

Minutes of Ordinary Council Meeting held on 14 February 2023 at Ashfield Service Centre

Meeting commenced at 6.31pm

Present:

Darcy Byrne	Mayor (7.01pm)
Philippa Scott	Deputy Mayor
Liz Atkins	Councillor
Marghanita Da Cruz	Councillor
Jessica D'Arienzo	Councillor
Mark Drury	Councillor
Dylan Griffiths	Councillor
Mathew Howard	Councillor
Justine Langford	Councillor
Pauline Lockie	Councillor
Kobi Shetty	Councillor
Chloe Smith	Councillor
John Stamolis	Councillor
Timothy Stephens	Councillor
Zoi Tsardoulis	Councillor
Peter Gainsford	General Manager
Simone Plummer	Director Planning
Ryann Midei	Director Infrastructure
Ruth Callaghan	Director Community
Kelly Loveridge	Director Corporate
Beau-Jane De Costa	Senior Manager Governance and Risk
Matthew Pearce	General Counsel
Daryl Jackson	Chief Financial Officer
Chris Sleiman	Financial Partnering & Analytics Manager
Daniel East	Acting Senior Manager Planning
Manod Wickramasinghe	Manager Traffic and Transport Planning
Scott Mullen	Manager Strategic Investments and Property
Katherine Paixao	Business Paper Coordinator
Darcie Huisman	Business Paper Officer

The Deputy Mayor, Councillor Scott assumed the role as Chair in the absence of the Mayor and opened the meeting.

DISCLOSURES OF INTERESTS:

Clr Howard declared a non-significant, non-pecuniary interest in Item 6 Local Traffic Committee Meeting – 5 December 2022 as he works in the Office of the State Member for Summer Hill who has a representative on the Local Traffic Committee. He will remain and participate in the meeting for discussion and voting as the vote of the State Member is exercised through a representative.

Clr Scott declared a significant, pecuniary Interest in Item 4 67-75 Lords Road, Leichhardt - Planning Proposal as her residence is in close proximity to the development site. She will exit the chamber during discussion and voting of the item.

APOLOGIES:**Motion: (Drury/D'Arienzo)**

That Council note the apology from the Mayor, Clr Byrne from 6.31pm until 7.01pm.

Motion Carried

For Motion: Crs Atkins, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis

Against Motion: Nil

CONFIRMATION OF MINUTES**Motion: (Drury/D'Arienzo)**

That the Minutes of the Council Meeting held on Tuesday, 6 December 2022 be confirmed as a correct record.

Motion Carried

For Motion: Crs Atkins, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis

Against Motion: Nil

Motion: (Drury/D'Arienzo)

That the Minutes of the Extraordinary Council Meeting held on Tuesday, 13 December 2022 (6.00pm) and Extraordinary Council Meeting held on Tuesday, 13 December 2022 (6.30pm) be confirmed as a correct record.

Motion Carried

For Motion: Crs Atkins, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis

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.

Procedural Motion (Scott/Howard)

That the Mayoral Minute be deferred until the conclusion of Reports for Council decision.

Motion Carried

For Motion: Crs Atkins, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis

Against Motion: Nil

Procedural Motion (Scott/Drury)

That Council Suspend Standing Orders to bring forward the following items to be dealt with at this time:

1. Item 5 Post Exhibition Report 469R Princes Highway, Sydenham - Voluntary Planning Agreement
2. Item 7 Change to procurement regulations and review of Guidelines
3. Item 8 Conduct of the Local Government Election September 2024
4. Item 13 Investment Report at 30 November 2022
5. Item 14 Investment Report at 31 December 2022
6. Item 16 Impact of Airbnb on rental housing supply
7. Item 21 Notice of Motion: Tree Management in Pioneer Park
8. Item 22 Notice of Motion: Request for update on Transport for NSW (Roads) deliverable
9. Item 23 Notice of Motion: Parramatta to CBD Foreshore Link 91km path
10. Item 33 Lease of 10 Norton Street, Ashfield
11. Item 34 Appointment of Independent ARIC member
12. Item 36 RFT 27-22 External Legal Panel

Motion Carried

For Motion: Crs Atkins, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis

Against Motion: Nil

Procedural Motion (Scott/Drury)

That the following items be moved in globo and the recommendations contained within the report be adopted.

1. Item 5 Post Exhibition Report 469R Princes Highway, Sydenham - Voluntary Planning Agreement
2. Item 7 Change to procurement regulations and review of Guidelines
3. Item 8 Conduct of the Local Government Election September 2024
4. Item 13 Investment Report at 30 November 2022
5. Item 14 Investment Report at 31 December 2022
6. Item 16 Impact of Airbnb on rental housing supply
7. Item 21 Notice of Motion: Tree Management in Pioneer Park
8. Item 22 Notice of Motion: Request for update on Transport for NSW (Roads) deliverable
9. Item 23 Notice of Motion: Parramatta to CBD Foreshore Link 91km path
10. Item 33 Lease of 10 Norton Street, Ashfield
11. Item 34 Appointment of Independent ARIC member
12. Item 36 RFT 27-22 External Legal Panel

Motion Carried

For Motion: Crs Atkins, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis

Against Motion: Nil

C0223(1) Item 5 Post Exhibition Report 469R Princes Highway, Sydenham - Voluntary Planning Agreement**Motion: (Scott/Drury)****That Council:**

1. enter into the Amended Voluntary Planning Agreement for 469R Princes Highway, Sydenham as provided in Attachment 1 to this report; and
2. authorise the General Manager to approve an amendment to the parties to the amended VPA should the property be sold.

Motion Carried**For Motion:** Crs Atkins, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis**Against Motion:** Nil**C0223(1) Item 7 Change to procurement regulations and review of Guidelines****Motion: (Scott/Drury)****That Council delegate decisions to the General Manager to decline all tenders and either:**

1. postpone or cancel the proposal for the contract;
2. invite, in accordance with section 167, 168 or 169, fresh tender submissions based on the same or different details;
3. invite, in accordance with section 168, fresh applications from persons interested in making a tender submission for the proposed contract; and
4. invite, in accordance with section 169, fresh applications from persons interested in making a tender submission for contracts of the same kind as the proposed contract as per the Local Government (General) Regulation 2021.

Motion Carried**For Motion:** Crs Atkins, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis**Against Motion:** Nil**C0223(1) Item 8 Conduct of the Local Government Election September 2024****Motion: (Scott/Drury)****The Inner West Council ("the Council") resolves:**

1. pursuant to s. 296(2) and (3) of the Local Government Act 1993 (NSW) ("the Act") that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council;
2. pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council; and

3. pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.

Motion Carried

For Motion: Crs Atkins, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis

Against Motion: Nil

C0223(1) Item 13 Investment Report at 30 November 2022

Motion: (Scott/Drury)

That Council receive and note the report.

Motion Carried

For Motion: Crs Atkins, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis

Against Motion: Nil

C0223(1) Item 14 Investment Report at 31 December 2022

Motion: (Scott/Drury)

That Council receive and note the report.

Motion Carried

For Motion: Crs Atkins, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis

Against Motion: Nil

C0223(1) Item 16 Impact of Airbnb on rental housing supply

Motion: (Scott/Drury)

That Council receive and note this report.

Motion Carried

For Motion: Crs Atkins, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis

Against Motion: Nil

C0223(1) Item 21 Notice of Motion: Tree Management in Pioneer Park

Motion: (Scott/Drury)

That Council receive a report on tree health and tree management at Pioneer Park to the April 2023 Council meeting. This will include a general assessment and report on tree health as well as plans for the replacement of any trees which have been removed.

Motion Carried

For Motion: Crs Atkins, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis

Against Motion: Nil

C0223(1) Item 22 Notice of Motion: Request for update on Transport for NSW (Roads) deliverables

Motion: (Scott/Drury)

That Council write to the Minister for Transport requesting:

1. a traffic study be undertaken to improve traffic conditions on Wolseley St and Dobroyd Parade be undertaken following TfNSW's decision to retain the closure of Northcote Street at Parramatta Road, Haberfield which has impacted amenity in these adjacent streets;
2. implementation of 40km/h speed limit in Haberfield West - the area between Dobroyd Parade (West) Wattle Street, Martin Street and Parramatta Road including Ramsay Street;
3. an update on the creation of new Public Transport Lanes on Parramatta Road between Norton Street Leichhardt and Burwood Road. (condition of Westconnex Stage 1);
4. implementation of High Pedestrian Activity Area (HPAA) including reduction of Speed Limit in Haberfield Village on Ramsay Street and Dalhousie Street (as promised in 2019);
5. priority for the Speed Limit reduction Frederick Street (due August 2022) and upgrading pedestrian safety when crossing Frederick Street, Ashfield particularly at John Street, following the death of a Pedestrian on the at grade markings;
6. information regarding the Future of the Cove Street Depot Haberfield, between Dobroyd Parade and Dobroyd Canal;
7. provision of an additional Pedestrian Crossing leg across Parramatta Road, on the Western Side of the intersection of Parramatta Road and Frederick Street, Ashfield;
8. approval to commence the Parramatta Road Urban Amenity Improvement Program (PRUAIP) new cycleway from Parramatta Road to Mallet Street, Annandale;
9. investigation on the Crescent Annandale to provide a safe and continuous bike path; and
10. attention to both legal and illegal right hand turns into and out of Darley Road to streets and laneways between William St and City West Link which results in State Road traffic rat running through the local road network.

Motion Carried

For Motion: Crs Atkins, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis

Against Motion: Nil

C0223(1) Item 23 Notice of Motion: Parramatta to CBD Foreshore Link 91km path**Motion: (Scott/Drury)****That Council:**

- 1. express support for a continuous 91km active transport path linking Parramatta to the CBD along the foreshore;**
- 2. supply any existing reports or maps produced by Council (e.g. Leichhardt Council) which may assist in enhancing the path or links to the path from within our municipality; and**
- 3. advocate for the Glebe Island Bridge to be included as part of the path concept.**

Motion Carried**For Motion:** Crs Atkins, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis**Against Motion:** Nil**C0223(1) Item 33 Lease of 10 Norton Street, Ashfield****Motion: (Scott/Drury)**

That Council approves the lease and delegates authority to the General Manager to finalise and execute the lease agreement in accordance with the details contained in the confidential report.

Motion Carried**For Motion:** Crs Atkins, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis**Against Motion:** Nil**C0223(1) Item 34 Appointment of Independent ARIC member****Motion: (Scott/Drury)****That Council:**

- 1. resolves to appoint Ilona Meyer to the Inner West Council Audit, Risk and Improvement Committee, for a period of four years, with an option for re-appointment for a further four years, subject to a formal review of the members performance; and**
- 2. writes to Heather Smith thanking her and acknowledging the significant contribution she has made to Council as an Independent Member of the Audit, Risk and Improvement Committee for the past eight years.**

Motion Carried**For Motion:** Crs Atkins, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis**Against Motion:** Nil

C0223(1) Item 36 RFT 27-22 External Legal Panel**Motion: (Scott/Drury)****That the tenders submitted below be accepted for the Inner West Council's External Legal Provider Panel:**

1. Apex Planning and Environment Law;
2. Clayton Utz;
3. HWL Ebsworth Lawyers;
4. Lindsay Taylor Lawyers;
5. Maddocks;
6. Hall and Wilcox Lawyers;
7. Sparkes Helmore Lawyers; and
8. Houston Dearn O'Connor Lawyers.

Motion Carried**For Motion:** Crs Atkins, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis**Against Motion:** Nil

The Mayor, Councillor Byrne entered the Meeting at 7:01 pm. The Deputy Mayor, Councillor Scott vacated the chair and the Mayor, Councillor Byrne assumed the chair.

C0223(1) Item 1 December Quarterly Budget Reporting Statement, and Delivery Program 2022-26 and Operational Plan 2022-23 - Quarter Two Report**Motion: (Drury/Lockie)****That Council adopt the Second Quarter Budget Review for 2022-23.****Motion Carried****For Motion:** Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis**Against Motion:** Nil**C0223(1) Item 2 Inner West Council De-Amalgamation Business Case****Motion: (Scott/Drury)****That Council:**

1. submits the Deamalgamation Business Case, as considered by Council at the 13 September and the 6 December 2022 Council Meeting, with the additional attachment of the Ernst and Young risk report, to the Minister for Local Government; and

2. includes the approved covering letter with the submission to the Minister for Local Government, that sets out clearly that de-amalgamation, should it occur, be done only on the following terms:
 - a) that the full costs of the de-amalgamation being between \$178 million - \$190 million be paid in full by the NSW Government, prior to the commencement of the de-amalgamation, with no costs to be borne by Inner West ratepayers; and
 - b) that the duly democratically elected representatives of Council will remain in office and the NSW Government will not install an interim unelected administrator.

Motion Carried

For Motion: Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Scott, Shetty, Smith, Stephens and Tsardoulis

Against Motion: Crs Langford, Lockie and Stamolis

C0223(1) Item 3 Main Street Revitalisation Expression of Interest process

Motion: (Scott/Byrne)

That Council endorses the process outlined in the report to call for Expressions of Interest from a coalition of local businesses, main street property owners, chambers of commerce, community and arts organisations to partner with Council in main street improvement projects, subject to:

1. the addition of an expert, independent member to the panel to evaluate Stage 1 EOIs; and
2. additional resourcing being provided for promotion of the Stage 1 EOI application process and development of promising submissions through the Stage 2 EOI process.

Motion Carried

For Motion: Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis

Against Motion: Nil

The Deputy Mayor, Councillor Scott left the Meeting at 7:15 pm as she declared a significant, pecuniary interest in Item 4 67-75 Lords Road, Leichhardt - Planning Proposal as her residence is in close proximity to the development site.

C0223(1) Item 4 67-75 Lords Road, Leichhardt - Planning Proposal

Motion: (Drury/Da Cruz)

That Council:

1. Does not support the Planning Proposal prepared by FPD Pty Ltd dated 3 August 2022 for 67-75 Lords Road, Leichhardt for the following reasons:

- a) the Planning Proposal is inconsistent with Ministerial Direction 1.5 Parramatta Road Corridor Urban Transformation Strategy (PRCUTS Strategy) 1.5 (1)(a)(b) and (c) as the proposal does not adequately give effect to the objectives 1.5(a) of the Ministerial Direction and is inconsistent with Strategic Actions within the PRCUTS Strategy, and the Planning and Design Guidelines;
 - b) it fails the strategic and site-specific merit test of the Guidelines for Preparing Planning Proposals pursuant to Section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act);
 - c) it is inconsistent with the following Council's adopted Policies:
 - i. Local Strategic Planning Statement (LSPS);
 - ii. Local Housing Strategy;
 - iii. Employment and Retail Lands Strategy;
 - iv. Affordable Housing Policy; and
 - v. Community Strategic Plan
 - d) it is inconsistent with the following Ministerial Directions:
 - i. Implementation of Regional Plans;
 - ii. 1.5 Parramatta Road Corridor Urban Transformation Strategy; and
 - iii. 4.1 Flooding.
 - e) it is inconsistent with State Environmental Planning Policy (Housing) 2021;
 - f) the proposed design is unsatisfactory with respect to:
 - i. flooding;
 - ii. site servicing, access and circulation; and
 - iii. built form controls, including setbacks, building separation, open space.
2. recommend that the Planning Proposal should not be progressed to the Minister of Planning in accordance with section 3.34 of the EP&A Act;
 3. should the proponent request a Rezoning Review by the NSW Department of Planning and Environment, or submit an amended Planning Proposal to Council the following matters should be considered in the assessment in addition to the matters in recommendation 1 above:
 - i. the Planning Proposal be amended to omit business premises and office premises from the proposed Additional Permitted Uses;
 - ii. the Planning Proposal be amended to include a local provision requiring a minimum of 3,000sqm of non-residential uses;

- iii. that an Affordable Housing Contributions Scheme be prepared as part of the Planning Proposal or a Planning Agreement be negotiated. The affordable housing percentage of residential development to comply with Inner West Affordable Housing Policy, being 15% subject to a detailed feasibility analysis;
 - iv. discussions be held with Council, DPE and TfNSW on the implementation of the Parramatta Road Corridor Precinct-wide Transport and Traffic Study as relevant to the Planning Proposal site;
 - v. provide an updated Traffic and Parking Analysis report and any other specialist reports (as necessary) utilising and reflecting the most up to date data available;
 - vi. consideration should be given to the proposed RE1 Public Recreation zone along the western boundary (75 Lords Road);
 - vii. consideration should be given to the inadequate floor to ceiling heights of the light industrial units; and
 - viii. a flood risk and impact assessment including pre- and post-development flood modelling be undertaken to satisfy the requirements of the Ministerial Direction 4.1 Flooding.
4. in accordance with action 13.9 of the Inner West LSPS, write to the Minister seeking a variation to the ministerial direction to retain employment lands in PRCUTS.

Motion Carried

For Motion: Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Shetty, Smith, Stamolis, Stephens and Tsardoulis

Against Motion: Nil

Absent: Cr Scott

The Deputy Mayor, Councillor Scott returned to the Meeting at 7:25 pm.

C0223(1) Item 6 Local Traffic Committee Meeting - 5 December 2022

Motion: (Howard/D'Arienzo)

That the Minutes of the Local Traffic Committee meeting held on 5 December 2022 be received and the recommendations be adopted subject to the following additions to Item 2 Tempe Reserve, Tempe – Temporary Road Closures for Sydney IGLFA Soccer Tournament 20-23 February 2023 – (Midjuburi - Marrickville Ward/Heffron Electorate/Newtown LAC):

That:

- 1. no objection be raised to the Soccer Tournament over the four day period between 11 February to 5 March 2023 subject to the applicant complying with the following conditions:
 - a) the Traffic Management Plan (TMP) be reviewed and updated accordingly to address issues raised in this report.
Reason – to ensure the event runs safely and efficiently throughout this period and to address any unforeseen issues arising;

- b) the applicant is to provide an estimate of expected traffic volume figures attending the event. This shall include details about the average arrivals/departures per day as well as peak hour arrivals/departures. Furthermore, direction(s) of traffic flow needs to be included in this analysis (ie. of where traffic is going to and coming from).
Reason - This information is required for each day to assess the impact of any possible traffic congestion at the signalised intersection of Holbeach Avenue and Princes Highway;
- c) an updated TMP be sent to TfNSW for their review and comment.
Reason – to ensure TfNSW is aware of the event series and can provide comment on any impact(s) on the operation of the signalised intersection of Highway and Holbeach Avenue, Tempe;
- d) notification of the proposed event be forwarded to the NSW Police, Transit Systems and State Transit Authority (Kingsgrove Depot), the NSW Fire Brigade and the NSW Ambulance Services.
Reason – so emergency services and transport services are aware of the event series and can plan around the event;
- e) affected residents and/or businesses are notified in writing at least two weeks prior to event and the event organiser and traffic control company contact details and names be included in the notification letters.
Reason – so residents and businesses are aware of the event series and can plan around event;
- f) adequate vehicular traffic control shall be provided for the protection and convenience of pedestrians and motorists including appropriate signage and flagging. TCP must be implemented on the day(s) by an appropriate certified traffic controller (designer of TCP or similar certification). Workers shall be specially designated for this role (and carry appropriate certificates), as necessary to comply with this condition. This is to be carried out in accordance with the Australian Standard AS 1742.3 - Traffic Control Devices for works on roads.
Reason – to ensure that the management of pedestrians, cyclists, vehicles and road other users is undertaken in a safe and efficient manner.
2. additional traffic controllers to be situated at:
- a) the western end of South Street;
 - b) Bay Street east of Princes Highway;
 - c) Station Street east of Princes Highway; and
 - d) Hart Street east of Princes Highway.
3. the above comments of the Local Traffic Committee be received and noted;
4. note the request from ten or more residents for a resident parking scheme in the area bounded by the Princes Highway and South Street, Smith Street and Holbeach Avenue, Tempe, and commence investigation of such a scheme; and
5. at the conclusion of that investigation, commence a Parking Study of the area around Tempe Reserve as noted in the Tempe Reserve Plan of Management.

Motion Carried

For Motion: Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis

Against Motion: Nil

C0223(1) Item 9 Post Exhibition - Amended Model Code of Meeting Practice

Motion: (Scott/Drury)

That Council adopts the draft Model Code of Meeting Practice in Attachment 1.

Motion Carried

For Motion: Crs Byrne, D'Arienzo, Drury, Howard, Scott, Smith, Stephens and Tsardoulis

Against Motion: Crs Atkins, Da Cruz, Griffiths, Langford, Lockie, Shetty and Stamolis

C0223(1) Item 10 National General Assembly of Local Government 2023

Motion: (Scott/Drury)

That Council:

- 1. Determine the Councillors attending the National General Assembly of Local Government 2023 will be the Mayor, Councillor Byrne, Councillors D'Arienzo, Drury, Da Cruz, Griffiths, Langford, Atkins and Lockie.**
- 2. Determine the one (1) councillor that will be the voting delegate will be the Mayor, Cr Byrne; and**
- 3. Note the following motions, that meet the National General Assembly's criteria, will be submitted on behalf of Council after being brought to the March 2023 Ordinary Council meeting:**
 - a) Fossil free investment options for big banks (Drury); and**
 - b) Referendum on the Voice to Parliament (Byrne).**

Motion Carried

For Motion: Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis

Against Motion: Nil

C0223(1) Item 11 Councillor Representation on Committees

Motion: (Scott/Stephens)

That Council determine Councillor representation on Council and External Committees until September 2024, as detailed in this report, subject to the following amendments:

- 1. Customer Service Review Committee: Remove Clr Shetty, add Clr Atkins;**

- 2. Local Traffic Committee: Remove Alternate Cllr Langford, replace Alternate Cllr Smith;**
- 3. Cooks River Alliance Board: Remove Alternate Cllr Langford, replace Alternate Cllr Stephens; and**
- 4. NSW Public Libraries Association: Remove Alternate Cllr Shetty (note paper wrongly states Cllr Langford), replace Alternate Cllr Griffiths**

Motion Carried

For Motion: Cllrs Byrne, D'Arienzo, Drury, Griffiths, Howard, Lockie, Scott, Smith, Stephens and Tsardoulis

Against Motion: Cllrs Atkins, Da Cruz, Langford, Shetty and Stamolis

Amendment (Langford/Stamolis)

That points 2 and 3 be deleted from the primary motion.

Motion Lost

For Motion: Cllrs Atkins, Da Cruz, Griffiths, Langford, Lockie, Shetty and Stephens

Against Motion: Cllrs Byrne, D'Arienzo, Drury, Howard, Scott, Smith, Stamolis and Tsardoulis

Procedural Motion (Shetty/Griffiths)

That point 5 of the Stamolis/Da Cruz amendment be voted on in seriatum.

Motion Lost

For Motion: Cllrs Atkins, Da Cruz, Griffiths, Langford, Lockie, Shetty and Stamolis

Against Motion: Cllrs Byrne, D'Arienzo, Drury, Howard, Scott, Smith, Stephens and Tsardoulis

Amendment (Stamolis/Da Cruz)

That Council:

- 1. note that the 15 Councillors of the Inner West can participate in 14 committees offering 30 positions (excluding alternates);**
- 2. to ensure that all Councillors are provided with the opportunity to participate on Council committees;**
- 3. to establish an appeals process or review process for Councillors who have been excluded from participation on Council committees;**

The Mayor ruled point 3 out of order as it is inconsistent with the *Local Government Act 1993*. *This was not voted on.*

- 4. increase the number of committee members on the Major Capital Projects Committee to 6 and appoint Councillor Stamolis.**

Motion Lost

For Motion: Cllrs Atkins, Da Cruz, Griffiths, Langford, Lockie, Shetty and Stamolis

Against Motion: Cllrs Byrne, D'Arienzo, Drury, Howard, Scott, Smith, Stephens and Tsardoulis

- 5. increase the number of councillor committee members on the Audit, Risk and Improvement Committee to 3 and nominate Councillor Stamolis.**

Point 5 of the Stamolis/Da Cruz amendment was withdrawn by Councillor Stamolis prior to voting on the amendment.

Procedural Motion (Scott/Howard)

That Council allow the Mayor, Councillor Byrne to speak for 2 additional minutes on Item 38.

Motion Carried

For Motion: Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis

Against Motion: Nil

C0223(1) Item 38 Mayoral Minute: Inner West BBQ for the Voice to Parliament

Motion: (Byrne)

That Council:

- 1. Endorse the convening of the Inner West BBQ for the Voice to Parliament this Saturday February 18 at Petersham Park as well as the provision of in-kind support from Council including:**
 - a) the opening of Fanny Durack pool for free public access;**
 - b) promotion of the event through Council's communications channels; and**
 - c) staff time in organising the event.**

- 2. Further endorse the allocation of funds for an Aboriginal band to perform, the provision of audio equipment and the purchase of sausages for the BBQ. The funding of these costs, estimated to be approximately \$10,000 is to be identified and reported through the next quarterly budget review.**

Motion Carried

For Motion: Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis

Against Motion: Nil

C0223(1) Item 12 2021/22 Annual Disclosure of Interest

Motion: (Drury/Scott)

That Council note the amended Annual Disclosure of Interest Return for Councillor Darcy Byrne.

Motion Carried

For Motion: Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Lockie, Scott, Shetty, Smith, Stephens and Tsardoulis

Against Motion: Crs Langford and Stamolis

C0223(1) Item 15 Investment Report at 31 January 2023**Motion: (Drury/Lockie)****That Council receive and note the report.****Motion Carried****For Motion:** Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis**Against Motion:** Nil**Procedural Motion (Scott/D'Arienzo)****That Council allow Councillor Smith to speak for 1 additional minute on Item 17.****Motion Carried****For Motion:** Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis**Against Motion:** Nil**C0223(1) Item 17 Arts Summit - Update and Draft Report for Endorsement****Motion: (Smith/Howard)****That Council:**

1. receive and note the report; and
2. amend point 3 in the Draft Inner West Council Arts and Music Recovery Plan to reflect that open days for all 8 Town Halls will be held by June 2023.

Motion Carried**For Motion:** Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis**Against Motion:** Nil

Councillor Griffiths left the Meeting at 8:22 pm.

Councillor Griffiths returned to the Meeting at 8:27 pm.

C0223(1) Item 18 Update to the Land Register**Motion: (Scott/Drury)****That Council:**

1. receive and note the report; and
2. to identify what impact the changes to the Land and Property Register will have on the valuation of Councils assets.

Motion Carried**For Motion:** Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulias**Against Motion:** Nil**Procedural Motion (Byrne/D'Arienzo)****That the meeting be adjourned for 10 minutes.****Motion Carried****For Motion:** Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulias**Against Motion:** Nil

The meeting was adjourned at 8.27pm

The meeting recommenced at 8.42pm

C0223(1) Item 19 Update on Town Halls**Motion: (Howard/Scott)****That Council receive and note the report.****Motion Carried****For Motion:** Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulias**Against Motion:** Nil**Procedural Motion (Byrne/Smith)****That Council allow Councillor Drury to speak for 1 additional minute in Item 20.****Motion Carried****For Motion:** Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulias**Against Motion:** Nil

**C0223(1) Item 20 Notice of Motion to Rescind: C1122(1) Item 21 Notice of Motion:
Council Advertising and Inner West News****Motion: (Shetty/Atkins)****That Council rescind C1122(1) Item 21 Notice of Motion: Council Advertising and Inner West News being:****That Council:**

- 1. Taking into consideration any formal contractual obligations Council has direct all our advertising expenditure to the Inner West Council Newsletters and Social Media;**
- 2. Increase the number of Inner West Council Newsletters by one, taking the total number of editions to eleven per year; and**
- 3. Upgrade the 14 community noticeboards.**

Motion Lost**For Motion:** Crs Atkins, Da Cruz, Griffiths, Langford, Lockie, Shetty and Stamolis
Against Motion: Crs Byrne, D'Arienzo, Drury, Howard, Scott, Smith, Stephens and Tsardoulias**Procedural Motion: (Shetty/Stephens)****That Council allow the Councillor Griffiths to speak for 1 additional minute in Item 24.****Motion Carried****For Motion:** Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulias
Against Motion: Nil**Procedural Motion: (Shetty/Langford)****That Council allow Councillor Lockie to speak on an amendment for 1 additional minute in Item 24.****Motion Carried****For Motion:** Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulias
Against Motion: Nil**C0223(1) Item 24 Notice of Motion: Protecting the Right to Peaceful Non-Violent
Protest in NSW****Motion: (Shetty/Griffiths)****That:**

- 1. Council acknowledge that the right to protest is fundamental in a democratic society;**
- 2. Council commit to support and facilitate the right of the community, including climate activists, to peacefully protest in the Inner West Local Government**

Area; and

- 3. the Mayor urgently write to the NSW Attorney General, NSW Shadow Attorney General, the NSW Minister for Police and the Commissioner for Police to:**
 - a) express support for the right of peaceful gathering, meeting, and assembly in NSW; and**
 - b) express the Inner West Council's support for the review of protest laws introduced in NSW in April 2022.**

Motion Carried

For Motion: Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulias

Against Motion: Nil

Amendment (Stephens/Drury)

That points 2 and 3 be amended to the following wording:

- 2. Commit to support and facilitate the right of the community, including climate activists, to peacefully protest in the Inner West Local Government Area; and**
- 3. The Mayor urgently write to the NSW Attorney General, NSW Shadow Attorney General, the NSW Minister for Police and the Commissioner for Police to:**
 - a) express support for the right of peaceful gathering, meeting, and assembly in NSW; and**
 - b) express the Inner West Council's support for the review of protest laws introduced in NSW in April 2022.**

Motion Carried

For Motion: Crs Byrne, D'Arienzo, Drury, Howard, Scott, Smith, Stephens and Tsardoulias

Against Motion: Crs Atkins, Da Cruz, Griffiths, Langford, Lockie, Shetty and Stamolis

As the amendment was carried, it was incorporated in to the primary motion.

C0223(1) Item 25 Notice of Motion: School-based market leases

Motion: (Scott/Byrne)

That Council write to Minister for Education:

- 1. Seeking assurance that the contracts and leases for the school-based markets in the Inner West Council Local Government Area at Orange Grove Public School and Rozelle Public School are not at risk; and**
- 2. Seeking a timeline for their tender and confirmation that market tenders are being proactively managed.**

Motion Carried

For Motion: Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulias

Against Motion: Nil

Procedural Motion: (Stephens/Scott)

That Council allow the Mayor, Councillor Byrne to speak for 1 additional minute in Item 26.

Motion Carried

For Motion: Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulias

Against Motion: Nil

C0223(1) Item 26 Notice of Motion: Callan Park community use

Procedural Motion: (Drury/Stephens)

That the Motion be put.

Motion Carried

For Motion: Crs Byrne, D'Arienzo, Drury, Howard, Scott, Smith, Stephens and Tsardoulias

Against Motion: Crs Atkins, Da Cruz, Griffiths, Langford, Lockie, Shetty and Stamolis

Procedural Motion (Griffiths)

That a motion of dissent be moved in the chairperson's ruling of not allowing Councillor Shetty speak to remarks of misrepresentation.

Motion Lost

For Motion: Crs Atkins, Da Cruz, Griffiths, Langford, Lockie, Shetty and Stamolis

Against Motion: Crs Byrne, D'Arienzo, Drury, Howard, Scott, Smith, Stephens and Tsardoulias

Motion: (Scott/Byrne)

That Council:

- 1. note that the Leichhardt Women's' Community Health Centre (LWCHC) have compassionately and diligently served the community for many decades and despite being burdened with an outdated funding model, have through their own skill and efficiency, expanded their service and have now outgrown their premises on Thornley Street Leichhardt;**
- 2. note that LWCHC have over the summer period asked Council for assistance to support their efforts to find additional premises;**
- 3. note that LWCHC were encouraged to participate in an application process for use of space at Callan Park, and have not heard from the State Member for**

Balmain Jamie Parker or the Planning Minister Rob Stokes with regard to the status of their application; and

- 4. write to the State Member for Balmain and the Minister for Planning asking for an update on the Callan Park community health precinct application process that local not for profit groups in good faith participated in, and request that they be provided with a response.**

Motion Carried

For Motion: Crs Atkins, Byrne, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulias

Against Motion: Cr Da Cruz

Amendment (Shetty/Stamolis)

That Council replace points 3 and 4 of the primary motion with the following wording:

- 3. supports the LCWHC in any future efforts to obtain additional space.**

Motion Lost

For Motion: Crs Atkins, Da Cruz, Griffiths, Langford, Lockie, Shetty and Stamolis

Against Motion: Crs Byrne, D'Arienzo, Drury, Howard, Scott, Smith, Stephens and Tsardoulias

Amendment (Da Cruz/Stamolis)

That Council consider suitable Council-owned properties available to provide accommodation to the Leichhardt Women's' Community Health Centre (LWCHC)

Motion Lost

For Motion: Crs Atkins, Da Cruz, Griffiths, Langford, Lockie, Shetty and Stamolis

Against Motion: Crs Byrne, D'Arienzo, Drury, Howard, Scott, Smith, Stephens and Tsardoulias

C0223(1) Item 27 Notice of Motion: Rozelle Parklands Transport and Traffic Assessment

Motion: (Byrne/Scott)

That:

- 1. Council note that Transport for NSW had yesterday provided written advice that they will finally fund a parking and traffic analysis for Rozelle Parklands;**
- 2. Council further note that no timeline has been provided for the analysis to be undertaken;**
- 3. Council write to the NSW Minister for Transport insisting upon the traffic analysis being undertaken immediately with input from Council and the community;**
- 4. the local community be fully involved and consulted in any traffic and parking studies undertaken in the area; and**
- 5. bicycle groups also be consulted.**

Motion Carried

For Motion: Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulias

Against Motion: Nil

C0223(1) Item 28 Notice of Motion: St Peter's Station Accessibility

Motion: (Atkins/Langford)

That Council:

1. note the recent work at St Peter's station and the very welcome installation of lifts between platforms and concourse;
2. note the replacement of the Goodsell Street entrance ramp with steps; and
3. write to the NSW Minister for Transport thanking the government for installing lifts at St Peters Station and seeking direct step-free access to those lifts from Goodsell Street.

Motion Carried

For Motion: Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulias

Against Motion: Nil

Procedural Motion (Howard/Scott)

That Council enter into Confidential session.

Motion Carried

For Motion: Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulias

Against Motion: Nil

Confidential Session

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:

C0223(1) Item 32 Update on the acquisition of investment properties (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)(ii) of the Local Government Act 1993) that would, if disclosed confer a commercial advantage on a competitor of the council.

C0223(1) Item 35 Summer Hill Reuse Centre – Update (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.

C0223(1) Item 37 RFT 20-22 HJ Mahoney Reserve Amenities Works (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.

Procedural Motion (Howard/Scott)

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

Motion Carried

For Motion: Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulias

Against Motion: Nil

RESOLUTIONS PASSED DURING CLOSED SESSION

C0223(1) Item 32 Update on the acquisition of investment properties

Motion: Drury/Scott)

That Council receive and note the report.

Motion Carried

For Motion: Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulias

Against Motion: Nil

C0223(1) Item 35 Summer Hill Reuse Centre - Update

Motion: (Drury/Griffiths)

That Council:

- 1. approves further discussions with other interested parties who did not provide a submission to the EOI, and have subsequently contacted Council, to occupy any remaining space for the purpose of reuse and recycling; and**
- 2. investigates opportunities to locate a Reverse Vending Machine on the site.**

Motion Carried

For Motion: Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulias

Against Motion: Nil

Amendment: (Langford/Da Cruz)

That an additional point be added to the primary motion:

- 3. investigates opportunities of having an artist in residence at the Summer Hill Reuse Centre.**

Motion Lost

For Motion: Crs Atkins, Da Cruz, Langford, Shetty and Stamolis

Against Motion: Crs Byrne, D'Arienzo, Drury, Griffiths, Howard, Lockie, Scott, Smith, Stephens and Tsardoulias

C0223(1) Item 37 RFT 20-22 HJ Mahoney Reserve Amenities Works

Motion: (Howard/Byrne)

That Council:

1. **cancel tender T20-22 HJ Mahoney Memorial Reserve Amenities Work and decline all associated tender submissions; and**
2. **continue a procurement process to deliver the HJ Mahony Reserve Amenities Work as a matter of priority.**

Motion Carried

For Motion: Crs Atkins, Byrne, Da Cruz, D'Arienzo, Drury, Griffiths, Howard, Langford, Lockie, Scott, Shetty, Smith, Stamolis, Stephens and Tsardoulis

Against Motion: Nil

Meeting closed at 10.12pm.

PUBLIC SPEAKERS:

Item #	Speaker	Suburb
Item 4	Michael File Hall Greenland	Sydney Leichhardt
Item 22	Peter Humphreys	Haberfield
Item 24	Anastasia Radievska	Marrickville
Item 28	Gloria Muir	St Peters

The Minutes of the Ordinary Meeting of Council held on the 14th day of February, 2023 were confirmed as a correct record on this 14th day of March 2023.



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CHAIRPERSON