

**Minutes of Ordinary Council Meeting remotely and livestreamed on Council's website
on 8 September 2020**

Meeting commenced at 6.30pm

Present:

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|----------------------|--|
| Darcy Byrne | Mayor |
| Vittoria Raciti | Deputy Mayor (6.35pm) |
| Marghanita Da Cruz | Councillor |
| Mark Drury | Councillor |
| Lucille McKenna OAM | Councillor |
| Colin Hesse | Councillor |
| Tom Kiat | Councillor |
| Pauline Lockie | Councillor |
| Victor Macri | Councillor |
| John Stamolis | Councillor |
| Louise Steer | Councillor (6.33pm) |
| Anna York | Councillor |
| Michael Deegan | Chief Executive Officer |
| Elizabeth Richardson | Chief Operating Officer, Director Development and Recreation |
| Cathy Edwards-Davis | Director Infrastructure |
| Ian Naylor | Manager Governance |
| Katherine Paixao | Governance Coordinator |

APOLOGIES:

Motion: (Byrne/Drury)

THAT apologies from Councillors Iskandar, Passas and Porteous be accepted and leave of absence granted for Councillor Porteous for the month of September 2020 due to personal reasons.

Motion Carried

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

DISCLOSURES OF INTERESTS: Nil

Councillor Steer entered the Meeting at 6:33 pm.

CONFIRMATION OF MINUTES

Motion: (Lockie/Hesse)

That the Minutes of the Council Meeting held on Tuesday, 25 August 2020 be confirmed as a correct record subject to the following amendment:

- Councillor Lockie being recorded as voting against the York/Da Cruz Foreshadowed Motion in Item 7 Notice of Motion: Tree DCP data: analysis.

Motion Carried

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

Against Motion: Nil

Councillor Raciti entered the Meeting at 6:35 pm.

PUBLIC FORUM

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

Condolence Motion

Motion: (Macri/Byrne)

THAT Council expresses its Condolences for the passing of Councillor Iskandar's daughter and Councillor Passas' mother.

Motion Carried

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

Against Motion: Nil

C0920(1) Item 1 Draft Employment and Retail Lands Strategy/Study

Motion: (Da Cruz/Stamolis)

THAT Council:

1. Adopt the draft Employment and Retail Lands Study and Strategy with the following amendments to the Strategy:
 - a) include Action 1.4.4: Encourage pop-up events on underutilised public space within Centres to promote ongoing use of the public domain as part of the economic recovery stimulus."
 - b) note:
 - i. the inner west has a long history of innovation and industry. The proximity to the Ultimo-Camperdown Bio-Medical Research Hub means the Inner West is destined to become the incubator and accelerator District;
 - ii. the Creative Industries ecosystem includes gaming venues, theatres, studios, light and sound production, musical instrument sale and repair, spare parts to support these enterprises as well as education to gain skills and do internships for example in makeup, set design, sound and light, IT skills, film production etc - Petersham TAFE and Enmore Design School; and
 - iii. potential for pop up night market stalls (in permanent kiosks) in the public domain or shop fronts.
2. Seek endorsement from the Department of Planning, Industry and Environment for the Employment and Retail Lands Strategy; and

3. Note a review to the EARLS will be required within 12 months to take account of the impacts of COVID-19 on employment and retail lands.

Motion Lost

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

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

Amendment (Macri/Byrne)

THAT Council reinstate the tourist short term accommodation serviced apartments.

Motion Lost

For Motion: Crs Byrne, Drury, Macri, Raciti and Stamolis

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

Foreshadowed Motion (McKenna OAM/York)

THAT Council:

1. Adopt the draft Employment and Retail Lands Study and Strategy;
2. Seek endorsement from the Department of Planning, Industry and Environment for the Employment and Retail Lands Strategy; and
3. Note a review to the EARLS will be required within 12 months to take account of the impacts of COVID-19 on employment and retail lands.

Motion Carried

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

Against Motion: Nil

C0920(1) Item 2 Leichhardt Park Aquatic Centre Master Plan

Motion: (Drury/Hesse)

THAT Council endorse the LPAC Masterplan, noting that:

1. Depth of the proposed 25m pool needs to be resolved throughout the design process once more information is known about the constraints at site (if any) and other potential considerations. Council should wait until we have a report on the effectiveness of the new moving floor in the Ashfield Aquatic Centre before we determine the depth of the 25 metre pool in LAC; and
2. The final cost of the overall project be reported to Council once confirmed within the initial planning stages.

Motion Carried

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

Against Motion: Nil

C0920(1) Item 3 LGNSW Annual Conference

Motion: (Byrne/Lockie)

THAT Council nominate Councillors Steer, McKenna OAM, Lockie, Hesse, Kiat, Da Cruz, Drury and Byrne to attend and be the voting delegates for the 2020 Local Government NSW Conference.

Motion Carried

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

Against Motion: Nil

C0920(1) Item 4 Membership of Committee for Sydney

Motion: (Drury/Byrne)

THAT Council renew membership of Committee for Sydney.

Motion Carried

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

Against Motion: Crs Da Cruz, Hesse, Kiat, Macri and Steer

C0920(1) Item 5 Notice of Motion: Garbage cancellations

The Mayor ruled this motion redundant as it was discussed at the last meeting and covered by the briefing note distributed to Councillors on 25 August 2020.

Councillor Lockie left the Meeting at 8:16 pm.

C0920(1) Item 6 Notice of Motion: Birchgrove Oval: Heritage Picket Fence

Motion: (Stamolis/Da Cruz)

THAT Council:

- 1. Consider a new wooden fence or repairs and maintenance to the existing wooden picket fence; and**
- 2. Report back in October 2020.**

Motion Carried

For Motion: Crs Byrne, Da Cruz, Hesse, Kiat, Macri, Raciti, Stamolis and Steer

Against Motion: Crs Drury, McKenna OAM and York

Absent: Cr Lockie

Councillor Lockie returned to the Meeting at 8:18 pm.

C0920(1) Item 7 Notice of Motion: Nurseries: Opening Dates

Clr Stamolis withdrew this motion.

C0920(1) Item 8 Notice of Motion: Park n Pay

Motion: (Byrne/Macri)

THAT Council:

- 1. Notes the letter from the Minister for Customer Service asking Council to participate in the NSW Government's Park N Pay app;**
- 2. Notes Council's smart technology investigation is now complete;**
- 3. Requests a report on the parking meter tender process and the recommendations from the smart technology investigation to be tabled at an Ordinary Council meeting in September;**
- 4. Considers the implications for traffic of the integration of Car Parking into vehicle navigation systems and/ or phone applications; and**
- 5. Notes that the experience in Canberra with parking finding apps - drivers prefer street parking.**

Motion Carried

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

Against Motion: Nil

C0920(1) Item 9 Notice of Motion: Solar EOI

Motion: (Byrne/York)

THAT Council:

- 1. Notes the update on the results of the Solar Brokerage EOI;**
- 2. Receives a report by the next Council meeting on the three projects identified through the EOI process and which are scheduled to commence in early FY 2020/21; and**
- 3. Receives a report by the next Council meeting on a further four EOIs that have been identified as having the potential to offer innovative solar solutions to residential and commercial sectors.**

Motion Carried

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

Against Motion: Nil

C0920(1) Item 10 Notice of Motion: WestConnex Satellite Imagery

Motion: (Byrne/Lockie)

THAT Council:

- 1. Acknowledges the offer from Sat Scan Pty Ltd for the provision of high-level radar-based satellite imagery for areas along the WestConnex toll road route that fall within the Local Government Area for Inner West Council; and**
- 2. Accepts Sat Scan Pty Ltd's offer for a nominal fee as stated in the letter to the Mayor.**

Motion Carried

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

Against Motion: Nil

Confidential Session

Motion: (Byrne/McKenna OAM)

THAT Council enter into Confidential session.

Motion Carried

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

Against Motion: Nil

ADJOURNMENT

8.27pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

8.31pm— The Mayor, Clr Byrne resumed the meeting.

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:

C0920(1) Item 12 Update - Rent Relief for Tenants - Covid 19 Coronavirus contains information about the personal hardship of any resident or ratepayer (Section 10A(2)(b) of the Local Government Act 1993); AND information (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)(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.

C0920(1) Item 13 Voluntary Planning Agreement - 138 - 152 Victoria Road, Rozelle (Balmain Leagues Club Site)(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.

C0920(1) Item 14 Covid 19 Business Disruption Belgravia Leisure contract variation (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)(i)

of the Local Government Act 1993) that would, if disclosed prejudice the commercial position of the person who supplied it.

C0920(1) Item 15 Long-term Accommodation Strategy and Marrickville Town Hall EOI Outcomes (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)(i) of the Local Government Act 1993) that would, if disclosed prejudice the commercial position of the person who supplied it.

Motion: (Byrne/McKenna OAM)

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

Motion Carried

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

Against Motion: Nil

Councillor Da Cruz left the Meeting at 8:31 pm.

REPORTS WITH CONFIDENTIAL INFORMATION

C0920(1) Item 12 Update - Rent Relief for Tenants - Covid 19 Coronavirus

Motion: (Drury/McKenna OAM)

1. Receive and note the application of the rent relief regulations and codes to tenants; and
2. Receive and note the information regarding the Council commercial tenancy at Yeo Park, Ashfield.

Motion Carried

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

Against Motion: Nil

Absent: Cr Da Cruz

Councillor Da Cruz returned to the Meeting at 8:33 pm.

C0920(1) Item 13 Voluntary Planning Agreement - 138 - 152 Victoria Road, Rozelle (Balmain Leagues Club Site)

Motion: (Stamolis/Hesse)

THAT Council write to the Sydney Eastern City Planning Panel seeking deferral of this item pending more detailed traffic studies.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Hesse, Kiat, Lockie, Macri, Raciti and Stamolis

Against Motion: Crs Drury, McKenna OAM, Steer and York

C0920(1) Item 14 Covid 19 Business Disruption Belgravia Leisure contract variation**Motion: (Drury/Lockie)****THAT:**

- 1. Council note the unique circumstances presented by the Covid 19 disruption and its associated impact on Aquatics Services provided by Belgravia Leisure on behalf of the Inner West Council for the Annette Kellerman Aquatic Centre (AKAC);**
- 2. Council approve a contract variation with Belgravia Health and Leisure Group Pty Limited as detailed in the Confidential Attachment to:**
 - Provide essential asset maintenance and recovery planning services from March 23rd to June 14th 2020;**
 - Consider ‘service fee’ payments during the closure of the Centre as a result of the NSW Government requirement; and**
 - Determine future service fee payments as a result of the Covid -19 disruption.**
- 3. Authority be delegated to the Chief Executive Officer to negotiate and enter into any contract documentation to give effect to the clauses above.**

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

- 1. Note that of all Inner West aquatic centres, only FDAC and AKAC are outsourced to a private and for-profit operator, Belgravia Leisure, and that this presents challenges to Council’s optimal management of these community assets and services;**
- 2. Note that in the context of COVID-19 and associated temporary closures of FDAC and AKAC, Belgravia Leisure has:**
 - a. received support from Council between 23 March and 14 June in the form of staff and operations support subsidies.**
 - b. not made payments due to Council under the contract to the value of approximately \$324,000.**
- 3. Receive further advice on the status of the contract, including on whether either party is in breach of the contract, with a view to considering what benefits Council may seek in return for unbudgeted losses it has suffered as a result of 2(a) and 2(b), consistent with prudent financial management of the Council assets and contracts and Council’s overall strategic objectives.**

This Foreshadowed Motion lapsed.

**C0920(1) Item 15 Long-term Accommodation Strategy and Marrickville Town Hall
EOI Outcomes**

Motion: (Byrne/York)

That Council:

- 1. Does not progress the Marrickville Town Hall or Long-Term Accommodation Strategy Expressions of Interest;**
- 2. Undertakes further analysis of its accommodation needs in light of the organisation's remote working capability during COVID-19;**
- 3. Following that analysis, receives a further report on the retention customer service centres, libraries, and community meeting spaces in the Ashfield and Petersham/Marrickville town centres, noting Council is expected to have surplus administration office floor space which can be consolidated;**
- 4. Progresses with the development of a Reuse and Recycling Hub as a medium-term use at Summer Hill Depot and continue discussions with suitable not-for-profit organisations;**
- 5. Pending project feasibilities, undertakes a further Expression of Interest Campaigns for the use of the Petersham Town Hall (office space for co-located community groups) and Marrickville Town Hall (Live Music venue);**
- 6. Consideration of the Pride Centre proposal be deferred pending the tabling of the report currently being finalised;**
- 7. The Marrickville Town Hall and Petersham Town Hall EOI's be tabled at Council for adoption prior to undertaking the EOI;**
- 8. Options to secure low cost / affordable community use, by multiple users, as well as the participation of multicultural organisations and other creative arts venue be included in the draft EOI for Marrickville Town Hall as a music venue; and**
- 9. Continue the use of Balmain Depot for service provision.**

Motion Carried

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

Against Motion: Nil

Amendment (Da Cruz)

THAT following analysis of its accommodation needs, Council also receives a further report on leasing opportunities for any surplus office administration space, including for use as co-working spaces.

This amendment lapsed for want of seconder.

Meeting closed at 9.37 pm.

PUBLIC SPEAKERS:

| Item # | Speaker | Suburb |
|---------|---|---|
| Item 1: | Ted Plummer Kelsie Dadd | Mascot (Sydney Airport) Marrickville |
| Item 2: | Lyle Taulai Ben Maslen Gillian Brooker Warwick Mayer | Petersham Eastlakes (UNSW Whales Underwater Rugby Club President) Tenambit (Diving NSW) Birchgrove |
| Item 6: | Carolyn Allen Malcolm Garder Ian Stapleton | Balmain Birchgrove Sydney (Lucas Stapleton Johnson & Partners) |

The Minutes of the Ordinary Meeting of Council held on the 8th day of September, 2020 were confirmed as a correct record on this 22nd day of September, 2020.

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CHAIRPERSON