

**Minutes of Ordinary Council Meeting held remotely and livestreamed on Council's website on 29 June 2021**

**Meeting commenced at 6.35pm**

**Present:**

Darcy Byrne	Mayor
Victor Macri	Deputy Mayor
Marghanita Da Cruz	Councillor
Mark Drury	Councillor
Lucille McKenna OAM	Councillor
Colin Hesse	Councillor
Sam Iskandar	Councillor
Tom Kiat	Councillor
Pauline Lockie	Councillor
Julie Passas	Councillor
Rochelle Porteous	Councillor
Vittoria Raciti	Councillor
John Stamolis	Councillor
Louise Steer	Councillor
Anna York	Councillor
Peter Gainsford	General Manager
Simon Duck	Acting Director Development and Recreation
Cathy Edwards-Davis	Director Infrastructure
Caroline McLeod	Acting Director City Living
Peter Livanes	Acting Director Corporate
Daryl Jackson	Chief Financial Officer
Harjeet Atwal	Senior Manager Planning
Aaron Callaghan	Parks & Recreation Planning Manager
Katherine Paixao	Acting Manager Governance
Carmelina Giannini	Acting Governance Coordinator

**APOLOGIES:** Nil

**DISCLOSURES OF INTERESTS:**

Councillor Steer declared a non-significant, non-pecuniary interest in Item 28 Appointment of Panel Members for the Inner West Local Planning Panel as she gave advice to one of the candidates some time ago.

Councillor Byrne declared a significant, non-pecuniary interest in Item 7 New Arrangements for Mayoral Support as the matter relates to staffing in his office and declared a significant, pecuniary interest in Item 15 Notice of Motion: Mayor to Stand Down and due to its material impact on him and he will leave the meeting during discussion and voting for both items.

Councillor Macri declared a non-significant, non-pecuniary interest in Item 15 Notice of Motion: Mayor Stand Down and will leave the meeting during discussion and voting.

**Motion: (Da Cruz/McKenna OAM)**

**THAT Council note the disclosures of interest.**

**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: (Macri/Stamolis)**

THAT the Minutes of the Council Meeting held on Tuesday, 8 June 2021 and Extraordinary Council Meeting held on Tuesday, 8 June 2021 be confirmed.

**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.

The Mayor issued a warning at 8:09pm to Cllr Passas for her repeated interjections.

**C0621(3) Item 32 Revised Delivery Program 2018-2022 year 4, Operational Plan, Budget, and Fees and Charges 2021-22 - outcomes of public exhibition**

**Motion: (Drury/McKenna OAM)**

**THAT Council:**

1. **Note the outcomes of the public exhibition of Council's draft key strategic Documents**
2. **Adopt a Rating Structure to harmonise rates as required by the NSW Government, over eight (8) years commencing 1 July 2021 including:**
  - a) **Reallocation of \$600,000 of rate revenue from Business General category, to be evenly levied across the shopping mall subcategories;**
  - b) **100% harmonisation of minimum rates as follows:**
    - i. **Residential minimum \$850**
    - ii. **Business general minimum \$820**
3. **Note that the budget includes a Domestic Waste Management Charge subsidy which will return \$5.8M to ratepayers in 2021/22 and help to smooth out changes in rates caused by Rates Harmonisation;**

**4. Adopt the draft:**

- a) Revised Delivery Program 2018-22 year 4, and Operational Plan and Budget 2021-22;
- b) Fees and Charges 2021-22;
- c) Long Term Financial Plan 2021-31; and
- d) General Rates Revenue Policy.

- 5. Increase the COVID Stimulus Package by an additional \$1.3m from s.94 (s.11) funds for the purposes of delivering the Iron Cove Creek Masterplan (\$100k) and additional footpath renewal (\$1.2m);
- 6. Note that this budget has \$3 090 000 for the planting of new trees council commits to an ongoing annual spend of no less \$2 million to massively increase the number of trees in the Inner West;
- 7. Council notes the 30 submissions and the officer’s responses about further action in particular the transition to electric vehicles and “Climate” related proposals;
- 8. Exhibit a change to the fee for the ‘Pensioner Concession’ (to be renamed ‘Social Security Recipient Concession’ to apply to social security recipients including JobSeekers, DSP, etc) rate for all aquatic centres to the LPAC rate of \$1.20. That Council officers bring a report back to Council on the implication of the fee change when the public exhibition has concluded;
- 9. Note the demand for increased investment in safe cycling infrastructure and prioritise this for future delivery plans;
- 10. Note the budget includes funding for traffic/ transport investigations/studies necessary to progress the Bicycle Strategy. Council to communicate with BUGs re relevant studies and investigations planned in their areas;
- 11. The annual training budget for the traffic and engineering team be increased to allow all relevant staff to develop their expertise in designing for pedestrians and bicycle riders; and
- 12. Note its previous resolutions that childcare fees should not be seen as a vehicle for budget repair, and it maintain childcare fees at the exhibited rate for the year to 30 June 2022 rather than seeking an increase from 1 Jan 2022.

**Motion Carried**

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

**Against Motion:** Crs Macri, Passas and Raciti

**Amendment (Hesse/Da Cruz)**

**THAT point 2 be amended from 4 years to 8 years.**

**Motion Carried**

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

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

As the amendment was carried, it was incorporated into the primary motion.

**Foreshadowed Motion (Passas)**

**THAT the rates harmonisation structure be adopted immediately (point 2)**

This Foreshadowed motion lapsed.

**Foreshadowed Motion (Passas)**

**THAT Council defer the budget consideration.**

The Mayor ruled this out of order as it is not in line with the Local Government Act.

**Suspension of Standing Orders**

**Motion : (Porteous/Byrne)**

**THAT Council bring forward Items 32, and go into confidential session for confidential items which are Items 28, 29, 30 and 31 to be dealt with at this time.**

**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

**C0621(3) Item 33 Greater Sydney Parklands White Paper and Callan Park**

**Motion: (Porteous/Byrne)**

**THAT Council make a submission in relation to the NSW Government White Paper-Parklands for the People noting that:**

- 1. The NSW Government recognises the historical, cultural, environmental and recreational importance of Callan Park. It is the jewel of the Inner West;**
- 2. The governance and management of Callan Park should be local and under one body, the Callan Park Trust;**
- 3. Council rejects the carve up of Callan Park into different precincts;**
- 4. Council rejects that a significant part of Callan Park has been handed over to the Greater Sydney Parklands; and**
- 5. Council reiterates its strong and unwavering support for the Callan Park Act 2002 and for the establishment of the Callan Park Trust to manage and govern the whole of Callan Park.**

**Motion Carried**

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

**Against Motion:** Crs Passas and Raciti

**Confidential Session****Motion: (Porteous/Byrne)**

THAT Council enter into Confidential session.

**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

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:

**C0621(3) Item 28 Appointment of Panel Members for the Inner West Local Planning Panel** contains personnel matters concerning particular individuals (other than councillors) (Section 10A(2)(a) of the Local Government Act 1993).

**C0621(3) Item 29 Tree Management and Maintenance Services Contract** (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.

**C0621(3) Item 30 Lease to Transport for NSW - Land in Camdenville Park and Campbell Street St Peters** (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 (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 (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 (Section 10A(2)(d)(iii) of the Local Government Act 1993) that would, if disclosed reveal a trade secret.

**C0621(3) Item 31 Review of Organisational Structure** contains personnel matters concerning particular individuals (other than councillors) (Section 10A(2)(a) of the Local Government Act 1993).

The Mayor, Councillor Byrne left the meeting and vacated the chair at 8:51 pm and the Deputy Mayor, Councillor Macri assumed the Chair.

**ADJOURNMENT**

8.51pm - The Deputy Mayor, Clr Macri adjourned the meeting for a short recess.

9.01pm– The Deputy Mayor, Clr Macri resumed the meeting.

**REPORTS WITH CONFIDENTIAL INFORMATION**

**C0621(3) Item 28 Appointment of Panel Members for the Inner West Local Planning Panel**

**Motion (Da Cruz/Passas)**

- 1. Appoint Prof. David Lloyd as the primary chair and Gary Shiels and Heather Wharton as the alternative chairs on the Inner West Local Planning Panel as selected by the Minister of Planning and Public Spaces;**
- 2. Extends the term of Ken Hawke and Kath Roach as Community Representatives on the Inner West Local Planning Panel to 30 October 2021 and re-advertises for community representatives through all our communication channels with a view to attracting applicants with a diversity of backgrounds; and**
- 3. Appoint David Johnson, John McInerney, Brian Kirk, Jan Murrell, Kim Crestani, Mary-Lynne Taylor, Lisa Trueman and Lindsey Dey from the Department of Planning Industry and Environment shortlist as independent experts on the Inner West Local Planning Panel.**

**Motion Carried**

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

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

**Absent:** Cr Byrne

**Foreshadowed Motion: (McKenna OAM)**

**THAT Council:**

- 1. Appoint Prof. David Lloyd as the primary chair and Gary Shiels and Heather Wharton as the alternative chairs on the Inner West Local Planning Panel as selected by the Minister of Planning and Public Spaces;**
- 2. Appoint Ken Hawke, Kath Roach, Narelle Butler and Silvia Correia from the Expression of Interest process as Community Representatives on the Inner West Local Planning Panel; and**
- 3. Appoint David Johnson, John McInerney, Brian Kirk, Jan Murrell, Kim Crestani, Mary-Lynne Taylor, Lisa Trueman and Lindsey Dey from the Department of Planning Industry and Environment shortlist as independent experts on the Inner West Local Planning Panel.**

This foreshadowed motion lapsed.

Councillor Porteous left the Meeting at 9:31 pm.

Councillor Porteous returned to the Meeting at 9:37 pm.

**C0621(3) Item 29      Tree Management and Maintenance Services Contract**

**Motion: (Stamolis/Passas)**

**THAT:**

1. **Given the high priority and policy focus on trees and environment by Inner West Council and its community, as well as the strong desire for improved servicing in this priority area, that Council defer this decision to be fully briefed on the tenders; and**
2. **Council note that the quote from successful tender is well below the average and the median of the quotes.**

**Motion Lost**

**For Motion:**                      Crs Passas, Raciti and Stamolis

**Against Motion:**              Crs Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Porteous, Steer and York

**Absent:**                              Cr Byrne

**Foreshadowed Motion (Hesse/Drury)**

**That the tender submitted by Treescape Australasia Pty Ltd for the Tree Management and Maintenance Services Contract alternate Schedule of Rates be accepted.**

**Motion Carried**

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

**Against Motion:**              Crs Passas, Raciti and Stamolis

**Absent:**                              Cr Byrne

**C0621(3) Item 30      Lease to Transport for NSW - Land in Camdenville Park and Campbell Street St Peters**

**Motion: (McKenna OAM/Drury)**

**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 General Manager to finalise the terms and execute the section 30 agreement and leases.**

**Motion Carried**

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

**Against Motion:**              Nil

**Absent:**                              Cr Byrne

**C0621(3) Item 31      Review of Organisational Structure**

**Motion: (McKenna OAM/Da Cruz)**

**THAT:**

**1. Council proceed with the proposed new organisation structure of four Directors and General Counsel reporting to the General Manager as outlined below:**

- **Director Planning;**
- **Director Corporate;**
- **Director Community;**
- **Director Infrastructure; and**
- **General Counsel.**

**2. That only the General Manager be employed on a senior staff contract; and**

**3. All other staff be employed in permanent positions.**

**Motion Carried**

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

**Against Motion:**              Cr Passas

**Absent:**                              Cr Byrne

**Amendment (Hesse/McKenna OAM)**

**THAT the following amendments be included as additional points:**

**2. That only the General Manager be employed on a senior staff contract; and**

**3. All other staff be employed in permanent positions.**

**Motion Carried**

**For Motion:**                      Crs Drury, Hesse, Iskandar, Kiat, Lockie, McKenna OAM, Porteous, Raciti, Stamolis, Steer and York

**Against Motion:**              Crs Da Cruz, Macri and Passas

**Absent:**                              Cr Byrne

**Amendment (Stamolis/Passas)**

**THAT a Director of Finance be created.**

**Motion Lost**

**For Motion:**                      Crs Passas, Stamolis and Steer

**Against Motion:**              Crs Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Porteous, Raciti and York

**Absent:**                              Cr Byrne



**Motion: (Macri/Passas)**

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

**Motion Carried**

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

**Against Motion:** Nil

**Absent:** Cr Byrne

Councillor York retired from the Meeting at 10:18 pm.

**C0621(3) Item 1 Local Government Remuneration Tribunal Determination 2021**

**Motion: (Hesse/McKenna OAM)**

THAT the Mayor and Councillor Fees for 1 July 2021 to 30 June 2022 be set at the maximum level for a Metropolitan Large council.

**Motion Carried**

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

**Against Motion:** Nil

**Absent:** Crs Byrne and York

**C0621(3) Item 2 Companion Animals - Off Leash Park Areas and the Segregation of Larger Dogs from Smaller Dogs in Fenced and Time Shared Areas**

**Motion: (Macri/Hesse)**

THAT:

1. The report be received and noted;
2. Council initiate a 12 month trial at Tempe off leash dog park encouraging dog walkers to use the segregated areas for large and small dogs through self-regulated signage;
3. Appropriate shade trees be provided to all fenced dog off leash areas to ensure improved visual and cooling amenity to people and dogs; and
4. As budget may allow, a fenced off leash dog park be provided at Marrickville Park on the same location as the current unfenced off leash dog walking area following appropriate community consultation.

**Motion Carried**

**For Motion:** Crs Da Cruz, Hesse, Kiat, Macri, McKenna OAM, Porteous, Raciti, Stamolis and Steer

**Against Motion:** Crs Drury, Iskandar, Lockie and Passas

**Absent:** Cr Byrne and York

**C0621(3) Item 3 Aquatics Centres opening Hours****Motion: (Drury/Da Cruz)****THAT:**

- 1. Council note the additional expenses of estimated \$400,000 for increase in opening times for the indoor Aquatic Centres to 10pm Monday to Friday;**
- 2. Council note attendance after 7pm is comparatively low across the indoor Aquatic Centres;**
- 3. The opening hours for the Aquatic Centres remain unchanged however some harmonisation of opening hours for weekends and public holidays to take place for the Aquatic Centres from 2022 onwards.**
- 4. A further report be brought back on extending the Ashfield pool and other pools in the summer season.**

**Motion Carried****For Motion:** Crs Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Raciti, Stamolis and Steer**Against Motion:** Nil**Absent:** Crs Byrne and York**C0621(3) Item 4 Investment Report as at 30 April 2021.****Motion: (McKenna OAM/Macri)****THAT the report be received and noted.****Motion Carried****For Motion:** Crs Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Raciti, Stamolis and Steer**Against Motion:** Nil**Absent:** Crs Byrne and York**C0621(3) Item 5 Electricity Procurement****Motion: (Macri/McKenna OAM)****THAT Council receive and note the pre-tender electricity procurement report.****Motion Carried****For Motion:** Crs Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Raciti, Stamolis and Steer**Against Motion:** Nil**Absent:** Cr Byrne and York

**C0621(3) Item 6 Investment Report as at 31 May 2021**

**Motion: (Stamolis/McKenna OAM)**

**THAT the report be received and noted.**

**Motion Carried**

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

**Against Motion:** Nil

**Absent:** Cr Byrne and York

As the Mayor declared a significant, non-pecuniary interest in Item 7 New Arrangements for Mayoral Support as the matter relates to staffing in his office, he remained out of the meeting during discussion and voting.

Councillor Raciti retired from the Meeting at 10:40 pm.

Councillor Lockie retired from the Meeting at 10:44 pm.

**C0621(3) Item 7 New Arrangements for Mayoral Support**

**Motion: (McKenna OAM/Drury)**

**THAT Council:**

1. Receive and note the report;
2. Notes that the current arrangement for the Office of the Mayor have been abolished;
3. Notes that the 2.6 FTE administrative staff from the Office of the Mayor are now working with the governance team to provide support to all councillors including the Mayor;
4. Notes that the 2 FTE media and communications staff from the Office of the Mayor have been relocated to work with the media and communications team; and
5. Endorse these changes in principle for the upcoming review of the Councillors Expenses and Facilities policy, with a maximum of one FTE administrative support for the Mayor.

**Motion Carried**

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

**Against Motion:** Crs Drury, Iskandar, McKenna OAM and Passas

**Absent:** Crs Byrne, Lockie and York

**Amendment (Kiat/Hesse)****THAT Council:**

1. Notes that the current arrangement for the Office of the Mayor have been abolished;
2. Notes that the 2.6 FTE administrative staff from the Office of the Mayor are now working with the governance team to provide support to all councillors including the Mayor;
3. Notes that the 2 FTE media and communications staff from the Office of the Mayor have been relocated to work with the media and communications team; and
4. Endorse these changes in principle for the upcoming review of the Councillors Expenses and Facilities policy, with a maximum of one FTE administrative support for the Mayor.

**Motion Carried**

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

As the amendments were carried, they were incorporated into the primary motion.

**Amendment (Passas)**

**THAT Council have a complete independent investigation in how this came about.**

This amendment lapsed for a want of seconder.

The Mayor, Councillor Byrne returned to the Meeting at 10:52 pm. The Deputy Mayor, Councillor Macri vacated the Chair and the Mayor, Councillor Byrne assumed the Chair.

**C0621(3) Item 8      Development of Rozelle Parklands-Council Update****Motion: (Macri/McKenna OAM)****THAT:**

1. Council prior to accepting any future care, control and management of the Rozelle Parklands, Council seek confirmation from the NSW Government on the final costings of the project and that a report is brought back to Council on budget implications associated with future management and maintenance of the parkland;
2. Should a Government assessment of costings identify any shortfalls in funding support for the identified project priorities, Council lobby Government for additional funding to deliver these priorities as part of the “end state” parkland delivery program;
3. Council note the importance of the Rozelle Parkland Project as a legacy open space project which will address long standing community recreational needs in the north of the Inner West Council Local Government area;

4. Council note that a Traffic Study will be undertaken by Transport for NSW;
5. Council requests direct pedestrian access to the parklands from Lilyfield light rail stop and generally prioritises walking, cycling and public transport access to the parklands; and
6. Walking and cycling routes to glebe island bridge be incorporated;
7. Council restate Council's resolution that a masterplan with transparent costs must be provided;
8. Council continue advocacy for the City West Cycle Link in the relevant Rozelle Parkland forums and with the relevant ministers, for State Government delivery of an at grade connection between the active transport link in the Parklands to the Bay Run, noting this is one of the busiest commuter cycle routes in the city."

**Motion Carried**

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

**Against Motion:** Nil

**Absent:** Crs Lockie, Raciti and York

**Procedural Motion (Passas/Raciti)**

THAT items 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24 be deferred to an Ordinary Council meeting on Tuesday, 6 July 2021 at 6.30pm.

**Motion Carried**

**For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Macri, McKenna OAM, Passas, Porteous, Stamolis and Steer

**Against Motion:** Cr Kiat

**Absent:** Crs Lockie, Raciti and York

Meeting closed at 11.04pm

**PUBLIC SPEAKERS:**

Item #	Speaker	Suburb
<b>Item 22:</b>	Angela Michaelis	Balmain
	Anna Harvey	Croydon
	Rosa Brown	Lilyfield
<b>Item 33:</b>	Hall Greenland	Balmain