

Minutes of Extraordinary Council Meeting held remotely and livestreamed on Council's website on 7 September 2021

The meeting was deferred until 7.20pm due to technical difficulties

Meeting commenced at 7.21pm

Present:

Darcy Byrne	Mayor
Victor Macri	Deputy Mayor
Rochelle Porteous	Elected as Mayor during the Mayoral Election held in this meeting
Pauline Lockie	Elected as Deputy Mayor during the Mayoral Election held in this meeting
Marghanita Da Cruz	Councillor
Mark Drury	Councillor
Lucille McKenna OAM	Councillor
Colin Hesse	Councillor
Sam Iskandar	Councillor
Tom Kiat	Councillor
Julie Passas	Councillor
Vittoria Raciti	Councillor
John Stamolis	Councillor
Louise Steer	Councillor
Anna York	Councillor
Peter Gainsford	General Manager
Graeme Palmer	Acting Director Planning
Cathy Edwards-Davis	Director Infrastructure
Caroline McLeod	Acting Director Community
Peter Livanes	Acting Director Corporate
Katherine Paixao	Acting Manager Governance
Carmelina Giannini	Acting Governance Coordinator

Nathan Moran CEO of Metro Local Aboriginal Lands Council gave a Welcome to Country.

APOLOGIES: Nil

DISCLOSURES OF INTERESTS: Nil

C0921(1) Item 1 Election of Mayor and Deputy Mayor

The General Manager advised that the election of Mayor and Deputy Mayor will be conducted in accordance with the provisions of the Local Government Act and Regulations.

Motion: (Hesse/McKenna OAM)

THAT in the view of openness and transparency the election for Mayor and Deputy Mayor be conducted by a show of hands.

Motion Carried

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

Against Motion: Nil

Position of Mayor

The General Manager advised that he has received nominations for the position of Mayor for Councillor Porteous, Councillor Macri and Councillor Byrne.

The General Manager asked all Councillors who support Councillor Porteous being the first nomination received, for the position of Mayor to raise their hands.

Councillor Porteous received a total of 6 votes from Councillors Porteous, Kiat, Steer, Da Cruz, Hesse and Lockie.

The General Manager asked all Councillors who support Councillor Macri being the second nomination received for the position of Mayor, to raise their hands.

Councillor Macri received a total of 4 votes from Councillors Macri, Passas, Raciti and Stamolis.

The General Manager asked all Councillors who support Councillor Byrne being the third nomination received for the position of Mayor, to raise their hands.

Councillor Byrne received a total of 5 votes from Councillors Byrne, McKenna OAM, Drury, York and Iskandar.

As Councillor Macri received the lowest amount of votes, Councillor Macri is excluded.

A second round of voting was undertaken.

The General Manager asked all Councillors who support Councillor Porteous being the first nomination received, for the position of Mayor to raise their hands.

Councillor Porteous received a total of 7 votes from Councillors Da Cruz, Porteous, Hesse, Kiat, Steer, Stamolis and Lockie.

The General Manager asked all Councillors who support Councillor Byrne being the third nomination received for the position of Mayor, to raise their hands.

Councillor Byrne received a total of 5 votes from Councillors Drury, Byrne, McKenna OAM, York and Iskandar

Councillors Macri, Passas and Raciti abstained from voting.

The General Manager declared that Councillor Porteous is elected as Mayor until the end of the current term of Council.

The Mayor, Councillor Porteous assumed the Chair.

Position of Deputy Mayor

The General Manager advised that he has received nominations for the position of Deputy Mayor for Councillor Lockie and Councillor McKenna OAM.

The General Manager asked all Councillors who support Councillor Lockie being the first nomination received, for the position of Deputy Mayor to raise their hands.

Councillor Lockie received a total of 7 votes from Councillors Lockie, Da Cruz, Porteous, Hesse, Kiat, Steer and Stamolis.

The General Manager asked all Councillors who support Councillor McKenna OAM being the second nomination received, for the position of Deputy Mayor to raise their hands.

Councillor McKenna OAM received a total of 5 votes from Councillors McKenna OAM, Drury, Byrne, York and Iskandar.

Councillors Macri, Passas and Raciti abstained from voting.

The General Manager declared that Councillor Lockie to be elected Deputy Mayor until the end of the current term of Council.

The Mayor Councillor Porteous and Deputy Mayor Councillor Lockie gave a speech.

C0921(1) Item 2 Response to Notice of Motion - Interactions and Computer Literacy

Motion: (Passas/Steer)

THAT:

- 1. Council receive and note the report;**
- 2. Where residents do not have access to the Internet, Council will use paper mail addressed specifically to the individual which will be used to provide a record and meet confidentiality and privacy obligations; and**
- 3. Council confirms its ongoing commitment to inclusive communications with the community during the current Pandemic and lockdowns.**

Motion Carried

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

Against Motion: Nil

C0921(1) Item 3 Investment Strategy & Portfolio Review 2020/21

Motion: (Stamolis/Passas)

THAT the report be received and noted.

Motion Carried

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

Against Motion: Nil

C0921(1) Item 4 Investment Report as at 31 July 2021.

Motion: (Steer/Hesse)

THAT the report be received and noted.

Motion Carried

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

Against Motion: Nil

C0921(1) Item 5 Notice of Motion: Goods Line Rail noise

Motion: (Macri/Passas)

THAT Council:

1. Write to Australian Rail Track Corporation (ARTC) requesting they investigate the noise concerns of the Meeks Road residents. In the event the residents' concerns are proven, the ARTC implement treatments to reduce the impact to the residents; and
2. Write to the relevant Federal members seeking assistance for the residents, informing them of the impact of the freight line noise issues in the early hours of the morning along the rail corridor through Marrickville South particularly Meeks Road residents.

Motion Carried

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

Against Motion: Nil

C0921(1) Item 6 Notice of Motion: New Park in Croydon

Motion: (Passas/Raciti)

THAT Council recognise and give thanks to the late Ms Bell for willing her home to Council, Liam Noble of Stuart Noble and associates for architectural work on the project and to Rene Holmes for providing details of Ms Bell's history and to Council implementing her wishes.

Motion Carried

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

Against Motion: Nil

C0921(1) Item 7 Notice of Motion: Report of Delays with Dawn Fraser Pool

Motion: (Stamolis/Passas)

THAT:

1. The Ernst & Young report on Dawn Fraser Pool come back to Council when available; and
2. Council expresses its thanks to Council officers for the completion of the project and the opening of the pool.

Motion Carried

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

Against Motion: Nil

Councillor York retired from the Meeting at 9:00 pm.

C0921(1) Item 8 Notice of Motion: Notification Signs Regarding COVID Restriction around the LGA

Motion: (Passas/Da Cruz)

THAT Council supply and erect A3 posters with information on how to be safe with the current pandemic around the Inner West Local Government area in multiple languages. These posters should be provided to Local shop keepers, businesses, placed in parks, at bus stops and other public areas.

Motion Carried

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

Against Motion: Crs Byrne, Drury, Iskandar, Kiat and McKenna OAM

Absent: Cr York

Councillor Byrne retired from the Meeting at 9:30 pm.

C0921(1) Item 9 Notice of Motion: WestConnex St Peters Interchange Park

Motion: (Lockie/Hesse)

THAT Council writes to the Premier and relevant Ministers to request that the NSW Government:

- 1. Conducts an immediate investigation into potential contamination at the site of the WestConnex St Peters Interchange;**
- 2. Retains responsibility for the remediation, ownership and management of the parkland within the Inner West Council local government area, due to the ongoing challenges and financial costs Council would face if it were to take this on; and**
- 3. Works with Council to identify an alternative site to provide genuine open space and parkland as compensation for the impact WestConnex has had and continues to have on the surrounding area.**

Motion Carried

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

Against Motion: Nil

Absent: Crs Byrne and York

Councillor Kiat left the Meeting at 9:50 pm.

C0921(1) Item 10 Notice of Motion: Right To Know**Motion: (Passas/Stamolis)****THAT:**

1. All petitions and submissions be accompanied with report to Council with details redacted; and
2. Unredacted petitions and submissions be made available to councillors.

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

9.57pm - The Mayor, Clr Porteous adjourned the meeting for a short recess.

10.06pm - The Mayor, Clr Porteous resumed the meeting.

Councillor Kiat returned to the Meeting at 10:06 pm.

C0921(1) Item 11 Notice of Motion: Public Toilets Cleaning**Motion: (Passas/Da Cruz)****THAT:**

1. Council conducts an urgent audit of the cleaning and maintenance of all out public toilet facilities;
2. All our public toilets be added to the public toilets map
3. Signage be provided in all public toilet facilities to report cleaning and maintenance issues

Motion Carried**For Motion:** Crs Da Cruz, Hesse, Iskandar, Kiat, Macri, McKenna OAM, Passas, Porteous, Raciti, Stamolis and Steer**Against Motion:** Crs Drury and Lockie**Absent:** Crs Byrne and York**Procedural motion - Suspension of Standing Orders****Motion: (Drury/McKenna OAM)****THAT Council suspend standing orders to deal with item 18 Panel of Code of Conduct Reviewers and go into confidential session at this time.**

Motion Lost

For Motion:

Crs Drury, Iskandar, Lockie and McKenna OAM

Against Motion:

Crs Da Cruz, Hesse, Kiat, Macri, Passas, Porteous, Raciti, Stamolis and Steer

Absent:

Crs Byrne and York

C0921(1) Item 12 Notice of Motion: Barbeques

Motion: (Passas/Raciti)

THAT Council installs an extra barbeque with seating facilities and Canopy to be installed at the Orpington Street section of Ashfield Park.

Motion Lost

For Motion:

Crs Macri, Passas and Raciti

Against Motion:

Crs Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, McKenna OAM, Porteous, Stamolis and Steer

Absent:

Crs Byrne and York

Procedural Motion - Suspension of Standing Orders

Motion: (Porteous/Lockie)

THAT Council suspend standing orders to deal with item 18 Panel of Code of Conduct Reviewers and go into confidential session at this time.

Motion Carried

For Motion:

Crs Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Raciti and Stamolis

Against Motion:

Crs Da Cruz and Steer

Absent:

Crs Byrne and York

Councillor Steer retired from the Meeting at 10:36 pm.

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:

C0921(1) Item 18 Panel of Code of Conduct Reviewers contains commercial information of a confidential nature (Section 10A(2)(d)(i) of the Local Government Act 1993) that would, if disclosed prejudice the commercial position of the person who supplied it; AND commercial information of a confidential nature (Section 10A(2)(d)(ii) of the Local Government Act 1993) that would, if disclosed confer a commercial advantage on a competitor of the council; AND commercial information of a confidential nature (Section 10A(2)(d)(iii) of the Local Government Act 1993) that would, if disclosed reveal a trade secret.

Procedural motion - Extension of Time

Motion: (Hesse/Lockie)

THAT the meeting be extended until 11.05pm.

Motion Carried

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

Against Motion: Nil

Absent: Crs Byrne, Steer and York

Motion: (Porteous/Passas)

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

Motion Carried

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

Against Motion: Nil

Absent: Cr Byrne, Steer and York

REPORTS WITH CONFIDENTIAL INFORMATION

C0921(1) Item 18 Panel of Code of Conduct Reviewers

Motion: (Hesse/Porteous)

THAT Council:

1. Receives and notes the recommendations from SSROC for the appointment of the Panel of Code of Conduct Auditors commencing September 2021; and
2. Establish a new panel of preferred suppliers of Code of Conduct reviewers for a period of two years:
 - a) Centium Group Pty Ltd
 - b) CT Management Group Pty Ltd
 - c) Nemesis Consultancy Group t/a National Workplace Investigations
 - d) O'Connor Marsden & Associates Pty Ltd
 - e) On Track Investigations Pty Ltd
 - f) Procure Group Pty Ltd
 - g) Train Reaction Pty Ltd
 - h) Pack Investigations Pty Ltd as The Trustee for Weir Trading Trust t/a Weir Consulting (National).

Motion Carried

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

Against Motion: Crs Drury, Iskandar and McKenna OAM

Absent: Crs Byrne, Steer and York

Amendment (Stamolis/Porteous)

THAT Council amend point 2 of the primary motion from four years to two years.

Motion Carried

For Motion: Crs Da Cruz, Kiat, Macri, Passas, Porteous, Raciti and Stamolis

Against Motion: Crs Drury, Hesse, Iskandar, Lockie and McKenna OAM

Absent: Crs Byrne, Steer and York

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

Procedural motion - Extension of Time

Motion: (Porteous/Passas)

THAT the meeting be extended until 11.10pm.

Motion Carried

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

Against Motion: Nil

Absent: Cr Byrne, Steer and York

Procedural motion (Porteous/Lockie)

THAT items 13, 14, 15, 16 and 17 be deferred to the Ordinary Council meeting to be held on Tuesday, 14 September 2021 at 6.30pm.

Motion Carried

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

Against Motion: Nil

Absent: Crs Byrne, Steer and York

Meeting closed at 11.08pm

The Minutes of the Extraordinary Meeting of Council held on the 7th day of September, 2021 were confirmed as a correct record on this 28th day of September, 2021.

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CHAIRPERSON