



POLICY MEETING

12 April 2016

MINUTES

MINUTES of POLICY MEETING of Leichhardt Municipal Council held in the Council Chambers Leichhardt Town Hall, Norton Street, Leichhardt on 12 April 2016.

Present at the commencement of the meeting: The Mayor, in the chair, Cr D. Byrne
Councillors F. Breen, C. Channells,
T. Costantino, S. Emsley, V. Hannaford, J. Jobling ,
L. Kelly, D. Kogoy (6.54pm), R. Porteous & J. Stamolis.

Staff Present: Acting General Manager, Director Corporate and Information Services, Director Environmental & Community Management, Director Infrastructure & Service Delivery, Group Manager Community & Cultural Services, Manager Assessments, Senior Parks & Open Space Planner, Media & Communications Coordinator, Manager Governance & Administration and Administration Officer.

Meeting commenced: 6:34pm

**** ACKNOWLEDGEMENT OF COUNTRY**

I acknowledge the Gadigal and Wangal people of the Eora nation on whose Country we are meeting today, and their elders past and present.

**** APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE AND/OR CONDOLENCES**

C152/16P RESOLVED BYRNE/ STAMOLIS

That apologies be accepted and leave of absence be granted for the absence of Cr McKenzie.

The vote for and against the above RESOLUTION is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr John Stamolis, Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr Daniel Kogoy, Cr Michele McKenzie

PRESENT. DID NOT VOTE - Nil

**** DECLARATION OF PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS**

Nil

**** CLOSED COUNCIL - CONSIDERATION OF CONFIDENTIAL REPORTS (MEETING CLOSED TO THE PUBLIC)**

C153/16P RESOLVED BYRNE/ EMSLEY

Council resolved to meet in Closed Session at 6:35pm with the press and public excluded after a MOTION **BYRNE/ EMSLEY** to that effect was CARRIED.

The following item was listed for consideration by Council in CLOSED Council with the press and public excluded, in accordance with the provisions of Section 10A (2) and (g) of the Local Government Act, 1993.

The vote for and against the above RESOLUTION is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr John Stamolis, Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr Daniel Kogoy, Cr Michele McKenzie

PRESENT. DID NOT VOTE - Nil

ITEM 4.1 LEGAL SERVICES REPORT

C154/16P RESOLVED PORTEOUS/ STAMOLIS

That the Report be received and noted and the actions taken by the Manager of Legal Services be endorsed.

The vote for and against the above RESOLUTION is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr John Stamolis, Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr Daniel Kogoy, Cr Michele McKenzie

PRESENT. DID NOT VOTE - Nil

**** RETURN TO OPEN COUNCIL**

C155/16P RESOLVED BYRNE/ JOBLING

Open Council resumed at 6.40 pm after a MOTION **BYRNE/ JOBLING** to that effect was CARRIED.

The vote for and against the above RESOLUTION is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr John Stamolis, Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr Daniel Kogoy, Cr Michele McKenzie

PRESENT. DID NOT VOTE - Nil

ITEM 1.1

SEEKING THE DELEGATE'S REPORT

Background

Following the meeting Council held with the Delegate charged with the responsibility of assessing the Minister's Proposal to merge Ashfield, Leichhardt and Marrickville held on 20 January 2016, the General Manager sent an email to the Delegate asking in part:

Will the Delegate's report be released at the end of March after it has been sent to the Minister? When will the Boundaries Commission comments be referred to the Minister and then publicly released

The Delegate, Cheryl Thomas was unequivocal in her answer, delivered in writing on 1 February 2016. She said:

Once my report is completed and submitted to the Minister and the BC it will go up on the web site

On 31 March 2016 at 3.20pm, the Delegate emailed the General Managers of the three Councils part of this Proposal saying:

It's my last day and I'm down to the wire, I just wanted to say thank you for your professionalism, assistance and friendly manner in working with Bryce and I. Please also extend my gratitude to your staff and councillors, and in particular your Mayors.

My role with the NSW Gov ends cob today, and I want to wish you all the best in the future. It has been a pleasure working with you, thank you.

As the Instrument of Delegation under section 745 of the Local Government Act 1993 (**Act**) required the Delegate to examine and report on the proposal, and exercise the chief executive's function under section 218F of the Act, we may safely assume that her report has gone to the Minister and the Boundaries Commission.

Council has sought a copy of the Delegate's report from the Delegate herself; the Minister's Office; the Office of Local Government; and the Boundaries Commission. Despite requests for the document, it has not been produced.

This is the report which will be the basis of action the Government may take concerning how local government will offer services in our three Municipalities for the foreseeable future. Every resident and ratepayer within the three subject LGA's has an interest and a right to know.

Moreover, the Delegate herself advised that this report would be generally available to anyone who wanted it by way of the web site.

I note that Councils which have started legal action against the Minister, the Department and the Delegate, namely Woollahra and Ku-Ring-Gai, have both received copies of their delegate's reports as part of the litigation.

Council should not have to go to Court just to get the document that we have already been promised.

Leichhardt wants nothing more than a report which already exists and which our ratepayers made submissions to produce.

C156/16P

RESOLVED

BYRNE

That Council write to the Minister's Office and all the members of the Boundaries Commission seeking a copy of the report of the Delegate Cheryl Thomas on the Proposal to amalgamate Ashfield, Leichhardt and Marrickville pursuant to section 218F of the Local Government Act 1993.

The vote for and against the above RESOLUTION is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr John Stamolis, Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr Daniel Kogoy, Cr Michele McKenzie

PRESENT. DID NOT VOTE - Nil

**** SUSPENSION OF STANDING ORDERS**

C157/16P RESOLVED BYRNE/ JOBLING

That Standing Orders be suspended and Items 3.4, 3.8, 3.9 and 3.10 be brought forward and dealt with now.

The vote for and against the above RESOLUTION is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr John Stamolis, Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr Daniel Kogoy, Cr Michele McKenzie

PRESENT. DID NOT VOTE - Nil

**** PUBLIC INVITED TO ADDRESS MEETING ON MINUTES ITEMS**

The Mayor will remind the public to be respectful whilst speaking and that before speaking they must provide their full name and suburb of residence so that these details can be recorded in the minutes.

**** PUBLIC FORUM**

The following members of the public addressed the meeting:

David Liddle of Balmain addressed the meeting in relation to Item 3.4.

Brian Robinson of Rozelle addressed the meeting in relation to Item 3.8.

Brad Tallis of Rozelle addressed the meeting in relation to Item 3.8.

Damon Buka of Rozelle addressed the meeting in relation to Item 3.8.

Ron Glen of Rozelle addressed the meeting in relation to Item 3.9.

Roger Parkes of Birchgrove addressed the meeting in relation to Item 3.10.

6.54pm Cr Kogoy entered the meeting.

ITEM 3.4

**MORT BAY PARK PLAN OF MANAGEMENT CAPITAL
PROJECTS & MAINTENANCE**

C158/16P

RESOLVED

BREEN/ BYRNE

1. That \$100,000 funding for the capital projects be provided from Section 94 funds in the draft 2016/17 budget.

2. That Council examine:
 - a. Options for replacing the cyclone wire mesh fence which separates the bush regeneration site at the Phillip and Cameron Streets corner of Mort Bay Park from the footpath in Cameron Street, including where appropriate, measures to prevent pedestrians cutting the corner and wearing a trail through the regenerated bush.

 - b. Installing a low fence along the edge of the bush regeneration site that meets the footpath in Phillip Street to replace the temporary post and wire fence currently in place.

3. That the outcome of the examination in point 2 be reported at the June Policy Meeting.

The vote for and against the above RESOLUTION is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr Daniel Kogoy, Cr John Stamolis, Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr Michele McKenzie

PRESENT. DID NOT VOTE - Nil

ITEM 3.8 RESIDENT PARKING SCHEME PROPOSAL FOR BATTY STREET, ROZELLE

C159/16P RESOLVED JOBLING/ CHANNELLS

1. That Council adopts the recommendation of the Local Traffic Committee meeting held on 4th February 2016 for item 2.5 (Batty Street & Mansfield Street, Rozelle – Resident Parking Restrictions) as follows:
 - a. That a ‘2P, 8am-10pm (7 Days) Permit Holders Excepted, Area R1’ restrictions be installed on the western side of Batty Street, Rozelle between Mansfield Street and property No. 24 Batty Street (northern boundary inclusive).
 - b. That a ‘2P, 8am-6pm, Mon-Fri, Permit Holders Excepted, Area R1’ restrictions be installed on northern side of Mansfield Street, Rozelle between Mullens Street and Smith Street.
 - c. That the proposed ‘2P, 8am-6pm, Mon-Fri, Permit Holders Excepted, Area R1’ restrictions in Smith Street, Rumsay Street, Reynolds Avenue, Batty Street (eastern side) and Mansfield Street (Smith Street-Batty Street) not be supported due to less than 50% support received from the residents.
2. That Council contact the residents of Mansfield Street, between Smith and Batty Street and survey them for a residential parking scheme in Mansfield Street and a report be provided to the May Traffic Committee Meeting.

The vote for and against the above RESOLUTION is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr Daniel Kogoy, Cr John Stamolis, Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr Michele McKenzie

PRESENT. DID NOT VOTE - Nil

ITEM 3.9 ELLIOTT PARK - COMPANION ANIMAL REVIEW REQUEST

C160/16P RESOLVED EMSLEY/ HANNAFORD

That Council review companion animal access to open space for Elliot Park, Rozelle as a part of the formal review of companion animal access to open space for the Leichhardt Local Government Area, scheduled for July 2017.

The vote for and against the above RESOLUTION is shown below for the record;

FOR VOTE - Cr Craig Channells, Cr Daniel Kogoy, Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen

AGAINST VOTE - Cr Rochelle Porteous, Cr John Stamolis

ABSENT. DID NOT VOTE - Cr Michele McKenzie

PRESENT. DID NOT VOTE - Nil

During consideration of this Item, a Foreshadowed Motion was moved by Crs Stamolis/ Porteous. As the Primary Motion from Crs Emsley / Hannaford) was adopted when put to the vote, the Foreshadowed Motion was not voted on but is shown below for the record;

STAMOLIS / PORTEOUS

- 1. That Council review companion animal access to open space for Elliot Park, Rozelle as a part of the formal review of companion animal access to open space for the Leichhardt Local Government Area.*
- 2. That the costings for this additional work be brought to Council as part of the budget process and be included as an item in the draft budget for 2016/17.*

7:56pm Cr Costantino temporarily left the meeting.

8:02pm Cr Costantino returned to the meeting.

8:08pm Cr Hannaford temporarily left the meeting.

8:14pm Cr Hannaford returned to the meeting.

ITEM 3.10 OPERATION OF PHASE ONE OF REFUGEE WELCOME CENTRE, WHARF RD RECREATION HALL CALLAN PARK

C161/16P RESOLVED BYRNE/ EMSLEY

1. That Council note the proposed operation of Refugee Welcome Day Centre operating from Wharf Road Recreation Hall, Building 504 Callan Park, as Phase 1 of the Refugee Welcome Centre.
2. That Council places the Draft Operation proposal on public exhibition for a period of 28 days.
3. That a further report including input received during the public exhibition period be brought to June Policy Council Meeting.
4. That \$2,600 be allocated from the Major Issues Budget to cover costs of community consultation.
5. That a briefing be held for Councillors as soon as possible on the Refugee Welcome Centre Meetings that have been held with various stakeholders and proposed logistics
6. That Council write to the Minister for Immigration expressing disappointment in the fact that only 40 refugees have arrived from Syria and asking that the Syrian refugees be brought to Australia for settlement as soon as possible

The vote for and against the above RESOLUTION is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr Daniel Kogoy, Cr Vera-Ann Hannaford, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen
AGAINST VOTE - Cr John Stamolis, Cr John Jobling, Cr Tony Costantino
ABSENT. DID NOT VOTE - Cr Michele McKenzie
PRESENT. DID NOT VOTE - Nil

8:31pm Cr Kelly temporarily left the meeting.
8:32pm Cr Channells temporarily left the meeting.

ITEM 2.1 DRAFT SUBMISSION LIQUOR LAW REFORM

C162/16P RESOLVED BYRNE/ JOBLING

That Council forward a submission as outlined in Section 2 to the Callinan Review of NSW Liquor Law Reforms.

The vote for and against the above RESOLUTION is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Daniel Kogoy, Cr John Stamolis, Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Frank Breen

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr Craig Channells, Cr Michele McKenzie, Cr Linda Kelly

PRESENT. DID NOT VOTE - Nil

8:35pm Cr Channells returned to the meeting.

ITEM 2.2 GATEWAY DETERMINATION SMALL BARS PLANNING PROPOSAL

C163/16P RESOLVED BYRNE/ HANNAFORD

That Council:

1. Note that the Gateway Determination has been issued in relation to the Small Bars Planning Proposal; and
2. Amend the Planning Proposal as requested by the Gateway Determination and proceed to public exhibition.

The vote for and against the above RESOLUTION is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr Daniel Kogoy, Cr John Stamolis, Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Frank Breen

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr Michele McKenzie, Cr Linda Kelly

PRESENT. DID NOT VOTE - Nil

8:40pm Cr Kelly returned to the meeting.

ITEM 3.1 SUMMARY OF RESOLUTIONS

C164/16P RESOLVED BYRNE/ STAMOLIS

That the information be received and noted.

The vote for and against the above RESOLUTION is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr Daniel Kogoy, Cr John Stamolis, Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr Michele McKenzie

PRESENT. DID NOT VOTE - Nil

ITEM 3.2 DCP 2013 HOUSEKEEPING AMENDMENTS: PUBLIC EXHIBITION OUTCOMES

C165/16P RESOLVED EMSLEY/ COSTANTINO

That Council adopt the exhibited draft amendments to *Leichhardt Development Control Plan 2013*.

The vote for and against the above RESOLUTION is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr Daniel Kogoy, Cr John Stamolis, Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr Michele McKenzie

PRESENT. DID NOT VOTE - Nil

ITEM 3.3

**DRAFT NORTH ANNANDALE NEIGHBOURHOOD
MOVEMENT PLAN - APPROVAL FOR EXHIBITION**

C166/16P

RESOLVED

BREEN/ KELLY

That:

1. The exhibition of the Draft North Annandale Neighbourhood Movement Plan be deferred pending a briefing by Council officers to clarify the priorities for the Whites Creek Valley Park,
2. Council staff liaise with stakeholders including the City of Sydney and RMS to identify and document opportunities for better connections between Leichhardt Local Government Area and City of Sydney which maximise accessibility to areas adjacent to Annandale including the parklands and Rozelle Bay foreshore, and
3. Council write to the CEO of the City of Sydney and request that the two Councils establish a co-ordination group to meet on a quarterly basis, with representatives from Mirvac and RMS until the completion of the Harold Park residential and Tram Shed developments.

The vote for and against the above RESOLUTION is shown below for the record;

FOR VOTE - Cr John Stamolis, Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen
AGAINST VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr Daniel Kogoy
ABSENT. DID NOT VOTE - Cr Michele McKenzie
PRESENT. DID NOT VOTE - Nil

During consideration of this Item, a Foreshadowed Motion was moved by Crs Kogoy/ Channells. As the Primary Motion from Crs Breen / Kelly) was adopted when put to the vote, the Foreshadowed Motion was not voted on but is shown below for the record;

KOGOY / CHANNELLS

1. *That Council place the draft Annandale North Neighbourhood Movement Plan on public exhibition.*
2. *That a Councillor Briefing be held to address and Councillor questions and concerns*

ITEM 3.5 PARRAMATTA ROAD LIGHT RAIL OPPORTUNITIES STUDY BRIEF

C167/16P RESOLVED BYRNE/ CHANNELLS

That Council commission consultants to prepare an analysis of opportunities to provide light rail on Parramatta Road, in accordance with the Project Brief attached to the report.

The vote for and against the above RESOLUTION is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr Daniel Kogoy, Cr John Stamolis, Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr Michele McKenzie

PRESENT. DID NOT VOTE - Nil

ITEM 3.6 RECREATION AND NEEDS STUDY 2016-SCOPE OF STUDY

C168/16P RESOLVED STAMOLIS/ HANNAFORD

That Council receive and note the report.

The vote for and against the above RESOLUTION is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr Daniel Kogoy, Cr John Stamolis, Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr Michele McKenzie

PRESENT. DID NOT VOTE - Nil

ITEM 3.7 USE OF METADATA

C169/16P RESOLVED EMSLEY/ BYRNE

That Council resolves to rule out the use of metadata for compliance or any other Council purpose.

The vote for and against the above RESOLUTION is shown below for the record;

FOR VOTE - Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen, Cr John Stamolis, Cr Rochelle Porteous, Cr Craig Channells, Cr Daniel Kogoy

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr Michele McKenzie

PRESENT. DID NOT VOTE - Nil

During consideration of this matter the following Foreshadowed Motion was moved by Cr Stamolis but lapsed for want of a seconder. The foreshadowed motion is shown below for the record;

STAMOLIS

That Council resolves to prohibit the use of metadata for compliance or any other Council purpose where this would infringe on the protection of privacy and civil liberties

**ITEM 3.11 STREAMLINING AND SIMPLIFYING LGA EVENT APPROVAL
PROCESS**

C170/16P RESOLVED BYRNE/ COSTANTINO

That Council:

1. Endorse the draft Local Approvals Policy (Attachment 1).
2. Place the draft Local Approvals Policy on public exhibition for a period of 28 days and allow 42 days for lodgement of submissions, in accordance with the *Local Government Act and Regulations* and Councils Community Engagement Framework.
3. Refer the draft Local Approvals Policy to the Office of Local Government in accordance with s.162 of the *Local Government Act*.
4. Exhibit an amendment to the *Leichhardt Development Control Plan 2013* as detailed in section 1.3 of this report.
5. Delegate authority to the General Manager to make changes to the draft Local Approvals Policy and draft amendment to *Leichhardt Development Control Plan 2013* prior to the public exhibition as a result of consideration by Council or where there are minor changes that do not affect the substance of the provisions; and
6. Endorse the Community Engagement Plan for the draft amendments to the draft Local Approvals Policy and draft Leichhardt Development Control Plan 2013 as outlined in section 1.4 of the report.

The vote for and against the above RESOLUTION is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr Daniel Kogoy, Cr John Stamolis, Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr Michele McKenzie

PRESENT. DID NOT VOTE - Nil

9.00pm Cr Daniel Kogoy retired from the meeting.

**** CLOSED COUNCIL**

C171/16P RESOLVED BYRNE / STAMOLIS

Council resolved to meet in Closed Session to receive a verbal report on Legal proceedings regarding forced amalgamations at 9:02pm with the press and public excluded after a MOTION **BYRNE/ STAMOLIS** to that effect was CARRIED.

The vote for and against the above RESOLUTION is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr John Stamolis, Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr Michele McKenzie, Cr Daniel Kogoy,

PRESENT. DID NOT VOTE - Nil

The following Motion was moved by Crs Stamolis/ Channells and LOST when put to the vote. The Vote for and against the LOST Primary motion is shown below for the record;

STAMOLIS / CHANNELLS

That a report be prepared for the next Ordinary Council meeting which outlines potential legal challenges to the Local Government forced amalgamation process for this Council along with estimated timelines and costs.

The vote for and against the above LOST PRIMARY MOTION is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr John Stamolis, Cr Vera-Ann Hannaford

AGAINST VOTE - Cr John Jobling, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen

ABSENT. DID NOT VOTE - Cr Daniel Kogoy, Cr Michele McKenzie

PRESENT. DID NOT VOTE - Nil

**** RETURN TO OPEN COUNCIL**

C172/16P RESOLVED BYRNE/ JOBLING

Open Council resumed at 9.42pm after a MOTION **BYRNE/ JOBLING** to that effect was CARRIED.

The vote for and against the above RESOLUTION is shown below for the record;

FOR VOTE - Cr Rochelle Porteous, Cr Craig Channells, Cr John Stamolis, Cr John Jobling, Cr Vera-Ann Hannaford, Cr Tony Costantino, Cr Darcy Byrne, Cr Simon Emsley, Cr Linda Kelly, Cr Frank Breen

AGAINST VOTE - Nil

ABSENT. DID NOT VOTE - Cr Michele McKenzie, Cr Daniel Kogoy,

PRESENT. DID NOT VOTE - Nil

The Acting General Manager read out the recommendations made in Closed Council to the public.

Meeting Closed at 9.43pm