

Minutes of Extraordinary Council Meeting held remotely and livestreamed on Council's website on 5 October 2021

Meeting commenced at 6.31pm

Present:

Rochelle Porteous	Mayor
Pauline Lockie	Deputy Mayor
Darcy Byrne	Councillor
Marghanita Da Cruz	Councillor
Mark Drury	Councillor
Colin Hesse	Councillor
Tom Kiat	Councillor
Victor Macri	Councillor
Lucille McKenna OAM	Councillor
Julie Passas	Councillor
Vittoria Raciti	Councillor
John Stamolis	Councillor
Louise Steer	Councillor
Anna York	Councillor
Peter Gainsford	General Manager
Graeme Palmer	Acting Director Planning
Cathy Edwards-Davis	Director Infrastructure
Caroline McLeod	Acting Director Community
Peter Livanes	Acting Director Corporate
Beau-Jane De Costa	Senior Manager Governance and Risk
Katherine Paixao	Governance Coordinator
Carmelina Giannini	Governance Support Officer
Peter Doyle	Governance Advisor

APOLOGIES: Nil

DISCLOSURES OF INTERESTS:

Councillor Raciti declared a significant, pecuniary interest in Item 5 Notice of Motion: Fee Waiver For Sporting Fields Ground Hire as her husband and son belong to the tigers soccer club board and hire the parks at Inner West and she will leave the meeting during discussion and voting.

Clr Stamolis declared a non-significant, non-pecuniary interest in Item 13 Mayoral Minute: Callan Park must not be commercialised as he is on the executive of the friends of Callan park and he will remain in the meeting during discussion and voting.

Motion: (Porteous/Drury)

THAT Council note the disclosures of interest

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, 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.

C1021(1) Item 13 Mayoral Minute: Callan Park must not be commercialised

Motion: (Porteous)

THAT Council;

1. **Notes that the Draft Exposure Bill: Greater Sydney Parklands Trust Bill was released on October 1 and the NSW Government is seeking feedback until 29 October;**
2. **Opposes any changes to the Callan Park (Special Provisions) Act 2002;**
3. **Opposes any commercial uses at Callan Park;**
4. **Opposes 50 year leases (potentially commercial leases) on Kirkbride, Broughton Hall and the Convalescent Cottages;**
5. **Calls for the retention of council as the consent authority;**
6. **Calls for the establishment of the Callan Park and Broughton Hall Trust;**
7. **Writes to the Minister outlining council’s strong opposition to the Exposure Bill and calling on the Minister to make public the successful tenderer in the EOI process for Kirkbride;**
8. **Write to The Leader of the Opposition asking that the Labor Party publicly announce that they are opposing the Exposure Bill;**
9. **Write to all NSW MPs outlining Council’s concerns regarding the Exposure Bill and seeking their support to oppose the Bill and have the Callan Park and Broughton Hall Trust established as soon as possible;**
10. **Makes a Council submission on the Greater Sydney Parklands Exposure Bill;**
11. **Convenes a Public Meeting to explain the Greater Sydney Parklands Trust Exposure Bill and the impact it will have on Callan Park. The Public Meeting will be in October before submissions are due and will be held virtually. The format of the meeting will be in accordance with Council’s Event invitation, Speaking and Public Meeting Policy which includes staff presentations and inviting Ward Councillors to speak. A representative of Friends of Callan Park will also be invited to speak;**

- 12. Promotes residents making a submission and the Public Meeting through all of Council’s communication channels including a letter to local residents;**
- 13. Erects two banners in Rozelle and Balmain and prints 100 corflutes available to residents. Corflutes and Banners to read: “ Not for Sale: Hands off Callan Park – Make a Submission xxxxxxxxxxxxxxxx”;**
- 14. Notes the estimated costs for a letter box drop, banners and corflutes is \$6,000 and is to be funded from Council’s communications budget;**
- 15. Request a 2 week extension on the exhibition period and invites the Minister to address Council at a meeting convened by Council; and**
- 16. A Councillor briefing be organised as soon as possible.**

Motion Carried

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

Amendment (Byrne/McKenna OAM)

THAT Council replace point 2 with ‘THAT Council requests that the Planning Minister urgently attend a briefing with Inner West Councillors to explain the purposes and details of the Greater Sydney Parklands Trust Bill.’

Motion Tied

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

The Chairperson used her Casting Vote against the **MOTION** and the **MOTION** was lost.

Amendment (Byrne/McKenna OAM)

THAT Council replace point 3 with ‘THAT Council seeks clarification from the Government about whether a café can operate within Callan Park under existing legislation and whether the St Jerome’s Laneway Festival constitutes a “commercial use”.’

Motion Tied

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

The Chairperson used her Casting Vote again the **MOTION** and the **MOTION** was lost.

Amendment (Byrne/Drury)

THAT Council writes to the NSW Government and the Member for Balmain requesting a feasibility study for the establishment of a public high school or public TAFE campus at the Kirkbride Precinct or information about any public university campuses proposed through the recent EOI process.

Motion Tied

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

The Chairperson used her Casting Vote against the **MOTION** and the **MOTION** was lost

Procedural Motion – Suspension of Standing Orders

Motion: (Drury/Hesse)

THAT Council suspend standing orders and enter into Confidential session to deal with Item 1 Notice of Motion: Councillors not advised at this time as it deals with staffing matters.

Motion Carried

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

Confidential session

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

C1021(1) Item 1 Notice of Motion: Councillors not advised contains personnel matters concerning particular individuals (other than councillors) (Section 10A(2)(a) of the Local Government Act 1993).

Motion: (Porteous/Steer)

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, Passas, Porteous, Raciti, Stamolis, Steer and York
Against Motion: Nil

C1021(1) Item 1 Notice of Motion: Councillors not advised

Motion: (Passas/Macri)

THAT an explanation be provided as to who was acting at the time of the absence of the Mayor, General Manager and Senior Staff for up to four (4) days from 23 June 2021. Councillors are to be made aware when senior staff or Councillors alike are absent and who is acting in the role during this period in the case of an emergency such as lockdown.

Motion Lost

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

Foreshadowed Motion (Macri/Stamolis)

THAT Council confirm the protocol that the General Manager and Senior staff to inform the Mayor and Councillors for more than 48 hours leave.

Motion Lost

For Motion: Crs Macri, Passas, Porteous, Raciti and Stamolis

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

Councillor Stamolis moved an amendment which the Mayor ruled out of order as it refers to staff members and their actions which is inappropriate.

Motion of dissent (Passas/Stamolis)

THAT dissent be moved in the chairpersons ruling on Councillor Stamolis' amendment being ruled out of order.

Motion Lost

For Motion: Crs Passas and Stamolis

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

Councillor Stamolis left the Meeting at 9:15 pm.

Councillor Hesse left the Meeting at 9:18 pm.

Councillor Macri left the Meeting at 9:28 pm.

C1021(1) Item 2 Notice of Motion: Wear it Purple

Motion: (Drury/Kiat)

THAT Council:

1. **Note that Council celebrated the 12th annual "Wear it Purple day" on Friday 27 August which had the theme being "Start the Conversation and Keep it going"; and**
2. **In recognising and promoting this message notes the decision of Comensoli v Passas [2019] NSWCATAD 155, handed down by the NSW Civil and Administrative Tribunal during this term of Council which found that a complaint of homosexual vilification in breach of the Anti-Discrimination Act by Councillor Passas had been substantiated.**

Motion Carried

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

Against Motion: Crs Passas and Raciti

Absent: Crs Hesse, Macri and Stamolis

Amendment (Macri/Raciti)

THAT Council delete point 2 from the primary motion.

Motion Lost

For Motion: Crs Macri, Passas and Raciti

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

Absent: Crs Hesse and Stamolis

ADJOURNMENT

9.29pm - The Mayor, Clr Porteous adjourned the meeting for a short recess.

9.37pm– The Mayor, Clr Porteous resumed the meeting.

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

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

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

C1021(1) Item 3 Notice of Motion: Flying the Italian Flag on Festa Della Repubblica

Motion: (McKenna OAM/Porteous)

THAT Council each year on Festa della Repubblica (Italian National Day), 2 June, the Italian flag be raised on the Leichhardt Town Hall.

Motion Carried

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

Against Motion: Nil

At 10:27pm, the Mayor, Councillor Porteous issued a warning to Councillor Passas for repeated interjections during debate.

C1021(1) Item 4 Notice of Motion: Refugee Arts Project at Thirning Villa

Procedural Motion (Steer/Da Cruz)

THAT the motion be put without further debate.

Motion Lost

For Motion: Crs Da Cruz, Kiat and Steer

Against Motion: Crs Byrne, Drury, Hesse, Lockie, Macri, McKenna OAM, Passas, Porteous, Raciti, Stamolis and York

Motion: (Kiat/Steer)

THAT Council:

1. Endorse the Refugee Arts Project as a tenant in Thirning Villa;
2. Note that the ongoing use of Thirning Villa by RAP is not to the exclusion of other artists or art collectives; and
3. Note that the Creative Inner West Cultural Strategy 2021-25 and Action Plan has just completed its community exhibition phase and will shortly be reported to Council. The report should address how Council's various Artist in Residence programs (including at Thirning Villa) can further highlight and/or enhance their

engagement with their local community in partnership with Council, including through school and broader community collaboration (e.g. workshops, exhibitions, education, and the bestowing of significant artwork to community, etc.).

4. Receive a report on how after the pandemic, the Thirning Villa Artist in Residence program could be rejuvenated. One of the models that should be considered is restoring it to its original model of short term residency for 3-4 months for significant artists from the regions and interstate to use the space as a base to interact with the wider community through workshops, exhibitions and education and to leave a significant art work at the end of the residency to the people of the Inner West (formally the Ashfield Art Collection).

Motion Tied

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

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

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

Foreshadowed Motion (McKenna OAM/Byrne)

THAT Council receive a report on how after the pandemic, the Thirning Villa Artist in Residence program could be rejuvenated. One of the models that should be considered is restoring it to its original model of short term residency for 3-4 months for significant artists from the regions and interstate to use the space as a base to interact with the wider community through workshops, exhibitions and education and to leave a significant art work at the end of the residency to the people of the Inner West (formally the Ashfield Art Collection).

This foreshadowed motion lapsed.

Councillor Raciti left the Meeting at 10:40 pm as she declared a significant, pecuniary interest in Item 5 Notice of Motion: Fee Waiver For Sporting Fields Ground Hire as her husband and son belong to the tigers soccer club board and hire the parks at Inner West and she will leave the meeting during discussion and voting.

C1021(1) Item 5 Notice of Motion: Fee Waiver For Sporting Fields Ground Hire

Motion: (Macri/Passas)

THAT Council prepare a report on the ability to wave the fees for ground hire of sports fields as per the Canterbury-Bankstown Council approach to assist our sporting clubs.

Motion Carried

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

Against Motion: Nil

Councillor Raciti returned to the Meeting at 10:44 pm.

Procedural Motion - Extension of Time**Motion: (Steer/Da Cruz)****THAT the meeting be extended for 15 minutes until 11.15pm.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Hesse, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Raciti, Stamolis, Steer and York**Against Motion:** Cr Drury**C1021(1) Item 6 Notice of Motion: Keep Inner West Local Government Area Nuclear Free****Motion: (Steer/Hesse)****THAT Council:**

1. Writes to the Australian Prime Minister Scott Morrison and the Minister for Defense Peter Dutton expressing Inner West Council's opposition to the presence of nuclear submarines in Sydney Harbour, noting the risks to human, animal and plant life posed by nuclear submarines and requesting that the Australian government ratify the UN Treaty against Proliferation of Nuclear Weapons;
2. Notes the 'nuclear free zone' signs throughout the LGA;
3. Informs residents of its resolution via a media release and information in the next newsletter; and
4. Puts forward the following motion to the LGNSW Conference 2021
 - a) NSW Councils oppose nuclear submarines in Sydney Harbour;
 - b) That LGNSW writes to the Australian Prime Minister Scott Morrison and the Minister for Defense Peter Dutton expressing opposition to the presence nuclear submarines in New South Wales waters, in particular Sydney Harbour, noting the risks to human, animal and plant life posed by nuclear submarines, and requesting that the Australian government ratify the UN Treaty against Proliferation of Nuclear Weapons.

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

Procedural Motion**Motion: (Drury/Porteous)**

THAT items 7, 8, 9, 10, 11 and 12 be deferred to the Ordinary Council meeting to be held on Tuesday, 12 October 2021 at 6.30pm.

Motion Carried

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

Against Motion: Nil

Meeting closed at 11.14pm.

PUBLIC SPEAKERS:

Item #	Speaker	Suburb
Item 13:	Hall Greenland Cynthia Nadai	Leichhardt Lilyfield
