

**Minutes of Council Meeting held on Tuesday 15 March 2011**

**Meeting commenced at 6:39 pm**

**ACKNOWLEDGEMENT OF COUNTRY BY CHAIRPERSON**

*We meet tonight on the traditional land of the Cadigal people of the Eora nation. I acknowledge the terrible wrongs committed against the Aboriginal peoples of this country and their care of the land over many generations. I celebrate their ongoing survival and achievements in today's society.*

**COUNCILLORS PRESENT**

Byrne (Mayor/Chair)	Iskandar (Deputy Mayor)	O'Sullivan
Thanos	Olive	Kontellis
Macri	Peters	Phillips
Tsardoulias	Wright	Hanna

**APOLOGIES**

Nil.

**ITEM WITHOUT NOTICE**

**Motion (Byrne/Olive)**

**THAT** Council allow various media persons to record this Council meeting.

**Motion Carried**

**For Motion:** Councillors Byrne, Hanna, Iskandar, Kontellis, Macri, Olive, O'Sullivan, Peters, Phillips, Thanos, Tsardoulias and Wright

**Against Motion:** Nil

**DISCLOSURES OF INTERESTS:**

Nil.

**CONFIRMATION OF MINUTES**

**Motion: (Byrne/Kontellis)**

**THAT** the Minutes of the Council Meeting held on Tuesday, 15 February 2011 and Council Development Matters Meeting held on Tuesday, 1 March 2011 be confirmed.

**Motion Carried**

**For Motion:** Councillors Byrne, Hanna, Iskandar, Kontellis, Macri, Olive, O'Sullivan, Peters, Phillips, Thanos, Tsardoulias and Wright

**Against Motion:** Nil

**C0311 Item 1 ASSISTANCE FOR VICTIMS OF THE CHRISTCHURCH EARTHQUAKE****MOTION (BYRNE)****THAT:**

1. Council note the decision to provide \$10,000 to the Red Cross New Zealand appeal for victims of the recent Christchurch earthquake and the approach made to all SSROC Councils to consider making a similar decision; and
2. that the funds for this donation be made available through a Budget adjustment at the next quarterly Budget review.

**Motion Carried**

**For Motion:** Councillors Byrne, Hanna, Iskandar, Kontellis, Macri, Olive, O'Sullivan, Peters, Phillips, Thanos, Tsardoulis and Wright

**Against Motion:** Nil

**C0311 Item 2 MAYORAL MINUTE: CONSTITUTIONAL RECOGNITION FOR LOCAL GOVERNMENT - A ROLE FOR COUNCILS****MOTION (BYRNE)****THAT Marrickville Council:**

1. declares its support for financial recognition of local government in the Australian Constitution so that the Federal Government has the power to fund local government directly;
2. supports the inclusion of local government in any new Preamble to the Constitution if one is proposed;
3. calls on all political parties to support a referendum by 2013 to change the Constitution to achieve this recognition; and
4. write to the Prime Minister, the Leader of the Opposition and the Federal Member for Grayndler to advise them of our support for constitutional recognition.

**Motion Carried**

**For Motion:** Councillors Byrne, Hanna, Iskandar, Kontellis, Macri, Olive, O'Sullivan, Peters, Phillips, Thanos, Tsardoulis and Wright

**Against Motion:** Nil

**C0311 Item 3 SMOKE FREE OUTDOOR ENVIRONMENTS POLICY**

Public Speakers: Andy Mark  
Stafford Sanders

**Motion: (O'Sullivan/Tsardoulis)**

**THAT**

1. Council adopt the Smoke Free Outdoor Environments Policy and implement the Policy from 1 July 2011, and
2. Council write to the State Government requesting that it take this approach on board for it's own policies and public education purposes.

**Motion Carried**

**For Motion:** Councillors Byrne, Hanna, Iskandar, Kontellis, Macri, Olive, O'Sullivan, Peters, Phillips, Tsardoulis and Wright

**Against Motion:** Councillor Thanos

**Amendment (Olive/Thanos)**

**THAT** the dot points on page 24 of BP be amended as follows:

- Point 1: the following text be added to the point "or outdoor dinning venue"...
- Point 2: the following text be added to the point ..."while junior games are underway."
- Point 4: this point be deferred to finalise the wording or clarify the 'buildings' or 'other facilities' to which it applies
- Point 6: this point be deferred to allow Officers to compose a list of specific Council funded events/functions that this would apply to

**Motion Lost**

**For Motion:** Councillors Olive and Thanos

**Against Motion:** Councillors Byrne, Hanna, Iskandar, Kontellis, Macri, O'Sullivan, Peters, Phillips, Tsardoulis and Wright

**Foreshadowed Amendment (Phillips/Kontellis)**

**THAT** point 2 on page 24 of the business paper be amended to add the words 'except in specified areas' to the end of the point.

**Motion Lost**

**For Motion:** Councillors Kontellis, Olive, Phillips and Thanos

**Against Motion:** Councillors Byrne, Hanna, Iskandar, Macri, O'Sullivan, Peters, Tsardoulis and Wright

**C0311 Item 4 FURTHER REPORT ON PROPOSED CHANGES AND ADDITIONS TO FEES AT THE ANNETTE KELLERMAN AQUATIC CENTRE**

**Motion: (Wright/O'Sullivan)**

**THAT:**

1. Council approve the proposed changes and additions to fees and charges at the Annette Kellerman Aquatic Centre; and
2. Council move towards reducing the cost of the hire of the AKAC, possibly to \$200/hr, for local schools (within the LGA), as part of the budget process.

**Motion Carried**

**For Motion:** Councillors Byrne, Hanna, Iskandar, Kontellis, Macri, Olive, O'Sullivan, Peters, Phillips, Thanos, Tsardoulis and Wright

**Against Motion:** Nil

**C0311 Item 5 REQUEST FOR FUNDS FOR GROW NSW UNDER COMMUNITY GRANTS PROGRAM PART 2**

**Motion: (Byrne/Olive)**

**THAT:**

1. the report be received and noted; and
2. Council provide \$1,000 from the Community Grants Program Part 2, Contingency Program to support the translation into Greek of the GROW Mental Health Blue Book.

**Motion Carried**

**For Motion:** Councillors Byrne, Hanna, Iskandar, Kontellis, Macri, Olive, O'Sullivan, Peters, Phillips, Thanos, Tsardoulis and Wright

**Against Motion:** Nil

**C0311 Item 6 NOTICE OF MOTION: MARRICKVILLE WEST CHILDCARE FACILITY**

Public Speaker: Mitchell Wood

**MOTION (Tsardoulis/Wright)**

**THAT:**

1. Council restate its commitment to establishing a new child care facility at the Marrickville West Public School;
2. Council officers prepare a detailed report on the type of facility to be constructed, its capital and operational costs and a timetable for commencing and completing the project; and
3. Council ensures that this report includes a before and after care service as a component of a new proposal and works with Marrickville Public School to ensure all requirements are met.

**Motion Carried**

**For Motion:** Councillors Byrne, Hanna, Iskandar, Kontellis, Macri, Olive, O'Sullivan, Peters, Phillips, Thanos, Tsardoulis and Wright

**Against Motion:** Nil

**C0311 Item 7 NOTICE OF MOTION: PEACE TEAM VISIT**

Public Speakers: Anne Picot, Father David Smith, Nurit Ophir, Haete Weiner, Janet Kossy, Jennifer Killen, Bishara Costandi

**Motion: (Macri/Tsardoulias)**

**THAT** notwithstanding the resolution passed by Council on 14 December 2010 "Supporting the Global Boycott, Divestment and Sanctions Campaign", the Council resolves to permit the Inner West Jewish Community and Friends Peace Alliance Incorporated to hire Marrickville Town Hall on 18 August 2011, from 5:00 pm to 9:00 pm, for a public gathering to introduce and welcome to the community the AFL (Aussie Rules) Peace Team. Council's usual terms and conditions of hire of the venue, including its usual hiring fee for a not-for-profit organisation, shall apply.

**Motion Carried**

**For Motion:** Councillors Byrne, Hanna, Iskandar, Kontellis, Macri, Olive, O'Sullivan, Peters, Phillips, Thanos, Tsardoulias and Wright

**Against Motion:** Nil

**C0311 Item 8 NOTICE OF MOTION: COUNCIL THANKS TO CRIME PREVENTION OFFICERS AT MARRICKVILLE AND NEWTOWN LOCAL AREA COMMANDS**

**Motion: (O'Sullivan/Iskandar)**

**THAT**

1. On behalf of Council the Mayor writes to Constables Paula Trevitt and Steve Jacka thanking them for their contributions to Marrickville Council's initiatives on Community Safety and congratulating them on their new positions. That copies of the letters be sent to the Marrickville and Newtown Area Commands (or write to both Commands thanking them for their contributions and give particular mention to the 2 Constables; whichever is Council's current protocol); and
2. Invite Constables Paula Trevitt and Steve Jacka to a Council meeting to present them with a certificate of appreciation.

**Motion Carried**

**For Motion:** Councillors Byrne, Hanna, Iskandar, Kontellis, Macri, Olive, O'Sullivan, Peters, Phillips, Thanos, Tsardoulias and Wright

**Against Motion:** Nil

**C0311 Item 9 NOTICE OF MOTION: PARKING IN THE MARRICKVILLE LOCAL GOVERNMENT AREA**

**Motion: (Macri/Hanna)**

**THAT** Council requests a report on the feasibility of restricting a portion of the income Council receives from parking infringements and parking meters annually to provide a reserve for the future acquisition of public or community transport LATM and provision of public car parking.

**Motion Carried**

**For Motion:** Councillors Hanna, Macri, O'Sullivan, Peters, Tsardoulias and Wright

**Against Motion:** Councillors Byrne, Kontellis, Olive, Phillips and Thanos

**Absent:** Councillor Iskandar

**C0311 Item 10 NOTICE OF MOTION: BILLBOARD ADVERTISING**

**Motion: (Macri/Hanna)**

**THAT:**

1. a report be bought back to Council;
2. Council investigate options to maximise its financial return on advertising space in areas which have potential high income return to generate revenue for council initiatives; and
3. Council review its advertising billboard policy in light of budget meeting process.

**Motion Carried**

**For Motion:** Councillors Byrne, Hanna, Kontellis, Macri, Peters, Phillips, Thanos, Tsardoulis and Wright

**Against Motion:** Councillors Olive, O'Sullivan

**Absent:** Councillor Iskandar

**PROCEDURAL MOTION:**

THAT Councillor Tsardoulis' proposed motion (listed below) is deemed an urgent Item to be introduced without notice.

**Motion Lost**

**For Motion:** Councillors Hanna, Macri, O'Sullivan, Tsardoulis and Wright

**Against Motion:** Councillors Byrne, Kontellis, Olive, Peters, Phillips and Thanos

**Absent:** Councillor Iskandar

**ITEM WITHOUT NOTICE**

**Motion (Tsardoulis)**

**That Council**

1. notify Rail Corp regarding illegal postering;
2. investigate what way any prosecution can occur with the contractors or owners of the posters; and
3. seek Rail Corp's permission to remove all postering on Rail bridges and Overpasses through our graffiti removal unit/team.

**C0311 Item 11 NOTICE OF MOTION: OLD MARRICKVILLE HOSPITAL SITE AND AFFORDABLE ACCOMMODATION**

**Motion: (Kontellis/Thanos)**

**THAT:**

1. Council undertake financial modelling and feasibility study for affordable housing in Precincts D and E on the Marrickville Hospital site.
2. That this modelling include, but not be limited to the following variables:
  - Potential National Rental Affordability Scheme money available from the Centre for Affordable Housing.
  - Potential Community Housing partner money available including debt financing.

- Potential stamp duty concessions from NSW State Government.
  - Potential other monetary contribution (apart from NRAS) from the Federal Government.
  - Assessment of yield/percentage of affordable housing that could be included on the site.
  - Potential to engage a construction company with a track record of affordable housing projects to undertake the development of the site.
3. The modelling shall also focus on relative costs of the method of contractual arrangement chosen, including but not limited to the following:
    - An equity transfer contractual arrangement whereby a developer develops the site and is given the majority of the equity in the site in return for a certain proportion of units being transferred in ownership to a community housing provider for affordable housing uses (in perpetuity).
  4. The report shall also consider what potential is there to make savings by engaging a construction company with a track record of affordable housing projects to undertake the development of the site.
  5. The report shall consider what level of subsidy (external government funding, community housing contributions, etc) is needed to deliver various levels of affordable housing on the site, given the likely costs.
  6. That the report be finalised by September 2011.

**Motion Carried**

**For Motion:** Councillors Byrne, Hanna, Kontellis, Macri, Olive, O'Sullivan, Peters, Phillips, Thanos, Tsardoulias and Wright  
**Against Motion:** Nil  
**Absent:** Councillor Iskandar

**Amendment (Wright/Tsardoulias)**

THAT 'Precinct B' be added to point 1 of the motion.

**Motion Lost**

**For Motion:** Councillors Macri, Hanna, O'Sullivan, Tsardoulias and Wright  
**Against Motion:** Councillors Byrne, Kontellis, Olive, Peters, Phillips and Thanos  
**Absent:** Councillor Iskandar

**C0311 Item 12 QUESTIONS ON NOTICE: GO GET CAR SHARE COMPANY**

**C0311 Item 13 QUESTIONS ON NOTICE: ENGAGEMENT OF CONSULTANTS BY COUNCIL**

**PROCEDURAL MOTION:**

THAT Councillor Thanos' proposed motion (listed below) is deemed an urgent Item to be introduced without notice

**Motion Lost**

**For Motion:** Councillors Kontellis, Peters, Phillips and Thanos  
**Against Motion:** Councillors Byrne, Hanna, Olive, O'Sullivan, Tsardoulias and Wright  
**Absent:** Councillors Iskandar and Macri

**ITEM WITHOUT NOTICE**

**Motion (Thanos)**

That whenever a question on notice (QoN) takes more than 5 hours of staff time, a decision needs to be made by Council as to whether the staff proceed to work on, and answer the QoN.

**REPORTS WITH CONFIDENTIAL INFORMATION**

**C0311 Item 14 TENDER EOI 20/10 - EXPRESSION OF INTEREST - PREPARATION OF TRAFFIC AND PARKING STUDIES**

**Motion: (Byrne/Olive)**

**THAT:**

- 1A The Council resolve that ATTACHMENT 1 to the report be treated as confidential in accordance with Section 11(3) of the Local Government Act 1993, as it relates to a matter specified in Section 10A(2) of the Local Government Act 1993, and as such is to be treated as confidential;
- 2 The Report be received and noted; and
- 3 Council adopt the recommendation contained in the CONFIDENTIAL ATTACHMENT 1.

**Motion Carried**

**For Motion:** Councillors Byrne, Hanna, Kontellis, Olive, O'Sullivan, Peters, Phillips, Thanos, Tsardoulis and Wright

**Against Motion:** Nil

**Absent:** Councillors Iskandar and Macri

**C0311 Item 15 SHORT TERM CONTRACT FOR RECYCLING SERVICES**

**Motion: (Byrne/Peters)**

**THAT Council:**

1. authorise the General Manager to enter into a short term contract with Visy Recycling on the same terms as the existing contract subject to such changes as the General Manager considers appropriate to address the short term nature of the contract; and
2. note that because of the extenuating circumstances, namely that tenders have already been called and are still under assessment but will take some months to finalise; Visy is the existing supplier and has provided a satisfactory service to date, a satisfactory result would not be achieved by inviting tenders for the short term.

**Motion Carried**

**For Motion:** Councillors Byrne, Hanna, Kontellis, Olive, O'Sullivan, Peters, Phillips, Thanos, Tsardoulis and Wright

**Against Motion:** Nil

**Absent:** Councillors Iskandar and Macri

Meeting closed at 9:56pm.

**CHAIRPERSON**