommendations

The following recommendations have been amended to comply with the judgement of the Supreme Court, and advice of the OLG in that regard.

6.1 Recommendations – Code of Conduct

The following recommendation has been made, having considered the options available following the Supreme Court’s judgement in *Cornish v Secretary, Department of Planning, Industry & Environment* [2019] NSWSC 1134 & the subsequent issue of an advising on that judgement by the Office of Local Government through Circular 19-25/2. The judgement has restricted the remedies available under clause 7.59 of the Procedures for the Administration of the Model Code of Conduct to those relating to censure (Clause 7.59(h) and reporting of the conduct to the Office for consideration under the misconduct provisions of the LGA1993 (Clause 7.59(i). It was determined that the conduct did not rise to the level of seriousness to warrant that action. However, the judgement and subsequent advice of the OLG provides that it is still open to Council to make the findings of this report public under the provisions of clause 7.59(f) of the Procedures. Accordingly, and having considered particularly the public nature of the conduct, it is recommended that Council make the conduct public under clause 7.59(f) of the Procedures.

Recommendation 1

That the findings and determinations set out in this report are published in the minutes of the meeting at which Council considers this matter and as provided for under clause 7.59(f) of the Procedures for the Administration of the Model Code of Conduct.

6.2 Recommendations – Matters Arising

The judgement of the Supreme Court in *Cornish v Secretary, Department of Planning, Industry & Environment* [2019] NSWSC 1134, did not affect the ability of Council to amend any policy arising out of a Code of Conduct Investigation. It is strongly recommended that Council revise its Social Media Policy for Councillors, and other related instruments if considered appropriate following this investigation and recent Court judgements. It is recommended that:

- The Policy is currently written more as a guideline than a Policy. It is recommended that to ensure Councillor obligations are clear that Council considers amending the Policy to include clear ‘must’ and ‘must not’ do requirements.
- That the relationship between a Councillor’s functions and use of social media are more clearly defined, and particularly where social media is used to promote Council functions and/or the work and activities of Councillors outside of Council’s administration. It is suggested that this might be achieved through a memorandum to Councillors, or through ongoing training provisions. Emphasis should be made in respect of the obligation of Councillors to administer comments on their social media accounts and to remove material which might bring them into conflict with the provisions of the Act, the

Code and other instruments such as the Defamation Act 2005. Similarly, emphasis should be placed on the correlation between Social Media accounts (not administered by Council) used by Councillors to inform the community of activities and initiatives but which at the same time comply with the requirements of Council's Policy and consider the risk of litigation under instruments such as the Defamation Act 2005.

Minutes of Extraordinary Council Meeting held on 7 April 2020 held remotely.

Meeting commenced at 6.32PM

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 (6.43pm)
Tom Kiat	Councillor
Pauline Lockie	Councillor
Victor Macri	Councillor
Julie Passas	Councillor
Rochelle Porteous	Councillor
John Stamolis	Councillor
Louise Steer	Councillor
Anna York	Councillor
Michael Deegan	Chief Executive Officer
Elizabeth Richardson	Chief Operating Officer, Director Development and Recreation
Ian Naylor	Manager Governance
Katherine Paixao	Governance Coordinator

APOLOGIES: Nil

DISCLOSURES OF INTERESTS: Nil

Clr Iskandar entered the meeting at 6.43pm
 Clr Passas left the meeting at 7.00pm
 Clr Passas returned to the Meeting at 7.43pm
 Clr Passas retired from the Meeting at 8:04 pm.

C0420(1) Item 1 Mayoral Minute: Actions to Address Community Concerns around COVID-19

Motion: (Byrne)

THAT Council:

1. Expresses great gratitude and thanks to the citizens of the Inner West, the officers of Inner West Council and all of the health and emergency services personnel who have dedicated themselves to saving lives and protecting public health during this crisis.
 - a) Officially convey the thanks of all Councillors to Council officers for their professionalism and commitment in responding to the crisis and protecting our community.

2. Notes the detailed contingency planning that has been completed and enacted by Council officers since the onset of the crisis, and the commitment to maintenance of frontline services.
 - a) Note the actions of the Incident Management Team (See Attachment 1) and

convey the thanks of all Councillors to members of the IMT for their professionalism and commitment in responding to the crisis and protecting our community; and

- b) Officially convey the thanks of all Councillors to the officers of NSW Health, NSW Police and members of all the other agencies who have collaborated with the IMT on a daily basis, which has been vital in responding to the crisis and protecting our community.
3. Request the CEO prepares a report on the budgetary impacts of the crisis and a preliminary plan for amendments to regulations, fees and rates as well as economic recovery in the Inner West to be tabled at the April 28 Ordinary meeting (noting that this report may need to be tabled late and can be provided to Councillors any time up to and including April 26). The report should include updates and recommendations on the following:
- a) The impact on Council's revenue and expenditure, including the additional expenditures identified through this resolution;
 - b) The process for preparing and adopting the upcoming Budget, including the potential for deferral of the Budget;
 - c) Any identified adverse budget impacts from relief measures adopted by the State or Federal Governments, where strong advocacy from Council is required to represent the needs of local government and local services (e.g. childcare);
 - d) A review of the hardship policy for business and residential rates and recommendations on how they need to be amended to meet the current circumstances;
 - e) A review of rental and evictions policy for tenants of Council properties with an immediate deferral of rental payments for affected businesses and organisations until this report is tabled and a new policy adopted;
 - f) Consideration of how public car parking could be made free for the healthcare workers in line with the request from the Health Services Union;
 - g) Sporting clubs not be charged fees for sporting fields and facilities that are closed and unable to be used during this crisis;
 - h) Establishing an Inner West Recovery Taskforce, to be chaired by the CEO and including local business leaders from a variety of sectors and community organisations, to plan and coordinate the economic recovery of the Inner West as well as maximise the local effect and delivery of State and Federal relief and stimulus measures;
 - i) Practical assistance for local businesses seeking to reopen in coming months to be informed by consultations with local Chambers of Commerce and local businesses on what assistance from Council would be useful, within the fiscal and budgetary constraints, as a result of the crisis;
 - j) An outline of how infrastructure renewal works to improve footpaths, curb and guttering, roads, parks and recreation facilities can be brought forward and expedited. Consideration should also be given to how this program could be expanded should Federal and State funds be made available for

local stimulus;

- k) How existing grants programs could be expanded and redeployed to support local organisations in responding to the crisis;
 - l) The extension of the delivery and acquittal timeframes for approved grant recipients to complete funded projects. Where necessary, the nature of the projects themselves might need to be amended;
 - m) A regional approach to recovery of creative industries be developed in partnership with the City of Sydney and other major metropolitan Councils. An initial teleconference with leaders of the Inner West Arts and Cultural sectors, including Council's advisory committee be convened by the Mayor to gain their input into immediate priorities, with the outcomes to be tabled as part of the report to Council; and
 - n) Consideration of reallocation of funding for EDGE and other arts grant programs to support the recovery of the arts sector.
4. Thank NSW Health, the NSW Police and other critical service providers for their collaboration in responding to the crisis and commits to further depending these partnerships to address ongoing challenges.
- a) Notes the anticipated exacerbation of a range of health and safety issues as a result of the crisis and the requirement of isolation including drug and alcohol abuse, domestic and family violence, and mental ill-health.
5. Thank the local NGOs and charities working to provide outreach services to older people and vulnerable citizens and that the Mayor writes to them requesting their partnership in coordinating our efforts to address food security, outreach services and volunteer mobilisation.
- a) Notes the regular information sharing teleconferences and collaboration between the Mayor and the Inner West's NGO and charities sector;
 - b) Notes the advice received from the local charitable and not-for-profit sectors that food insecurity is rapidly emerging as a challenge for their existing clients, as well as low income families, pensioners and many casual workers who have lost their jobs;
 - c) Allocates \$250,000 as an initial investment in establishing a large-scale volunteer coordination service in the Inner West, aimed at mobilising the community to help alleviate hunger and isolation. The program would be auspiced by local NGOs, including but not limited to Addison Road Community Centre, the Exodus Foundation, Newtown Neighbourhood Centre, Inner West Neighbour Aid, Rozelle Neighbourhood Centre, St Vinnies Rozelle and the Asylum Seekers Centre. Following consultation with the sector, a report with the details of the plan and confirmation of the auspicing organisations be tabled at the April 28 Council meeting; and
 - d) Notes and accepts the offer from the Play for Lives campaign to partner with the Inner West to pilot their national campaign here with the goal of mobilising sports club members to volunteer to assist local NGOs and charities (See Attachment 2).

6. **Thank Council’s Early Childhood Educators for their professionalism and commitment in responding to the crisis and:**
 - a) **Makes urgent representations to the Federal and State Governments noting the assessment of the United Services Union and Local Government NSW (LGNSW) that under the new funding arrangements announced last week Council-run early childhood education services are not properly funded and are at risk of being unviable;**
 - b) **Reiterates Council’s commitment to our high-quality Council-run children’s and family services, and the staff, and notes that families accessing these services should have equal access to childcare services, fee relief and enrollment options as that of families enrolled in privately-run centres;**
 - c) **Receive an update, to be tabled at the April 28 Council meeting, including any additional information received on childcare funding; and**
 - d) **Convenes regular information sharing teleconferences and collaboration between Council and Inner West childcare providers.**

7. **Notes the vital importance of communication with the community and between community members during the crisis, recognises Council’s leadership role in facilitating this, and undertakes the following actions immediately:**
 - a) **Makes Inner West Council’s social media channels available, upon request, to not-for-profit community organisations and local service providers to promote resources, services, donations and volunteerism in response to the crisis;**
 - b) **The Mayor to write to all residents explaining the ways that Council can assist them during the crisis and include information about local resources that are available to them, this should be done through letterboxing rather than direct mail. A “Hi Neighbour” postcard based on that already distributed by City of Canada Bay Council and other Councils (See Attachment 3) should be included in the distribution;**
 - c) **Recognise the need for information to be made accessible in community languages and liaise with Multicultural NSW and local ethnic community organisations to make sure that Council’s communication of health and other messages are accessible to all;**
 - d) **Note the cancellation of the paper edition of the Inner West Courier by News Corp Australia;**
 - e) **Write to the NSW Government seeking clarification about how Council’s statutory notification requirements can be carried out as there is no longer a local newspaper to advertise in;**
 - f) **Discontinue all existing advertising with the Inner West Courier and reallocate those budgeted funds to resource Council’s ongoing communication with the community during the crisis in the first instance and to communications generally in subsequent budgets;**
 - g) **Allocate \$20,000 to social media expenditure to promote critical information and public health messages through the crisis;**

- h) Collaborate with Australia at Home (See Attachment 4), the Media Entertainment and Arts Alliance, community radio and other relevant bodies on a partnership to utilise new methods of communication to ensure our Inner West community is informed and connected during the crisis, with a report on the potential partnership to be tabled at the April 28 Council meeting;
 - i) Liaise with the local RSLs about ways to conduct ANZAC Day commemorations with the population in isolation;
 - j) Condemn in the strongest terms the hurtful and racist remarks and actions targeted at people of Asian descent amid the Covid-19 outbreak; and
 - k) Express our deepest sympathies and condolences to all nations, particularly those who have suffered a significant number of deaths during the pandemic.
8. Aims to be an employer of best practice in dealing with the crisis, recognising that Council officers are our most important asset and are in need of support. To this end, a report to be prepared for the April 28 Council meeting addressing the following:
- a) Support for casual staff, and how to achieve the goal of maintaining existing staff levels;
 - b) Redeployment of staff whose work has been reduced or disrupted to other useful roles particularly combatting social isolation and supporting community organisations;
 - c) Expansion of the Employee Assistance program to address any emerging mental health and other needs of staff; and
 - d) How the successful collaboration between the Executive and the United Services Union and other industrial organisations can be further strengthened to aid Council's response to the crisis.
9. Recognises that the closure of libraries and recreation facilities has greatly impacted on the local community, particularly vulnerable populations, and seeks to ameliorate this through the migration of services online:
- a) Seek to make library programming, recreation, arts and other relevant sections accessible online and through virtual methods with the specific aim of combating social isolation particularly among older residents, parents and children, people with a disability and people from culturally and linguistically diverse communities. A report on the implementation of this to be prepared for the April 28 Ordinary meeting.
10. The Mayor write immediately to relevant Federal and State Government Ministers and agencies to advocate on the following critical issues that have emerged:
- a) The need for the JobKeeper payment or other subsidy to be extended to Council employees in business areas affected by the crisis, including childcare and aquatics;
 - b) The need for a local government stimulus strategy with Federal and State investment and incentives for all local governments to bring forward

infrastructure renewal works to generate employment in local communities;

- c) The need to expedite state government requirement of Council in relation to procurement and approval of work so that infra schedules can be brought forward. And to review existing Loan mechanism, so that infrastructure schedules can be brought forward;
- d) The need for intervention by the NSW Government to provide certainty and protection to residential and commercial tenants;
- e) The need for local parks to remain open, accessible and usable for everyone, particularly in the context of our local government area where many people are only able to access open space outside their home. It is outside the remit of Council rangers to enforce physical distancing directives; and
- f) The need for immediate investment of funding for the NGO and charitable sectors to enable them to meet increased demand for food aid and outreach services.

11. Maintain the adopted schedule of Council meetings and briefings with the following adjustments:

- a) The April 14 Council meeting should be deferred to April 21 and dedicated to motions of notice from Councillors;
- b) For the duration of the crisis, business pertaining to Council's response and essential services will be prioritised and completed at Council meetings prior to motions on notice being considered;
- c) Tuesday evenings on weeks without a Council meeting be allocated to briefing sessions;
- d) A draft forward plan of reports from Council officers be tabled at the first Ordinary Council meeting in May for adoption; and
- e) The schedule of meetings to be reviewed at the end of June.

12. Write to the Premier expressing great concern about the even greater impacts on Inner West residents and business from Westconnex and Western Harbour Tunnel construction works during the crisis and insisting on an immediate briefing for Councillors from the Projects Managers to discuss mitigation; and

13. Inner West Council to contact local government bodies (ALGA, LGNSW and SSROC) to identify any areas for cooperation and collaboration.

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 8.35pm.

Item No: C0420(2) Item 1
Subject: NOTICE OF MOTION TO RESCIND C0618 ITEM 5 BRANDING - 26 JUNE 2018
From: Councillor John Stamolis

MOTION:

The abovementioned Councillor, hereby submit a Notice of Motion to rescind Council’s resolution of **C0618 Item 5 Branding**, and propose the alternative Motion be adopted as follows:

THAT given overwhelming community opposition to the new Council logo that Council delay any further rollout of the new logo and commence investigations into how Council can revert back to the previous logo.

Background

Council resolved the following on 26 June 2018:

C0618 Item 5 Branding

Motion: (McKenna OAM/York)

THAT Council:

1. **Adopt option 1 in the report with as much of the project as possible being managed in house;**
2. **Support the establishment of a panel of nine people (membership to include nominated Councillors and the Mayor, Council officers and relevant community members identified collaboratively by those Councillors and Council officers) to determine selection criteria and briefing for the expressions of interest and final decision making criteria, and oversee the broad engagement strategy to involve the community in decision-making for the final visual identity;**
3. **Commence rollout of the new brand/logo across the local government area once the above steps have been completed;**
4. **Consider asking the community to design our logo;**
5. **Consider inviting prominent members of the community be on the decision panel or full Council;**
6. **Consider putting alternative options for logos on Councils website for a community vote;**
7. **Consider asking its community if it would like to continue with the name ‘Inner West Council’ or choose from other options; and**
8. **Consider that the winning designer receive \$20,000 and the top ten designers receive \$1000 each.**

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

There has been overwhelming community opposition to the new Council logo. Polls conducted by ABC show 60% opposition, local Facebook sites show anywhere from 70% to 90% opposition.

Councillors have expressed their concern about the new logo while 6 Councillors didn't want to process to create a new logo to commence.

ATTACHMENTS

Nil.

Item No: C0420(2) Item 2
Subject: NOTICE OF MOTION: COUNCIL TO CONSIDER HOLDING AUSTRALIA DAY EVENT
From: Councillor John Stamolis

MOTION:

THAT Council:

- 1. Receive a report on options (including funding) to create an Australia Day event within the Inner West that reflects the values of Council and the community; and**
- 2. Work with aboriginal peak groups to develop these options.**

Background

In late 2019 Council resolved that it would not hold an Australia Day event in the Inner West and that it would encourage residents to attend the Yabun Festival in the City of Sydney. Council held a citizenship ceremony on Australia Day at Marrickville Library. Citizenship ceremonies are held monthly. Following the resolution, the Mayor met with Yabun representatives to discuss how Council could support Yabun. The Yabun representatives then wrote to Council prompting the Mayor to use delegated authority to give a contribution of \$30,000 to sponsor the 2020 Yabun Festival. Councillors were notified about all of this on 20 January 2020, six days before the Yabun Festival.

On 24 January, Councillors were advised that they could access:

- one of 10 VIP passes to the Yabun backstage event at 5.30pm
- one of 10 passes to the Yabun afterparty at the Lansdowne Hotel at 7.00pm

These tickets were on a first come, first served basis. Some Councillors did not accept the VIP tickets feeling that it would be difficult to explain this to our community; especially when no event was provided for our own community. This notice of motion proposes that Council consider holding an Australia Day event which would capture the values of Council, its community, aboriginal leaders and aboriginal groups. Council has very experienced events staff who could create a meaningful and reflective event within the Inner West. The Yabun Festival is a leading, successful and well known festival and has been for many years. It has strong attendance from all over Sydney and NSW. It is highly unlikely that an event run by Inner West Council would compete with Yabun. In fact, it could be said that there are too few events with meaningful aboriginal content across local areas of Sydney.

Council is now assessing whether the \$30,000 for Yabun should be ongoing expenditure in Councils' budget. In the recent past, the Inner West Council has had to make difficult decisions about its events program given its stressed financial situation. Our community might prefer that an appropriate Australia Day event is held in the Inner West. As such, Council should consult its community as to what it would like to see over the years ahead. This notice of motion does not seek to rescind the \$30,000 support already provided to Yabun for 2020. It suggests that, given Council now has \$30,000 to commit to an Australia Day event, all possibilities should be opened up and considered.

Officer's Comments:

Staff have no comment.

ATTACHMENTS

Nil.

Item No: C0420(2) Item 3
Subject: NOTICE OF MOTION: NSW AUDITOR GENERAL: REPORT ON LOCAL GOVERNMENT 2019
From: Councillor John Stamolis

MOTION:

THAT Council to report back to the first meeting in May on the nature of the "numerous errors and disclosure deficiencies" in the Inner West Council financial statements as referred to in the recently released "Report on Local Government 2019".

Background

The recent NSW Auditor Generals' "Report on Local Government 2019" states that Inner West Councils' financial statements have "numerous errors and disclosure deficiencies". One of the primary roles of Councillors is financial oversight. Councillors rely on accurate financial statements for making critical decisions. Additionally, Council must demonstrate a level of disclosure which shows that it is accountable and transparent.

Officer's Comments:

Comment from Chief Financial Officer:

A detailed briefing note was provided to Councillors on 10 March responding to this motion. In summary:-

- The financial statements were delayed due to data migration to the new asset system, issues with the asset reconciliations and council staff resourcing. Numerous errors and disclosure deficiencies were identified and corrected. All initial errors and disclosure deficiencies were resolved before the final financial statements were signed off by the Audit Office of NSW and approved by Council.
- Council has put in place processes to address this one of which is to implement a two-step audit process by the Audit Office of New South Wales which they have agreed to.
- A robust review process has been built into Council's financial year-end timetable. This will provide time for the review and amendment of the notes to the financial statements as at 30 June 2020 before the arrival of the auditors.

ATTACHMENTS

Nil.

Item No: C0420(2) Item 4
Subject: NOTICE OF MOTION: SUPPORT FOR INDIGENOUS COMMUNITIES
 OPPOSING FRACKING IN THE NORTHERN TERRITORY
From: Councillor Louise Steer

MOTION:

THAT:

1. ALGA write to Origin Energy:
 - a) Noting Inner West Council’s Power Purchase Agreement with Origin through SSROC, 20% of which is currently sourced from the Moree Solar Farm;
 - b) Noting Inner West Council’s Climate Emergency Declaration, and in-principle support for net-zero emissions by 2030;
 - c) Expressing our support for the Aboriginal communities in the Northern Territory who have expressed their strong opposition to shale gas hydraulic fracturing extraction (fracking) due to the damage it will cause on their traditional lands; and
 - d) Requesting that Origin Energy cease all plans to conduct fracking in the Northern Territory and elsewhere due to its impact on the climate, local communities, environment and water, and indigenous rights, and commit to further investment in environmentally and socially sustainable renewable energy projects.

2. Council write to Australian Local Government Association (ALGA) expressing support for City of Ryde’s motion in relation to Origin Energy’s fracking in the Northern Territory, noting that motions submitted to the ALGA conference in June will be reviewed by the ALGA Board in June 2020.

Background

20 Sydney councils through SSROC have a contract with Origin Energy for the supply of solar power from Origin’s Moree Solar Farm. Unfortunately, while Origin Energy supplies solar energy to Inner West Council, it has announced plans to start fracking in the Northern Territory. The energy company and Santos have plans to undertake fracking in the Beetaloo Sub-Basin, 760 kilometres south-east from Darwin, in a bid to expand Australia’s unconventional gas industry

The basin is home to a vast majority of the NT’s oil and gas fields, with exploration permits granted to Origin Energy that covers 18,500 sq kms of the Beetaloo area.

In 2019, construction on the Kyalla 117 well commenced after the NT’s Chief Minister Michael Gunner lifted a three-year moratorium on onshore gas exploration.

Fracking the Northern Territory threatens to become one of the largest potential sources of carbon pollution in the world. Fracking will also damage permanently the land and water supply by releasing toxic chemicals and causing earthquakes where they are unknown. Fracking will take place on indigenous land against overwhelming opposition by traditional owners, who visited Sydney last year to draw attention to their plight.

<https://www.sbs.com.au/nitv/article/2019/10/16/nt-traditional-owners-protest-against-fracking-origin-energys-agm>

<https://www.goodenergy.net.au>

In February 2020, The Australia Institute and 30 leading Australian scientists called for a permanent ban on unconventional gas development in the Northern Territory, due to its potential impact on global warming.

[https://www.tai.org.au/sites/default/files/P637%20NT%20offset%20paper%20\[WEB\].pdf](https://www.tai.org.au/sites/default/files/P637%20NT%20offset%20paper%20[WEB].pdf)

CSIRO projections show that, if emissions continue to rise, Darwin could experience up to 275 days per year above 35 degrees by 2070. Combined with Darwin's high humidity, this would make the region virtually uninhabitable. Increasing extreme heat is just one of many potentially devastating impacts of climate change.

As Origin Energy is already producing solar power for numerous councils, ALGA should encourage this supplier to explore further renewable energy options, rather than revert to fracking. Origin Energy has announced its intention to resume fracking in the Northern Territory in July 2020.

Officer's Comments:

Staff have no comment.

ATTACHMENTS

Nil.

Item No: C0420(2) Item 5
Subject: NOTICE OF MOTION: GREEK PRECINCT MARRICKVILLE AND DULWICH HILL
From: Councillors Mark Drury and Sam Iskandar

Item 5

MOTION:

THAT Council:

1. Note the long-standing relationship between the Inner West community and residents of Greek Cultural Heritage;
2. Consult with the Greek Consulate General regarding the naming of a Greek Precinct;
3. Launch a community consultation about a Greek Precinct;
4. Consult with the local Marrickville and Dulwich Hill Greek residents, organisations community and businesses regarding:
 - a) An appropriate geographic area for a formal Greek precinct; and
 - b) An appropriate name for the precinct or precincts.

Officer's Comments:

Comment from Director City Living:

There is strong Greek presence in Marrickville and Dulwich Hill. It is noted that community consultation will need to be undertaken as appropriate.

ATTACHMENTS

Nil.

Item No: C0420(2) Item 6
Subject: NOTICE OF MOTION: RELIGIOUS DISCRIMINATION BILL
From: Councillor Pauline Lockie

MOTION:

THAT Council:

- 1. Endorses Equality Australia’s *Freedom from Discrimination Statement* as listed in Attachment 1;**
- 2. Supports fair and equal discrimination laws that unite, rather than divide, the community; and**
- 3. Writes to the Prime Minister, Leader of Opposition, Attorney-General and Shadow Attorney-General to inform them that Inner West Council:**
 - a) Endorses Equality Australia’s *Freedom from Discrimination Statement*;**
 - b) Calls on the Federal Government to remove unbalanced provisions in the proposed Religious Discrimination Bill that threaten safe and inclusive workplaces, schools and services, and privilege individual religious beliefs over the rights of patients to high quality healthcare; and**
 - c) Supports fair and equal discrimination laws that unite, rather than divide, the community.**

Background

The Commonwealth Government’s proposed Religious Discrimination Bill (the Bill) risks impacting the rights of Inner West residents - including LGBTIQ+ people, women, people living with disability and people of faith - and may undermine Council’s capacity to operate as an inclusive and cohesive organisation.

The Bill ventures well beyond the standard approach to protecting individuals from unlawful discrimination. As the former High Court Justice, the Hon Michael Kirby AC CMG, has stated:

“This is not a bill that protects Australians from discrimination on religious grounds. Instead, it actively facilitates intolerance and will work to divide rather than unite Australians...”

“Anti-discrimination laws at a state and federal level protect people from discrimination based on their ethnicity, gender, sexual orientation, religion, disability or age...Alongside these laws, health and safety laws protect people from bullying in the workplace, which can often be the result of personal prejudice but expressed in racial or religious terms.

“The proposed religious discrimination law would override all these existing state and federal laws. It would strip Australians of many of the rights they currently enjoy and put the clock backwards.”¹

The Bill will have unacceptable impacts on employment, the provision of healthcare, and the protection of vulnerable groups. The Australian Medical Association has said it would harm patients’ rights to access healthcare, and risk patients foregoing medical care for fear of judgment by health care providers.

This would have a significant impact on people in our community.

There is also a significant risk that the final Bill could directly impact Council as an employer, as well as our contractors, suppliers, partners and service users.

Professor George Williams, Dean of Law at the University of New South Wales, has said the Bill *“allows people to rely on their religious beliefs to make statements that humiliate or intimidate others in the workplace, in school, on public transport or in any setting”*.²

This could make it difficult for Council to manage employee conduct inconsistent with our values of respect and integrity, and our community vision for the Inner West as “an inclusive, vibrant, caring and progressive community where everyone is welcome”.³

For example, Equality Australia has stated the proposed laws may protect a boss or colleague who says to other employees at work:

- “Menstruating women are unclean”
- “Homosexuality is a sin”
- “Prayer can cure your disability”
- “Every child should have a mother and a father who are married”
- “God made only men and women”
- “People who don’t believe in Jesus can’t get into Heaven”.

The Bill could also create conflicts with Council’s Code of Conduct, which prohibits harassment and discrimination.

Council has a clear obligation to oppose the Bill in its present form to protect our residents and Council staff from its discriminatory impacts.

¹ The Hon. Michael Kirby, [Religious ‘freedom’ bill will divide Australians, not unite us](#), *The Sydney Morning Herald*, 26 February 2020.

² Prof George Williams, [Religious freedom: Once again, bill misses the mark](#), *The Australian*,

³ Inner West Council, [Our Inner West 2036: A community strategic plan for the Inner West community](#), p12, June 2018.

Attachment 1: Equality Australia *Freedom from Discrimination Statement*

Every Australian deserves protection from discrimination, no matter who they are, what they believe, or whom they love.

No belief (religious or not) should overwhelm the right of a person to live, study, work, and access healthcare with dignity. It’s important that people of faith are protected from discrimination, but parts of the proposed Religious Discrimination Bill are not like other pieces of anti-discrimination legislation. No one should have a licence to discriminate against others, whether they claim to be motivated by their religion or not. The draft law overrides long standing federal and state anti-discrimination laws and privileges religious views over the rights and interests of other Australians. Our organisations are made up of their best assets, people. We want to ensure that staff feel safe in their workplaces, regardless of their faith, gender, marital status, sexual orientation, or gender identity.

Our laws must reflect our values as Australians - of fairness and equal opportunity for all. But a law that winds back hard-fought protections for LGBTIQ+ people, women, people with disability, and others is not the way.

The proposed Religious Discrimination Bill threatens safe and inclusive workplaces, schools and services, and privilege individual religious beliefs over the rights of patients.

We support fair and equal discrimination laws that unite, rather than divide, the community.

[Source: equalityaustralia.org.au/rdb-statement]

Officer’s Comments:

Staff have no comment.

ATTACHMENTS

Nil.

Item No: C0420(2) Item 7
 Subject: NOTICE OF MOTION: WESTCONNEX INDEPENDENT PROPERTY IMPACT ASSESSMENT PANEL
 From: Councillor Pauline Lockie

MOTION:

THAT Council:

1. Notes the recent media reports about the delays being experienced by residents who have made property damage compensation claims to the WestConnex independent property impact assessment panel;
 2. Writes to Transport for NSW to ask them to:
 - a) Immediately rectify any issues with the independent property impact assessment panel process that are causing unnecessary delays;
 - b) Publish its timeline for assessing property claims, including the timeframe that applies to the independent property impact assessment panel process, on the Transport for NSW and WestConnex websites as soon as possible; and
 - c) Ensure that all claims for property damage arising from WestConnex construction are dealt with fairly, transparently and without delay.
 3. Writes to the Minister for Transport to:
 - a) Express our deep concern about recent reports of the delays being experienced by residents who have made property damage compensation claims to the WestConnex independent property impact assessment panel, particularly given the large number of residents within the Inner West who will be impacted by the construction of the WestConnex M4-M5 Link Rozelle Interchange and Iron Cove Link;
 - b) Call on him to ensure that:
 - i. Any issues that exist within the independent property impact assessment panel process that are causing unnecessary delays are rectified without delay;
 - ii. The timeline for making claims for property damage, including the timeframe that applies to the independent property impact assessment panel process, is published on the Transport for NSW and WestConnex websites as soon as possible; and
 - iii. All claims for property damage arising from WestConnex construction are dealt with fairly, transparently and without delay.
-

Background

A number of residents have recently spoken to the media about the delays they are experiencing with the independent property impact assessment panel (the panel) established by Transport for NSW to assess claims for property damage arising from WestConnex construction.⁴

The panel was established as a condition of approval for the WestConnex M4-M5 Link in response to complaints that residents who'd experienced property damage during the construction of previous stages had had their claims for compensation unfairly denied - and in some cases, not even assessed - by project contractors.

According to that condition (E109), the panel comprises “*geotechnical and engineering experts independent of the design and construction team*”, and its role is as follows:

“The Panel will be responsible for independently reviewing Condition Survey Reports...the resolution of property damage disputes, and the establishment of ongoing settlement and vibration monitoring requirements...Either the affected owner or the Proponent may refer unresolved disputes arising from potential and/or actual property impacts to the Panel for resolution.”⁵

However, residents who have submitted claims to the panel are now reporting being left in limbo for months at a time as the process stalls. In the meantime, the damage to their homes continues to worsen, increasing the cost of the required repairs.

This is an issue that urgently needs to be addressed on behalf of Inner West residents who have already experienced property damage that they attribute to WestConnex, as well as the thousands of residents whose properties may be at risk due to the construction of the WestConnex M4-M5 Link Rozelle Interchange and Iron Cove Link.

I therefore propose Council contacts Transport for NSW and the Minister for Transport to ask them to immediately rectify any issues with the panel process that are causing these delays; to publish the timeline involved in assessing property damage claims, so residents can be assured of the timeframe within which their claims will be assessed; and to ensure all compensation claims are dealt with fairly, transparently and without delay.

Officer’s Comments:

Staff have no comment.

ATTACHMENTS

Nil.

⁴ smh.com.au/national/nsw/agonising-wait-homeowners-in-limbo-over-westconnex-cracking-20200318-p54b86.html, smh.com.au/national/nsw/crumbling-around-us-owners-in-dire-straits-from-westconnex-cracking-20200331-p54foe.html

⁵ WestConnex M4-M5 Link Instrument of Approval: <https://majorprojects.accelo.com/public/5f97265d6e3da061f13b9c86a82e82c2/WestConnex%20M4-M5%20Link%20Instrument%20of%20Approval.pdf>

Item No: C0420(2) Item 8
Subject: QUESTION ON NOTICE: THE USE OF GLYPHOSATE BY INNER WEST COUNCIL
From: Councillor Rochelle Porteous

Comment by the Chief Executive Officer:

Answers to all questions will be provided at an Ordinary Council meeting in August 2020.

Question

1. In what form are records kept on the use of glyphosate to control weeds on IWC lands?

Question

2. Who is responsible for checking these records and how often are they checked?

Question

3. What oversight occurs to ensure the accuracy of these records?

Question

4. What is the procedure where a breach of relevant policies occurs?

Question

5. From the records kept by IWC, how often has glyphosate been used on IWC lands in the last 6 months?

Question

6. Please provide details of each use of glyphosate for December and January by IWC.

Question

7. The IWC Pesticide Notification Plan only requires one of the following notification methods to be used to notify the use of glyphosate:
 - *Signs*
 - *Notice within a local community newspaper*
 - *Letters*
 - *Phone contact and/or Fax/email*
 - *Letterbox drops and/or door knocking*
 - *Inner West Council's web page*

As part of the record keeping procedures, are records kept on the notification methods used for each use of glyphosate?

Question

8. According to the IWC Pesticide Notification Plan council staff are not required to inform the public that they are spraying glyphosate locally if the application is *Spraying of glyphosate using a hand spray bottle, wand, or spray lance*

As part of the record keeping procedures, are records kept where glyphosate has been used and the public has not been informed?

Question

9. Feb 26 2019 Council adopted as part of the adoption of the Weed Management Policy to go out on exhibition the following:

Council engage a consultant to review existing herbicide use and make recommendations on improved risk mitigation as outlined in the report

- a) Has Council engaged a consultant to do this work? If not why not?

Question

- b) Assuming council has engaged this consultant, what recommendations has the consultant brought to council to improve risk mitigation?

Question

10. May 28 2019 Council as part of the adoption of the Weed Management Policy, the following was adopted:

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.

- a) What decision-making process do council staff undertake to ensure Glyphosate is only used as a last resort?

Question

- b) Where is it clearly outlined in the current policies that glyphosate must only be used as a last resort?

Question

11. May 28 2019 also adopted was the following:

Any use of glyphosate must be done in a way that avoids it running off into stormwater drains and our waterways.

- a) What steps are council staff taking to ensure that when glyphosate is used, it is not running off into stormwater, drains and our waterways?

Question

- b) Where is this wording for this found in the current policies?

Question

- c) Have there been any breaches regarding this directive from council in the last 6 months?

Question

12. In Leichhardt Council most weed control was undertaken by non-chemical means with use of steam weeding, snipping the weeds and hand weeding. Glyphosate was only used for spot control of weeds where all other methods were not effective. It was reported at the February 2019 council meeting that the Leichhardt Council weed management contract would end in September 2019.

Question

- a) Has the Leichhardt Council contract with most of the weed control being undertaken by non-chemical means been renewed with the same frequency of non-chemical weed removal and assurances regarding glyphosate only being used as a last resort?

Question

- b) Has the use of glyphosate increased in the Leichhardt Council area since September 2019? If it has please provide details.

Question

- c) Has the use of glyphosate increased in the Inner West Council area over the last 12 months? If it has please provide details.

Question

13. The General Secretary of the United Services Union, the industrial body representing Council's staff, wrote to Councillors in May last year to notify Council that the USU has recently engaged with Safework NSW to further

discuss the potential risks of Glyphosate to their workers. What work has the CEO done to follow up with the USU on this matter and to implement any worker safety recommendations?

ATTACHMENTS

Nil.