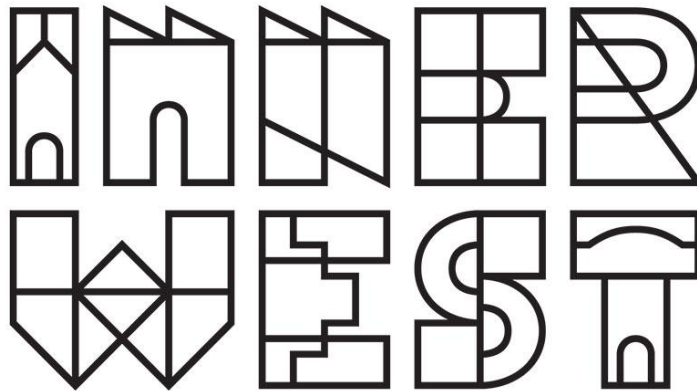


# AGENDA

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**COUNCIL MEETING**

**TUESDAY 9 NOVEMBER 2021**

**6.30pm**

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Location: Remote Meeting

## Live Streaming of Council Meeting

In the spirit of open, accessible and transparent government, this meeting of the Inner West Council is being streamed live on Council's website. By speaking at a Council meeting, members of the public agree to being recorded and must ensure their speech to the Council is respectful and use appropriate language. A person who uses defamatory, discriminatory or offensive language may be exposed to liability for which Council takes no responsibility. Any part of this meeting that is held in closed session will not be recorded

## Pre-Registration to Speak at Council Meetings

Speaking at a Council Meeting is conducted through an online software application called Zoom. Members of the public must register by 2pm of the day of the Meeting to speak at Council Meetings. If you wish to register to speak please fill in a [Register to Speak Form](#), available from the Inner West Council website, including:

- your name;
- contact details;
- item on the Agenda you wish to speak to; and
- whether you are for or against the recommendation in the agenda.

## Are there any rules for speaking at a Council Meeting?

The following rules apply when addressing a Council meeting:

- keep your address to the point, the time allowed for each speaker is limited to three minutes. This time limit applies, no matter how many items are addressed by the speaker;
- when addressing the Meeting you must speak to the Chairperson;
- the Chairperson may curtail public participation where the information being presented is considered repetitive or irrelevant; and
- only 3 speakers for and against an Agenda Item are allowed.

## What happens after I submit the form?

You will be contacted by Governance Staff and provided with a link to the online meeting. Your request will then be added to a list that is shown to the Chairperson on the night of the meeting. Public speakers will be allowed into the Meeting when it is their time to speak.

Where Items are deferred, Council reserves the right to defer speakers until that Item is heard on the next occasion.

## PRECIS

<b>1</b>	<b>Acknowledgement of Country</b>		
<b>2</b>	<b>Apologies</b>		
<b>3</b>	<b>Notice of Webcasting</b>		
<b>4</b>	<b>Disclosures of Interest (Section 451 of the Local Government Act and Council's Code of Conduct)</b>		
<b>5</b>	<b>Moment of Quiet Contemplation</b>		
<b>6</b>	<b>Confirmation of Minutes</b>	<b>Page</b>	
	Minutes of 26 October 2021 Council Meeting		<b>4</b>
<b>7</b>	<b>Public Forum – Hearing from All Registered Speakers</b>		
<b>8</b>	<b>Condolence Motions</b>		
	Nil at the time of printing.		
<b>9</b>	<b>Mayoral Minutes</b>		
	Nil at the time of printing.		
<b>10</b>	<b>Reports with Strategic Implications</b>		
	Nil at the time of printing.		
<b>11</b>	<b>Reports for Council Decision</b>		
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<b>12</b>	<b>Reports for Noting</b>		
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**Minutes of Ordinary Council Meeting held remotely and livestreamed on Council's website on 26 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
Peter Gainsford	General Manager
Graeme Palmer	Acting Director Planning
Cathy Edwards-Davis	Director Infrastructure
Caroline McLeod	Acting Director Community
Caroline Karakatsanis	Audit Office
Helen Bradley	Resource Recovery Planning Manager
Kerry Hunt	Building Certification Manager
Aaron Callaghan	Parks & Recreation Planning Manager
Sue Puckeridge	External Lawyer
Beau-Jane De Costa	Senior Manager Governance and Risk
Katherine Paixao	Governance Coordinator
Carmelina Giannini	Governance Support Staff

**APOLOGIES:**

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

THAT apologies from Councillor York be accepted.

**Motion Carried**

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

**Against Motion:** Nil

**DISCLOSURES OF INTERESTS:**

Councillor Lockie declared a non-significant, non-pecuniary interest in Item 32 Notice of Motion: Implementing the NSW Government's Outdoor Dining Initiatives in the Inner West as it mentions the City of Sydney and she works there.

During discussion on Item 36 Mayoral Minute: Haberfield Defence Land 140A Hawthorne Parade Haberfield, Councillor Macri declared a non-significant, non-pecuniary interest in Item 36 Mayoral Minute: Haberfield Defence Land 140A Hawthorne Parade Haberfield as his

auntie's property backs onto the reserve and he will leave the meeting during discussion and voting.

**Motion: (Hesse/Steer)**

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 and Steer

**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.

**CONFIRMATION OF MINUTES**

**Motion: (Stamolis/Lockie)**

THAT the Minutes of the Extraordinary Council Meeting held on Tuesday, 5 October 2021 and Ordinary Council Meeting held on Tuesday, 12 October 2021 be confirmed as a correct record.

**Motion Carried**

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

**Against Motion:** Nil

**Procedural Motion - Suspension of Standing Orders**

**Motion: (Drury/Lockie)**

**THAT Council suspend standing orders to bring forward Item 3 Draft Financial Statements 2020/21.**

**Motion Carried**

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

**Against Motion:** Nil

**C1021(3) Item 3 Draft Financial Statements 2020/21**

**Motion: (Lockie/Mckenna OAM)**

**THAT Council:**

- 1. Receive the report;**
- 2. Endorse the Financial Statements to be placed on public exhibition with a view of tabling the final report at the November 2021 Council meeting;**
- 3. Note the significant proposed reduction to the infrastructure backlog figure based on a revised methodology to infrastructure condition rating. Council to receive a further report addressing the potential to increase funding available for footpath renewals.**

**Motion Carried**

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

**Against Motion:** Crs Passas and Stamolis

**Foreshadowed Motion (Stamolis)**

**THAT the financial statements do not go on exhibition given the unexplained \$103m fall to the infrastructure backlog.**

This foreshadowed motion lapsed.

**Procedural Motion - Suspension of Standing Orders**

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

**THAT Council suspend standing orders to hear from the last registered speaker at this time.**

**Motion Carried**

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

**Against Motion:** Nil

**Procedural Motion – Resumption of Standing Orders**

**Motion: (Drury/Lockie)**

**THAT standing orders be resumed..**

**Motion Carried**

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

**Against Motion:** Nil

**C1021(3) Item 35 Mayoral Minute: Condolence Motion: Uncle Bob**

**Motion: (Porteous/Byrne)**

**THAT Council:**

- 1. Notes the passing of Uncle Robert (Bob) Webb; and**
- 2. Sends its condolences to Uncle’s wife, Auntie Kath Webb, his Family, Mob and Friends.**

**Motion Carried**

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

**Against Motion:** Nil

**C1021(3) Item 1 Mayoral Minute: Sweltering Cities**

**Motion: (Porteous)**

**THAT Council signs the Sweltering Cities Open letter calling on the NSW Government to take ambitious action in reducing urban heat through the proposed NSW Design and Place *State Environmental Planning Policy (SEPP)*.**

**Motion Carried**

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

**Against Motion:** Nil

Councillor Macri declared a non-significant, non-pecuniary interest in Item 36 Mayoral Minute: Haberfield Defence Land 140A Hawthorne Parade Haberfield as his aunty property backs onto the reserve and left the meeting at 8:22pm the meeting during discussion and voting.

**C1021(3) Item 36 Mayoral Minute: Haberfield Defence Land 140A Hawthorne Parade Haberfield**

**Motion: (Porteous)**

**THAT Council:**

- 1. Invite the Hon Peter Dutton MP, Minister for Defence, to attend an onsite meeting with the Mayor, ward Councillors and staff to observe the unsuitability of the site for redevelopment; and**
- 2. Organises a Community briefing and a Councillors' briefing on the Haberfield Defence Lands, addressing particularly the significant safety concerns associated with the establishment a residential precinct on this site which has major flooding and access issues.**

**Motion Carried**

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

**Against Motion:** Nil

**Absent:** Cr Macri

Councillor Macri returned to the Meeting at 8:24 pm.

Councillor Byrne left the Meeting at 8:25 pm.

**C1021(3) Item 2 COVID-19 Financial Assistance - Engagement Outcomes Report**

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

**THAT:**

- 1. Note the engagement outcomes from the public exhibition process;**
- 2. Note the easing of COVID-19 related restrictions now that the 80% vaccination rate has been met in NSW;**
- 3. Council does not proceed with further COVID-19 financial assistance as a result of feedback through public exhibition, financial support already provided through Commonwealth funded payments (disaster relief) and funds already provided to local community organisations; and**

4. Council note that an equivalent amount of funding was targeted to those most in need in our community via grants to community organization.

**Motion Carried**

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

**Against Motion:** Nil

**Absent:** Cr Byrne

Councillor Byrne returned to the Meeting at 8:34 pm.

**Procedural Motion - Suspension of Standing Orders**

**Motion: (Porteous/Hesse)**

**THAT Council suspend standing orders to bring forward Item 15 Notice of Motion: Sydney Swan's Women's team, Newtown Jets and Henson Park to be dealt with at the same time as item 4 Henson Park-Redevelopment of King George V Grandstand and Future Public Amenity Provision.**

**Motion Carried**

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

**Against Motion:** Nil

**C1021(3) Item 4 Henson Park-Redevelopment of King George V Grandstand and Future Public Amenity Provision**

**C1021(3) Item 15 Notice of Motion: Sydney Swan's Women's team, Newtown Jets and Henson Park**

**Motion: (Hesse/Byrne)**

**THAT:**

1. Council endorse the proposed redevelopment of the Henson Park Grandstand and supporting amenities;
2. Council Officers consult with the Office of Local Government about the appropriate type of agreement for the implementation of the project and report back to Council;
3. Council endorse the provision of Owner's Consent for lodgement of the Development Application;
4. Council staff work with AFL and the Jets to enable the lodgement of the Development Application;
5. Council endorse the Heads of Agreement Principles as outlined in the report;
6. Council staff work with AFL and the Jets to assist in the lodgement of any applicable grant applications;
7. Council staff work with AFL and the Jets to prepare an Agreement to Lease and Lease documents, which includes ongoing community access to Henson Park;
8. Any future Heads of Agreement include a key principle on the continuation, promotion and facilitation of junior rugby league and AFL sporting activities at



**Henson Park;**

9. To provide security and clarity around future use for both sporting codes and the general community, Council cap future ticketed games at 20 ticketed games per sporting season per sporting code;
10. Given Council's recent \$2.6 million dollar investment in the Henson Park sporting ground upgrade program it is recommended that Council cap its contribution to any future construction project to \$500K for this particular project;
11. Any request by the relevant clubs for additional hours of exclusive use be referred to Councillors for consideration. That this condition be noted in the Heads of Agreement and lease agreements;
12. Council welcome the announcement by the AFL that the Sydney Swans will be admitted to the AFLW league;
13. Council recommit to hosting the Newtown Jets and Sydney Swans Women's professional sporting teams at Henson Park and seek to make the ground an official home ground for the Swans Women's team;
14. Council work with the Newtown Jets and Sydney Swans to prepare a development application and submit a grant application to the NSW Government for the upgrade of facilities to allow both teams to play elite sport at Henson Park into the future;
15. Council commit to maintaining ongoing, public access to Henson Park for the community as occurs currently; and
16. The development incorporate energy and water efficiency.

**Motion Carried**

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

**Against Motion:** Nil

The Mayor, Clr Porteous issued a warning at 9:44pm to Clr Passas for unacceptable interjections during Council proceedings.

**C1021(3) Item 5 Draft Exposure Bill: Greater Sydney Parklands Trust - Callan Park**

**Motion: (Porteous/Stamolis)**

**THAT Council:**

1. Writes to the Minister for Planning thanking him for agreeing to meet with Councillors in regards to the Draft Greater Sydney Parklands Trust Bill;
2. Seeks to engage positively with the Minister;
3. Seeks assurances from the Minister that the values of Callan Park as a former mental health institute, known for its healing environment and as a place of sanctuary and wellness are always central to discussions about Callan Park;
4. Asks that the piece of Callan Park (38 hectares) that was handed over to the Greater Sydney Parklands Trust in 2020 be returned to Callan Park and that Callan Park be governed and managed as one park under the Callan Park and Broughton Hall Trust; and

5. **Makes a formal submission to the Draft Greater Sydney Parklands Trust Bill by 29 October 2021 which includes:**
- a) **Make no changes to the Callan Park (Special Provisions) Act 2002;**
  - b) **Commit to no future commercial uses at Callan Park;**
  - c) **Opposes 50 year leases (potentially commercial leases) on Kirkbride, Broughton Hall and the Convalescent Cottages;**
  - d) **Retain Callan Park (Special Provisions) Act in its entirety;**
  - e) **Establish the Callan Park and Broughton Hall Trust; and**
  - f) **Maintain community, recreation open space access to Callan Park in its entirety.**

**Motion Carried**

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

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

**Foreshadowed Motion (Byrne/Drury)**

**THAT Council:**

1. **Make a submission articulating to concerns raised in the report;**
2. **Does not support the Greater Sydney Parklands trust Draft Exposure Bill in its current form and writes to the Planning Minister requesting that legislation not be tabled until further consultation and deliberation has taken place; and**
3. **Seeks to engage further with the Government and the Planning Minister about the future of Callan Park with a view to establishing agreement on how the Park can be protected and improved.**

This foreshadowed motion lapsed.

**ADJOURNMENT**

9.47pm - The Mayor, Clr Porteous adjourned the meeting for a short recess.

10.00pm– The Mayor, Clr Porteous resumed the meeting.

**C1021(3) Item 6 Adoption of Complaints Handling Policy**

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

**THAT Council adopts the Complaints Handling Policy shown in attachment 1.**

**Motion Carried**

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

**Against Motion:** Nil

**C1021(3) Item 7 Report on progress in implementing the Community Strategic Plan**

**Motion: (Drury/Steer)**

**THAT Council endorse the report *State of the Inner West October 2021* which outlines progress in implementing the Community Strategic Plan.**

**Motion Carried**

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

**Against Motion:** Cr Passas

**C1021(3) Item 8 Inner West Community Sharps Service and the Disposal of Sharps During Vaccination Roll Out**

**Motion: (Lockie/Steer)**

**THAT Council:**

1. Receive and note the report; and
2. Contact pharmacies not participating in the scheme to notify them of the service.

**Motion Carried**

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

**Against Motion:** Nil

**C1021(3) Item 9 Response to Notice of Motion: Disabled Access at Dawn Fraser Baths**

**Motion: (Porteous/Stamolis)**

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

**Motion Carried**

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

**Against Motion:** Nil

Councillor Passas left the Meeting at 10:37 pm.  
Councillor Passas returned to the Meeting at 10:39 pm.

**Procedural motion - Extension of Time**

**Motion: (Porteous/Drury)**

**THAT the meeting be extended until 11.10pm.**

**Motion Carried**

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

**Against Motion:** Nil

**Procedural Motion – Motion be Put**

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

**THAT the motion for Item 10 Tree Management DCP - Review Process be put without further debate.**

**Motion Lost**

**For Motion:** Crs Byrne, Drury and McKenna OAM

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

Councillor Stamolis left the Meeting at 10:58 pm.

Councillor Byrne retired from the Meeting at 11:04 pm.

Councillor Macri retired from the Meeting at 11:04 pm.

**C1021(3) Item 10 Tree Management DCP - Review Process**

**Motion: (Hesse/Lockie)**

**THAT:**

1. Notes the report of staff regarding the Tree Management DCP – Review process;
2. Notes the advice that the existing Tree DCP adopted in 2019 is unlawful relating to the NSW Vegetation SEPP, the two metre rule is in breach of the *Environmental Planning and Assessment Act*, and that the Tree DCP offers inaccurate and inconsistent advice to residents;
3. Notes the net loss of 14 hectares of trees in the Inner West Local Government Area since the adoption of the Tree DCP;
4. Notes the lack of qualified staff to provide a review of the Tree DCP to Council;
5. Notes that under the current Tree DCP the Land Zone Canopy targets for the LGA will not be met;
6. Notes the negative long term effect of the Tree DCP, and that it will likely undermine efforts of mitigate the effects of global heating; and
7. Request that staff make a full report on the reform of the Tree DCP to the new Council by February 2022, and prioritise obtaining sufficient staff expertise and capacity to conduct this reform.

**Motion Carried**

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

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

**Absent:** Crs Byrne, Macri and Stamolis

**Foreshadowed Motion (McKenna OAM/Passas)**

**THAT:**

1. The report be received and noted; and
2. Council confirm in principle support for the proposed changes to the DCP recommended in the report.

This foreshadowed motion lapsed.

**Confidential Session**

**Motion: (Drury/Porteous)**

THAT Council enter into Confidential session to deal with Item 34 RFT 15-21 33KV High Voltage Feeder 761 Relocation.

**Motion Carried**

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

**Against Motion:** Nil

**Absent:** Crs Byrne, Macri and Stamolis

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:

**C1021(3) Item 34 RFT 15-21 33KV High Voltage Feeder 761 Relocation** (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.

Councillor Stamolis returned to the Meeting at 11:06 pm.

**Motion: (Drury/Porteous)**

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

**Motion Carried**

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

**Against Motion:** Nil

**Absent:** Cr Byrne and Macri

**C1021(3) Item 34 RFT 15-21 33KV High Voltage Feeder 761 Relocation**

**Motion: (Porteous/Drury)**

**THAT in accordance with Clause 178 of the *Local Government (General) Regulation 2005*, Council enters into a Contract (or Contracts) with Laing O'Rourke Australia Construction Pty Ltd for the total lump sum amount of \$2,255,176.35 including GST, and allow for a contingency of approximately 10% or \$225,823.65 including GST.**

**Motion Carried**

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

**Against Motion:** Nil

**Absent:** Cr Byrne and Macri

**Procedural motion**

**Motion: (Passas/Da Cruz)**

**THAT items 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33 be deferred to an Extraordinary Council Meeting to be held on Tuesday, 2 November 2021 at 6.30pm.**

**Motion Tied**

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

**Against Motion:** Crs Drury, Hesse, Kiat, Lockie and McKenna OAM

**Absent:** Crs Byrne, Macri and Stamolis

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

Meeting closed at 11.09 pm.

**PUBLIC SPEAKERS:**

Item #	Speaker	Suburb
<b>Item 1:</b>	Emma Bacon	Stanmore
<b>Item 4:</b>	Tiffany Chen	Chatswood
	Tiffany Robertson	Annandale
<b>Item 5:</b>	Cynthia Nadai	Lilyfield
<b>Item 20:</b>	Stephen Forbes	Leichhardt
<b>Item 31:</b>	Peter Tregilgas	Stanmore
	Tiffany Chen	Chatswood
	Ged Dore	Stanmore

**Item No:** C1121(1) Item 1  
**Subject:** FEE WAIVERS FOR SPORTING GROUNDS-WINTER 2022  
**Prepared By:** Aaron Callaghan - Parks and Recreation Planning Manager  
**Authorised By:** Graeme Palmer - Acting Director Planning

**RECOMMENDATION**

**THAT Council:**

1. **Provide ground hire credits (*as opposed to a refund*) to community-based sporting clubs for unutilised bookings, and that these credits be applied to the 2022 season only; and**
2. **Note that a number of winter sporting clubs will incur a free season in 2022 as the credit amount is based on the 2020/21 financial year, and**

**DISCUSSION**

*“The Council meeting on October 5 resolved 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”.*

This resolution was based on a recent decision by Canterbury-Bankstown Council to provide “fee relief” and waive ground hire fees for community-based sporting clubs for the 2021 winter season.

The 2021 winter sporting season commenced in April 2021 and ceased on Saturday 26 June 2021 when the Greater Sydney metropolitan area went into mandatory lockdown. This was the halfway point of winter competitions, as they normally finish by the end of August.

Canterbury-Bankstown Council staff have confirmed that the waiver only applies to ground hire fees for the 2021 winter season. Normal fees and charges will apply in 2022. The approach taken by neighboring Council’s to this issue is summarised in Table 1.0.

**Table 1.0 Neighboring Council approach to Winter 2021 ground hire fees**

Council	Action
Canterbury Bankstown	<ul style="list-style-type: none"> <li>• Annual ground hire fee waived</li> <li>• Ground hire ONLY waived. Electricity and amenities costs are still incurred by hirers.</li> <li>• Waiver provided as credit against the next season bookings</li> </ul>
Canada Bay	<ul style="list-style-type: none"> <li>• Annual ground hire fee waived</li> </ul>
Burwood	<ul style="list-style-type: none"> <li>• Partial waiver to account for games and training held.</li> <li>• Ground hire fee related to COVID lockdown period credited towards next season fees.</li> </ul>
Strathfield	<ul style="list-style-type: none"> <li>• No waiver given to hirers</li> </ul>

**Sporting Ground Allocations, Fees and Charges**

Council’s Sporting Ground Allocations Policy requires hirers be invoiced one month after the commencement of the seasonal sporting season.

By June 2021 most seasonal hirers had paid their 2021 winter invoice by the due date. However, the fees charged were under the three former Council models (*non-harmonised fees and charges*). In this respect the fees in question vary widely and this has been an ongoing challenge for Council staff to administer. Harmonised fees and charges were adopted by Council in April 2021 (*after the winter sporting season has commenced*) and are now in place. All summer sporting codes will be charged the new harmonised sporting ground fees and charges.

In August 2021, following several inquiries from community sporting clubs, Council officers discussed the process around refunds for the 2021 winter season for the allocations they could not use. (For the 2020 winter season COVID-19 lockdown period, April-June, seasonal hirers were only charged for the allocations they were able to use.)

Three options were considered to address compensating for the 2021 winter season lockdown period.

1. A refund
2. A credit
3. No refund or credit

Option 2 was selected as all seasonal hirers would be returning next season and the provision of a credit was administratively easier to manage for both Council and hirers.

Seasonal hirers were notified in September of the credit for the COVID-19 lockdown period and the amount of credit they would receive towards next season’s bookings. The value of the credit was proportional to the former Council fee model they were charged under.

To make it clear, hirers will only pay for the proportion of their allocation used from April to June 2021.

In addition to the above, Council should note that sporting clubs in the 2021 winter sporting season have been required to pay their respective sporting association fees. These have not been refunded by the respective sporting associations. This is separate to any fees and charges for ground hire that Council has required.



### **Council Officer Recommendation**

It is recommended that a credits-based approach is taken for waiving any ground hire fees and that the credit is applied to the 2022 season only with no extension.

### **FINANCIAL IMPLICATIONS**

The total value of the credits given to date, for a partial season fee waiver, is \$178,888.22. That income loss will be incurred by Council in this financial year ending 30 June 2022.

An extension of the fee waiver for all ground hire in the 2021 season would result in an additional income loss of approximately \$230,000.

The winter sporting ground maintenance costs are approximately \$1.1 million annually.

The loss of income if a full season credit is given equates to approximately \$400K.

### **ATTACHMENTS**

Nil.

**Item No:** C1121(1) Item 2  
**Subject:** SUMMER OPENING HOURS FOR THE ASHFIELD AQUATIC CENTRE  
**Prepared By:** Simon Duck - Senior Manager Aquatics  
**Authorised By:** Graeme Palmer - Acting Director Planning

**RECOMMENDATION**

**THAT Council:**

1. Endorse an increase in opening hours for the AAC for Sat/Sun/Public Holidays from 6pm to 8pm for daylight savings period; and
2. Endorse an increase in opening hours for the AAC for Sat/Sun/Public Holidays from 6pm to 7pm for non-daylight savings period.

**DISCUSSION**

At the Council meeting on 12th October 2021, Council resolved in part to:

*Receive a report on increasing the Ashfield Aquatic closing hours to 8pm on Saturday and Sunday (generally or just in Summer) to be considered at the November Council meeting”.*

After 12 months of operation, the initial success of all programs at the Ashfield Aquatic Centre and high levels of visitation now allows Council to revisit the weekend opening hours to better meet community needs.

The current opening times for the Ashfield Aquatic Centre are 6am to 6pm on Saturdays, Sundays and Public Holidays.

**Aquatic Centre Opening Hours**

<b>Annette Kellerman Aquatic Centre (AKAC)</b> Monday to Thursday: 6am to 9pm Friday to Sunday: 6am to 7pm	<b>Indoor Facility</b>
<b>Ashfield Aquatic Centre (AAC)</b> Monday to Friday: 6am to 9pm Saturday and Sunday: 6am to 6pm	<b>Indoor and Outdoor facility</b>
<b>Dawn Fraser Baths (DFB)</b> Monday to Sunday: 7am to 7pm	<b>Seasonal Outdoor facility</b>
<b>Fanny Durack Aquatic Centre (FDAC)</b> Monday to Saturday: 7.00am to 6.30pm Sunday: 8am to 6pm	<b>Seasonal Outdoor facility</b>
<b>Leichhardt Park Aquatic Centre (LPAC)</b> Monday to Thursday: 5.30am to 9pm Friday to Sunday: 5.30am to 8pm	<b>Indoor and Outdoor Facility</b>

The above opening hours across various IWC facilities demonstrates some differences including those on weekend hours. It can be noted that the LPAC already has quite extensive opening hours. The AKAC opens until 7pm on weekends by contract with Belgravia Leisure and is operating well to those closing times with no undue pressure to remain open beyond 7pm. The DFB and the FDAC are seasonal outdoor pools and rely on available sunlight for opening hours. For the purpose of this report, the AAC weekend opening hours are considered as requiring an adjustment across all months of the year to provide better community access. To this end, increases in Sat/Sun/Public Holiday opening hours are proposed at the AAC for the daylight savings period until 8pm and for non daylight savings period until 7pm.

**FINANCIAL IMPLICATIONS**

Extending the opening hours from 6-8pm on Saturdays and Sundays across the Daylight savings period will create additional labour expenses of \$20k. In order to recoup this expense, an increase in attendance of 2000 visits during this period visits will allow for a break-even result. It is anticipated that this would be achieved and as such the financial implications are considered a cost-neutral result.

In relation to the winter period (normal hours), an additional 1 hour of opening time on Sat/Sun/Public Holidays will create additional labour expenses of \$10k and will require additional attendances of 1000 visits. It is anticipated that this would be achieved and as such the financial implications are considered a cost-neutral result

**Summary**

Given the size and success of the AAC, it is recommended that the opening hours for the summer period on weekends are increased to allow for additional community access. It is proposed that the Sat/Sun/Public Holiday opening hours for AAC are changed to:

Daylight Savings period	(October to March) 6am-8pm
Normal Operating time	(April to September) 6am-7pm

**ATTACHMENTS**

Nil.

**Item No:** C1121(1) Item 3  
**Subject:** 2021 INNER WEST COUNCIL ANNUAL GRANTS  
**Prepared By:** Simon Watts - Social and Cultural Planning Manager  
**Authorised By:** Caroline McLeod - Acting Director Community

**RECOMMENDATION**

**THAT Council approve the funding recommendations for the Inner West Council 2021 Annual Grant Program contained in Attachments 1-4.**

**DISCUSSION**

In 2021, Council offered the following grants:

- Arts grants
  - Category 1: Individual Artists grants up to \$5,000 and
  - Category 2: Arts Projects grants up to \$10,000
- Community Wellbeing grants up to \$5,000
- Multicultural grants up to \$5,000

**Delivery of the 2021 Annual Grants round**

The 2021 Annual Grants were open from Monday 9 August until Friday 3 September 2021. Prospective applicants were offered advice on developing applications in their chosen stream, providing the opportunity to clarify ideas and develop quality proposals.

In 2021, Council allocated \$442,832 to support the annual grants. 121 applications were received across the three streams for a total funding request of \$716,394. A summary of the 2021 Annual Grants round is contained in Attachment 5. This includes the Multi-Year Grants (2020-2021) as recipients' are required to provide progress reports prior to final payment.

On 24 August 2021, Council resolved (C0821(4) Item 8) *COVID-19 Financial Support* to provide the Exodus Foundation and Addison Road Community Centre with financial assistance of \$25,000 each for the increased demand for food security for families in the local area. The total amount of \$50,000 was allocated from the Community Wellbeing Grants Program budget.

Where there is a variation between the amount recommended and the amount requested, this arises through budget limitations. This issue has been discussed with the applicant.

The grants assessment and evaluation process occurred between 6 September and 15 October. The process includes the following steps:

- An eligibility check to ensure the projects are located in the Inner West, will benefit local residents and meet the broad grant criteria set out in the Annual Grant Program Guidelines and that the applicant bona fides are appropriate
- An assessment panel is convened for each grant type comprising Council staff and at least one external community representative who review the applications and the cumulative scoring to rank projects as high (1), medium (2), low (3) and very low (4). Recommended grants under each grant stream ranked high to low by subject matter experts including Council officers and external assessors
- Projects ranked high are able to be delivered, have excellent project methodology and are low risk.

- Projects in order of highest ranking are listed at the top (Attachments 1, 2, 4 and 4) and recommended for priority funding, continuing through the recommended projects until the budget for that grant stream is exhausted.
- A summary of the recommended amounts for each grant stream and the rank/scoring system is provided in Attachment 5.

All Grants Program rounds were promoted through the following channels:

- Council’s website and social media
- General Manager’s weekly update.
- Council e-News
- Councillor e-News
- Council media releases
- Council’s Grants Officers and their networks
- 2SER radio
- FBI radio

Arts Grants were promoted through the following channels:

- Council’s Living Arts Newsletter
- Arts Hub
- NAVA (National Association for the Visual Arts)
- MGNSW (Museums & Galleries of NSW)
- Arts Grants Program previous applicants email and Arts grant enquiries

Community Wellbeing and Multicultural grants were promoted through the following channels:

- Community Wellbeing Team and their networks
- Community Wellbeing & Multicultural Grants Program previous applicants email
- Inner West Club Grants to all previous applicants email.

**Funding Recommendations**

Recommendations for the three Annual Grants streams funding allocations are proposed in Attachments 1-4.

The Community Material Small Grants and Resident Association Small Grants rounds remain open as they are assessed and recommended on an as needs basis.

**FINANCIAL IMPLICATIONS**

Grants are funded from within existing budget allocations.

## ATTACHMENTS

1. [↓](#) Arts Grants - Individual Artists
2. [↓](#) Arts Grants - Arts Projects
3. [↓](#) Community Wellbeing Grants
4. [↓](#) Multicultural Grants
5. [↓](#) 2021 Annual Grants - Round Summary

Inner West Council Arts Grants 2021 - Category 1: Individual Artists

Attachment 1

App ID	Applicant	Project Title and Description	Total \$ Requested	Total \$ Recommended
<b>Projects Recommended for Funding</b> <i>The following projects are recommended for funding. They address the grant objectives and selection criteria more comprehensively than competing projects</i>				
IWCIA21-014	Andrée Greenwell	<b>Andrée Greenwell Song Band: Rehearsal &amp; performance launch/documentation for online</b>  Launching 'The Andrée Greenwell Song Band' - support for rehearsals and performance of new and recycled songs by Andrée Greenwell with online potential, to be presented at The Great Club, involving a group of outstanding local musicians.	\$5,000	\$5,000
IWCIA21-026	Jodie Choolburra	<b>Brolga Dance Academy</b>  Brolga Dance Academy specialises in Aboriginal Contemporary and Traditional storytelling through body movement. We practice, explore and showcase Aboriginal culture, and create pathways into the performing arts industry.	\$5,000	\$5,000
IWCIA21-036	Harry Greenwood	<b>Cactus: Short film</b>  'Cactus' is a story of intergenerational conflict and connection, of learning from those who are different to us. When twenty something Grace meets her elderly Portuguese neighbour Mr Rodriguez, it's instant friction, but mutual dislike grows into a bond of respect and understanding after an unexpected encounter forces them to connect.	\$5,000	\$5,000
IWCIA21-041	Marco Rinaldi	<b>Osmosis: Sound walk</b>  The commission of 10 artists to create site responsive compositions, spoken word or creative writing recordings to be experienced at Inner West locations. The project will be a Sound Walk where the public can freely walk through streets to find QR codes hosting audio recordings from each artist.	\$5,000	\$5,000

Inner West Council Arts Grants 2021 - Category 1: Individual Artists

Attachment 1

App ID	Applicant	Project Title and Description	Total \$ Requested	Total \$ Recommended
IWCIA21-042	Jessica Newell	<p><b>Running Man: A new musical work exploring experiences of mental illnesses in creative artists</b></p> <p>'Running Man' is the creation of a new musical work exploring various facets of serious mental illnesses in the creative artists. The project will result in the recording and releasing of the final work as well as including a mentorship opportunity for Jessica to develop her skills in art music composition.</p>	\$5,000	\$5,000
IWCIA21-050	Giladesi Namokoyi	<p><b>Sensible Rebel</b></p> <p>To complete the production and presentation of a new release work by Kween G- 'Sensible Rebel', an independent musical composition, an extended play (EP) of eight songs with remixes and music videos.</p>	\$5,000	\$5,000
IWCIA21-058	Alex Stevenson	<p><b>Soft Stir Issue 03</b></p> <p>'Soft Stir' is an independent publication examining art, culture, music and philosophies through the eyes of Inner West creatives. It is an inclusive space for emerging artists and writers to share their work, stories, and explore pressing topics through their practice. Soft Stir champions reflection, experimentation and cross-disciplinary creative expression.</p>	\$5,000	\$5,000
IWCIA21-061	Pippa Bailey	<p><b>Tempest</b></p> <p>Tempest is a community promenade show, part installation, part performance loosely inspired by Shakespeare's last play. Conceived during lockdown on daily walks around a suburban Ashfield block, imagined as an island, the show will be installed in front gardens and culminate in a concert in Yeo Park.</p>	\$5,000	\$5,000



Inner West Council Arts Grants 2021 - Category 1: Individual Artists

Attachment 1

App ID	Applicant	Project Title and Description	Total \$ Requested	Total \$ Recommended
IWCIA21-068	Seini Taumoepeau	<p><b>One Voice Singing in Harmony: Inner West songwomen SistaNative with Stiff Gins</b></p> <p>Post-production and release with interviews of unpublished acoustic song recordings, of compositions / arrangements by songwomen SistaNative with Stiff Gins, from collaborative recordings at ABC Studios in 2006. SistaNative &amp; Stiff Gins are multi-generational Marrickville residents, women of Indigenous heritage, Aboriginal and Pacific Islander. We are Inner West world music.</p>	\$5,000	\$5,000
IWCIA21-053	Lisa Hoelzl	<p><b>Cooks River Clay Connection</b></p> <p>A microcosm of the Cooks River in the form of botanical, bird and bee totems, this ceramic installation would express nature's great example of connection and communication through networks of mycelium, fungi, flowers and fauna and our need for strong local communities and creative communications to ensure biodiversity and survival.</p>	\$5,000	\$5,000
IWCIA21-027	Phil Spencer	<p><b>Swings and Roundabouts</b></p> <p>'Swings and Roundabouts' (working title) is a digital storytelling project inspired by the backstreet playparks and hidden adventure zones in our local neighbourhood. This intimate collection of micro-fictions is a celebration of our much-loved community spaces and a comical account of parental challenges in the modern world.</p>	\$4,550	\$4,550
Total Recommended			\$54,550	\$54,550



































































**Item No:** C1121(1) Item 4

**Subject:** LOCAL TRAFFIC COMMITTEE MEETING - OCTOBER 2021

**Prepared By:** Manod Wickramasinghe - Traffic and Transport Planning Manager

**Authorised By:** Cathy Edwards-Davis - Director Infrastructure

## RECOMMENDATION

### THAT:

1. The Minutes of the Local Traffic Committee meeting held on 18 October 2021 be received and the recommendations be adopted; and
2. Delegation be given to the General Manager to approve urgent items supported by the Traffic Committee, in discussion with the Mayor until Ordinary Council Meetings resume in February 2022.

## ITEMS BY WARD

Ward	Item
Baludarri (Balmain)	Traffic Management Plan for the 2021 New Year's Eve Event
	Request for Alcohol Free Zone for Water Street, Birchgrove
	Request for resident parking in Grove Street, Birchgrove
	Improvements to the Terry Street, Glassop Street and Elliot Street intersection in Balmain
	Anti-social driving on Lilyfield Road, Lilyfield and the cycleway
Gulgadya (Leichhardt)	Lords Road and Flood Street, Leichhardt - Proposed raised pedestrian crossings
	James Street, Leichhardt - Proposed extension to time restriction in existing Resident Parking Scheme
	Lilyfield Road, Lilyfield - Proposed removal of existing Bus Zone
	Accidents in Marion Street, Leichhardt intersections
	Intersection of City West Link and Waratah Street, Haberfield
	Pedestrian refuges on Darley Road, Lyall Street and Allen Street. Leichhardt
	Request for improvements to pedestrian crossing facilities near MarketPlace Leichhardt
	Pedestrian safety on Canal Road and Charles Street, Lilyfield
Midjuburi (Marrickville)	Unwins Bridge Road at Gannon Street, Tempe - Proposed line marking treatment at roundabout
	Addison Road, Marrickville – Proposed new pedestrian refuge - Design Plan 10117
	Dudley Street, Dulwich Hill; Illawarra Road, Marrickville; and (Lower) Railway Parade, Sydenham - Bus replacements during major rail shutdown 26 December 2021 to 9 January 2022 - Temporary parking changes during T3 Line upgrade for Sydney Metro
	Cycleway in Livingstone Road, Marrickville
	Sydney Park Junction plan
Djarrawunang (Ashfield)	Intersection of Hardy Street/ Church Street and Princess Street, (at suburb boundaries) Canterbury/Ashbury/Hurlstone Park - Proposed roundabout - Design Plan CBC No. 01470
	Nowranie Lane, Summer Hill- Proposed extension of 'No Stopping' and installation of 'No Parking' Zone



Damun (Stanmore)	Probert Street, Walenore Avenue & Holt Street, Newtown - Dedicated car share parking restrictions
All Wards	Traffic accident data

**DISCUSSION**

The October 2021 meeting of the Local Traffic Committee was held remotely. The minutes of the meeting are shown at **ATTACHMENT 1**.

**FINANCIAL IMPLICATIONS**

Projects proposed for implementation are funded within existing budget allocations.

**PUBLIC CONSULTATION**

Specific projects have undergone public consultation as indicated in the respective reports to the Traffic Committee.

**ATTACHMENTS**

1. [↓](#) Minutes of the October 2021 Local Traffic Committee































**Item No:** C1121(1) Item 5

**Subject:** MANAGEMENT OF FISHING IN COUNCIL FORESHORE RESERVES

**Prepared By:** Aaron Callaghan - Parks and Recreation Planning Manager

**Authorised By:** Graeme Palmer - Acting Director Planning

**RECOMMENDATION**

**THAT Council receive and note the report.**

**DISCUSSION**

At the 13<sup>th</sup> April 2021 Ordinary Meeting Council received a fishing hazard assessment report on fishing activities within Foreshore Parks in Balmain. In considering the report Council resolved in part the following:

*Receive a report outlining in detail current cleaning and maintenance of the reserve and proposals for improving further this schedule, particularly in terms of early morning cleanings. The report includes an assessment of whether, where on-leash and off-leash areas exist in foreshore parks, if fishing can be limited to on-leash areas.*

This report summarises the actions which Council officers have enacted to address this specific resolution of Council. The report also highlights the significant challenges associated with restricting fishing access to on leash areas.

**MANAGEMENT OF FISHING HAZARDS**

Previous Council reporting has highlighted the significant work which has been enacted to address fishing hazards within Council foreshore reserves, including the installation of new fishing tackle bins, educational signage and increased foreshore maintenance and inspections. A total of \$7,500 has been spent on implementing these initiatives. Photos of the investments in new signage and dedicated fishing line and hook bins is attached in **Attachment 1**.

**CLEANING OF FORESHORE PARKS**

As of February 2021, Council has increased its litter collection service at all foreshore parks to 6 times a week – daily excluding Saturdays. This service frequency is now being continued as an ongoing standard. This includes on foot inspections of the foreshore areas by staff in relation to hook and line issues.

**DOG OFF LEASH AREAS**

The following foreshore parks have designated off leash areas in parts of each of the parkland foreshore areas:

- Birchgrove Park
- Looks Avenue Reserve
- Illoura Reserve
- Mort Bay Park
- Ewenton Park
- Paringa Reserve
- Propeller Park



## RESTRICTING FISHING AREAS

Limiting fishing to “on leash parks only” areas would be practically challenging for Council to enforce given the nature of fishing and the times in which fishing takes place. It is noted that a significant amount of recreational fishing takes place during non-daylight hours.

Any future Council direction on restricting fishing areas would require a significant investment in signage throughout foreshore parks. Signage impacts on parks would be highly detrimental to each of the park settings. All of Councils foreshore parks are popular venues for weddings and family occasions. The visual appearance of these open space areas coupled with their iconic location on the foreshore of Sydney Harbour needs to be recognised and maintained to ensure public appreciation and amenity. Protecting the cultural amenity of our foreshore parks is a key management consideration, as is the ongoing education and management of park activities, including fishing.

Currently, compliance patrols are limited to daytime only and as previously reported there are inherent health and safety risks and operational matters that would require consideration and addressing prior to the commencement of any nighttime patrols by compliance staff.

Any future considerations by Council on restricting fishing within foreshore parks would require detailed community engagement. It is noted that the activity of fishing is an important community recreational activity. Fishing is also an important cultural activity which is part of life for Australians of all ages and from all socio-economic backgrounds.

The other option available to Council is making foreshore parks completely on leash. However, a proposal of this nature would require a change in companion animal access conditions to foreshore parks and would be controversial.

It is recommended that Council maintain current servicing and management of foreshore parks noting the increase of serving arrangements and the education and management steps which Council officers have taken to address fishing concerns.

## FINANCIAL IMPLICATIONS

In 2021 Council has committed a total of \$8,418.50 on new fishing educational signage and the purchase and installation of fishing line and hook bins in foreshore parks (*refer to Attachment 1*).

## ATTACHMENTS

1. [Fishing Line Bins and Educational Signage](#)



**Item No:** C1121(1) Item 6

**Subject:** GLADSTONE PARK TOILETS, FOOTPATHS AND WASTE BINS

**Prepared By:** Morna Scott - Capital Projects Manager

**Authorised By:** Cathy Edwards-Davis - Director Infrastructure

## RECOMMENDATION

**THAT Council receive and note the report.**

## DISCUSSION

*“On 6 July 2021, in response to C0721(1) Item 10 Notice of Motion: Gladstone Park: Toilets, Footpaths and Waste Bins Motion, Council resolved as follows:*

*THAT:*

1. *An audit be undertaken as soon as possible of the Gladstone Park toilets and a report be brought to council in July with recommendations on the implementation of a short-term solution with the upgrade of the toilets to address the safety, poor maintenance and smell issues. Funding to be identified or brought forward to 21/22 budget from the 22/23 budget;*
2. *Further advice to be sought on the heritage status of the toilets re the longer-term proposal to demolish them. That council commits to the building of at least one accessible toilet in Gladstone Park as a high priority;*
3. *The waste bins in Gladstone Park be emptied at least five times a week, including Friday, Saturday and Sunday and their usage monitored on an in-going basis; and*
4. *An audit be undertaken on the condition, safety and accessibility of the footpaths in and around Gladstone Park and a report brought to the July council meeting with recommendations on upgrading and repairing the footpaths, a timeline for implementing these works, costings and identified funding”.*

Staff have investigated and actioned the above items as follows:

1. Public toilets audit and short term works

A building condition report for the public toilet was completed in 2018 and proposed basic refurbishment, unspecified services works and accessibility improvements such as grab rails and brail indicators. The toilet fittings, tiling and painting are in fair condition.

In recent months Council’s Facilities team have undertaken various repairs and improvements to address current issues. This includes tiling and lighting repairs and connecting the waterless urinal to water to manage odour. The toilets have been deep cleaned and are currently cleaned three times a day due to increased demand during the Covid lock down. The cleaning frequency will be reviewed with demand as restrictions are lifted.

Replacement of the building in an accessible location is proposed as outlined below and it is recommended that short term works focus on basic access improvements, cleaning and necessary repairs only within existing budgets. Staff will consult Council’s Access and

Inclusion team to confirm appropriate short term accessibility compliance works for the existing building.

2. Heritage status of the building and delivery of new public toilet project

Gladstone Park 'including pump house, bandstand remains, plantings and other landscape elements' is a local heritage item I207 and is located with Heritage Conservation Area C7 under Leichhardt LEP 2013. While the toilet building is not specifically identified, demolition of the building and construction of a new building will require the preparation of a heritage impact statement and development approval. The park is State Government owned, under the care, control and management of Council with a Public Works history that includes the pump house and underground water reservoir.

As noted in the Notice of Motion, the Inner West Council Public Toilet Strategy adopted by Council in August 2020 proposes demolition of the existing toilet building and construction of a new building in an accessible at grade location within park as a high priority. The Public Toilet Strategy supersedes the Gladstone Park Plan of Management 2000 proposal to locate a new public toilet at grade with the Darling Street foot path. A development application and construction certificate was approved in 2004 for this proposal along with relocation of the existing bus shelter and landscape works, but was not implemented. The proposed toilet location on Darling Street, while accessible from street level, is well below the main park level and not accessible from the playground and park or Balmain Hospital and schools located adjacent to park. A location for the new toilet within the park has not been determined and will require investigation, concept designs and community engagement along with heritage assessment. This is expected to replace review of the Plan of Management which is currently priority 30 for Plan of Management reviews, and not planned within the new toilet project time frame.

It is noted that the local community is very passionate about Gladstone Park and the infrastructure within the park. Extensive community engagement will be required.

A budget of \$90,000 is allocated for the building condition works in 2022-2023. A further budget of \$1.1m is allocated for buildings in Gladstone Park under the Capital Property and Assets program across 2021-2022 and 2022-2023. Property Services staff have advised that this budget is available for construction of the new public toilet as well as possible renewal of the Bowling Club building which is yet to be confirmed.

The proposed schedule for the new toilet is as follows:

2021-2022	Existing toilet building minor works Investigation, scoping and estimates for the new toilet and bowling club. Commence site location studies, concept design and community engagement for the new toilet.
2022-2023	Concept design completion and development approval Detailed design and procurement
2023-2024	Construction

Existing budgets are proposed to be phased with \$90,000 in 2021-2022 for the existing building minor works and new building investigations and engagement. The \$1.1m budget will be allocated to 2022-2023 and 2023-2024 by Q3 following further clarification of requirements and estimates.

**3. Bin Collections**

An additional Saturday morning garbage collection has been arranged for Gladstone Park. Further, the garbage collection has been increased due to demand as we come out of the Covid lock down. The frequency of services will be reviewed with demand as restrictions are lifted.

**4. Footpath Renewal**

A detailed audit has been completed for the footpaths in and surrounding the park. See Attachment 1 for details. Footpath renewal within the park are estimated to cost \$70,000 and are being included in the current Parks Footpath Renewal contract works to be completed by June 2022 with funding under existing allocations from the NSW Government Local Roads and Community Infrastructure Program. Street footpath works are estimated to cost \$100,000 and will be also be completed by June 2022 as part of the additional 1.2m Section 94 funded footpath renewal program included in the 2021-2022 budget.

**FINANCIAL IMPLICATIONS**

Nil.

**ATTACHMENTS**

1. [↓](#) Gladstone Park Footpath Condition Audit July 2021



































Item No: C1121(1) Item 7

Subject: STATISTICAL REPORT OF CODE ON CONDUCT COMPLAINTS

Prepared By: Elizabeth Renneberg - Internal Ombudsman

Authorised By: Peter Gainsford - General Manager

Item 7

## RECOMMENDATION

**THAT Council note the Statistical Report on Code of Conduct Complaints relating to Councillors and the Chief Executive Officer for the period 1 September 2020 to 31 August 2021.**

## DISCUSSION

Part 11 of the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW* (the Procedures) require that Council's Complaints Coordinator must report annually to the Council and to the Office of Local Government on a range of complaint statistics within three months of the end of each September. The Procedures mandate the format of this statistical report for all councils to ensure consistency. The prescribed annual reporting period is from 01 September to 31 August each year. The report has been provided to the Office of Local Government as required under the Procedures and is replicated below:

Number of Complaints				
1	a	The total number of complaints <b>received</b> in the period about councillors and the General Manager (GM) under the code of conduct	16	
	b	The total number of complaints <b>finalised</b> in the period about councillors and the GM under the code of conduct	20	
Overview of Complaints and Cost				
2	a	The number of complaints <b>finalised at the outset</b> by alternative means by the GM or Mayor	3	
	b	The number of complaints <b>referred to the Office of Local Government</b> under a special complaints management arrangement	0	
	c	The number of code of conduct complaints <b>referred to a conduct reviewer</b>	11	
	d	The number of code of conduct complaints <b>finalised at preliminary assessment</b> by conduct reviewer	8	
	e	The number of code of conduct complaints <b>referred back to GM or Mayor</b> for resolution after preliminary assessment by conduct reviewer	1	
	f	The number of finalised code of conduct complaints <b>investigated by a conduct reviewer</b>	6	
	g	The number of finalised complaints investigated where there was found to be <b>no breach</b>	6	
	h	The number of finalised complaints investigated where there was found to be <b>a breach</b>	0	
	i	The number of complaints referred by the GM or Mayor <b>to another agency</b> or body such as the ICAC, the NSW Ombudsman, OLG or the Police	2	
	j	The number of complaints being investigated that are <b>not yet finalised</b>	2	

k	The <b>total cost</b> of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs	\$95,548.86	
<b>Preliminary Assessment Statistics</b>			
3	The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions:		
a	To take no action	3	
b	To resolve the complaint by alternative and appropriate strategies	3	
c	To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies	2	
d	To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police	0	
e	To investigate the matter	7	
<b>Investigation Statistics</b>			
4	The number of investigated complaints resulting in a determination that there was <b>no breach</b> , in which the following recommendations were made:		
a	That the council revise its policies or procedures	0	
b	That a person or persons undertake training or other education	0	
5	The number of investigated complaints resulting in a determination that there <b>was a breach</b> in which the following recommendations were made:		
a	That the council revise any of its policies or procedures	0	
b	In the case of a breach by the GM, that action be taken under the GM's contract for the breach (clause 7.36(h) of the 2018 Procedures or clause 7.37(a) of the 2020 Procedures)	0	
c	In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 (clause 7.36(i) of the 2018 Procedures or clause 7.37(b) of the 2020 Procedures)	0	
d	In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 and that the matter be referred to OLG for further action (clause 7.36(j) of the 2018 Procedures or clause 7.37(c) of the 2020 Procedures)	0	
6	Matter referred or resolved after commencement of an investigation under clause 8.20 of the Procedures and clause 7.20 of the new Procedures	1	
<b>Categories of misconduct</b>			
7	The number of investigated complaints resulting in a determination that there was a breach with respect to each of the following categories of conduct:		
a	General conduct (Part 3)	0	
b	Non-pecuniary conflict of interest (NMCC Part 5)	0	
c	Personal benefit (FMCC Part 5 / NMCC Part 6)	0	

	d	Relationship between council officials (FMCC Part 6 / NMCC Part 7)	0	
	e	Access to information and resources (FMCC Part 7 / NMCC Part 8)	0	
<b>Outcome of determinations</b>				
8		The number of investigated complaints resulting in a determination that there was a breach in which the council failed to adopt the conduct reviewers recommendation	0	
9		The number of investigated complaints resulting in a determination that there was a breach in which the council's decision was overturned following a review by OLG	0	

*Confidentiality*

Clause 11.1 of the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW* requires that information about Code of Conduct complaints and their management and investigation, is to be treated as confidential and is not to be publicly disclosed or discussed except as may be otherwise specifically required or permitted under the Procedures.

**FINANCIAL IMPLICATIONS**

It is noted that the cost incurred, \$95,548.86 relates to **all** Code of Conduct complaints **finalised** in the reporting period, noting that a number of these complaints were **received** in the previous reporting period.

**ATTACHMENTS**

Nil.