

Minutes of Council Meeting held on Tuesday, 6 December 2011

The meeting commenced at 6.40pm

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

Hanna (Mayor/Chair)	Byrne	O'Sullivan
Thanos	Olive	Kontellis
Macri	Tsardoulis	Wright

APOLOGIES

Motion: (Olive/Kontellis)

THAT the apologies for Councillors Peters, Iskandar and Phillips be noted and leave of absence granted.

Motion Carried

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

Against Motion: Nil

DISCLOSURES OF INTERESTS:

Motion: (Hanna/Tsaroulis)

Item 1: Councillors Hanna and Macri declared a non-pecuniary conflict of interest in this item as they are both members of the JRPP Panel. Councillors Hanna and Macri will leave the Chamber during this item.

Motion Carried

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

Against Motion: Nil

CONFIRMATION OF MINUTES

Motion: (Hanna/Tsardoulis)

THAT the Minutes of the Council Meeting held on Tuesday, 15 November 2011 be confirmed.

Motion Carried

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

Against Motion: Nil

C1211(1) Item 1 43-45 AUSTRALIA STREET, CAMPERDOWN

Motion: (Olive/Byrne)

THAT Council makes a submission to the Panel in relation to the proposal and takes advice from staff as to the contents of the submission.

Motion Carried

For Motion: Councillors Byrne, Kontellis, Olive, O'Sullivan, Thanos, Tsardoulias and Wright

Against Motion: Nil

Absent: Councillors Hanna and Macri

C1211(1) Item 2 PEDESTRIAN, CYCLIST & TRAFFIC CALMING ADVISORY COMMITTEE MEETING HELD TUESDAY 15 NOVEMBER 2011

Public speakers: Todd Payne, Pat McInerney, Helayne Short and Elizabeth Ahlston

Motion: (Hanna/Macri)

THAT with the exception of Items B2/B3, the recommendations in Section B and Section C of the Pedestrian, Cyclist & Traffic Calming Advisory Committee held on Tuesday 15 November 2011 be adopted.

Motion Carried

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

Against Motion: Nil

Items B2/B3:

Motion: (Hanna/O'Sullivan)

THAT Council requests officers to report back to Council by May next year on the impacts of IKEA traffic before and after the opening, as well as the specific impacts on Union and surrounding streets before Ikea's opening, during the closure and following the opening of Union street once the No Right Turn is implemented.

That Council requests officers to provide advice on measures to assist pedestrian movements in the streets surrounding Tempe Public School and in particular the safety of children. That this advice be sought in conjunction with the school and the school community.

Motion Carried

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

Against Motion: Councillors Byrne, Kontellis and Olive

C1211(1) Item 3 BOARDING HOUSES AND HOMELESSNESS IN MARRICKVILLE ROUNDTABLE

Motion: (Macri/Hanna)

THAT:

1. the report be received and noted;
2. Council support the Boarding House Network's initiatives within current resources;
3. Council and partners advocate for occupancy agreements and enforceable minimum standards for boarding houses; and
4. Council make representations requesting the State Government legislate for the compulsory registration and licensing of boarding houses and that full funding be made available to local government to undertake this function.

Motion Carried

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

Against Motion: Nil

C1211(1) Item 4 COAG NATIONAL QUALITY AGENDA FOR EDUCATION AND CARE SERVICES

Motion: (Hanna/O'Sullivan)

THAT Council:

1. note the significant changes to be implemented in Council's education and care services during 2011 to 2016 as part of the COAG National Reform Agenda and implementation of the National Quality Framework; and
2. endorse the Action Plan as detailed in the report.

Motion Carried

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

Against Motion: Nil

C1211(1) Item 5 RESIDENT PETITION TO REMOVE AND REPLACE NORFOLK ISLAND HIBISCUS (LAGUNARIA PATERSONIA) STREET TREES IN HARROW RD, STANMORE

Public speaker: Helayne Short

Motion: (Thanos/Macri)

THAT:

1. Council undertake to remove and replace the 24 Norfolk Island Hibiscus Street trees in Harrow Rd, Stanmore;
2. the removal and replacements be phased to occur in two stages approximately 5 years apart;
3. the first stage of removals comprise the 11 trees located between numbers 2-30 Harrow Rd;
4. the second stage of removals comprise the 13 trees located between numbers 40-64 Harrow Rd; and
5. the replacement trees be comprised of a single appropriate deciduous species so as to afford winter solar access and summer shade benefits to south west facing dwellings.

Motion Lost

For Motion: Councillors Macri, Thanos and Tsardoulias

Against Motion: Councillors Byrne, Hanna, Kontellis, Olive, O'Sullivan and Wright

Amendment: (Kontellis/Byrne)

THAT Council writes to residents and:

1. acknowledges that some families/households have been impacted by trees;
2. Council condemns any poisoning or damaging of trees and will proceed to prosecute;
3. inform residents that Council will increase our street cleaning in Harrow Road;
4. Council invites residents to offer alternative solutions.
5. acknowledge that residents may want their trees replaced and if so, Council replace trees with trees of native origin.

Amendment Lost

For Motion: Councillors Byrne and Kontellis

Against Motion: Councillors Hanna, Macri, Olive, O'Sullivan, Thanos, Tsardoulias and Wright

Motion: Olive/Kontellis

Council write to the residents at numbers 4, 10, 40, 54 , 56 and 64 and ask if they would like their trees replaced and replacement trees should be of native origin consistent with Council's Biodiversity Policy.

Motion Carried

For Motion: Councillors Byrne, Kontellis, Olive, O'Sullivan and Wright

Against Motion: Councillors Hanna, Macri, Thanos and Tsardoulis

**C1211(1) Item 6 FEDERAL GOVERNMENT INFRASTRUCTURE FUNDING-
LIVEABLE CITIES PROGRAM - POTENTIAL PROJECTS FOR
MARRICKVILLE LGA**

Motion: (Hanna/Tsardoulis)

THAT:

1. Council applies for \$150,000 of funding through the Liveable Cities Program, Stream 1 – Planning & Design, to facilitate the undertaking of a Public Domain Strategy;
2. should Canterbury Council be prepared to be the lead applicant in the Wardell Road Crossing project then Council make an application for this also under Stream 1 – Planning & Design; and
3. Council applies for \$450,000 under the same program, through Stream 2 – Demonstration Projects, to support the undertaking of the Station Street Marrickville project.

Motion Carried

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

Against Motion: Nil

**C1211(1) Item 7 MINUTES OF THE MARRICKVILLE TRANSPORT PLANNING AND
ADVISORY COMMITTEE HELD ON 27 OCTOBER 2011**

Motion: (Olive/Hanna)

THAT:

1. Council receives and notes this report; and
2. Council:
 - (a) writes to Roads & Maritime Services (RMS) requesting a speed limit reduction for Addison Road, explaining the rationale for this request;
 - (b) alters the 'no cycling' signs on Addison Road to make it clear that cycling is prohibited on the footway, not the roadway; and
 - (c) investigates works that could be implemented in the area of Addison Road near the community centre entry/exit to improve conditions for cycling.

Motion Carried

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

Against Motion: Nil

C1211(1) Item 8 REVIEW OF DLG COMPARATIVE DATA 2009/10

Motion: (Hanna/Macri)

THAT:

1. the report be received and noted
2. the comparative data be used to inform the maintenance of the Delivery Program, Operational Plan and Resourcing Strategy
3. the comparative data be used to inform service planning and provision.

Motion Carried

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

Against Motion: Nil

C1211(1) Item 9 COUNCIL INVESTMENTS AS AT 31 OCTOBER 2011

Motion: (Hanna/O'Sullivan)

THAT :

1. the report indicating Council's Fund Management position be received and noted; and
2. Council approve the utilisation of Austraclear Limited as detailed in (ATTACHMENT 5).

Motion Carried

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

Against Motion: Nil

C1211(1) Item 10 DUAL ROLES - COUNCILLORS AS MEMBERS OF PARLIAMENT IN NSW

Motion: (Olive/Thanos)

THAT Council:

1. responds to the Discussion Paper on Dual Roles as Councillors and as Members of Parliament in NSW; and
2. does not have a problem with dual roles of Councillors as Members of Parliament.

Motion Carried

For Motion: Councillors Byrne, Kontellis, Macri, Olive, O'Sullivan, Thanos, Tsardoulias and Wright

Against Motion: Councillor Hanna

C1211(1) Item 11 **NOTICE OF MOTION: DRAFT MARRICKVILLE DEVELOPMENT CONTROL 2011**

Motion: (Thanos/Macri)

THAT

1. Controls 12 and 13 in Section 5.1.3.3 Massing and setbacks of draft Marrickville Development Control 2011 be amended as follows:

Rear massing

- C12 Where the rear boundary adjoins a lane:
- i. The rear building envelope must be contained within the combination of the rear boundary plane and a 45 degree sloping plane from a point 7.5 metres vertically above the lane ground level, measured at the rear boundary, and contain a maximum of two storeys on the rear most building plane;
 - i. notwithstanding point i., building envelopes may exceed the above building envelope control where it can be demonstrated that any rear massing that penetrates above the envelope control will not cause significant visual bulk or amenity impacts on neighbouring properties to the rear.

- C13 Where the rear boundary is a common boundary between properties:
- i. The rear building envelope must be contained within the combination of the rear boundary plane and a 45 degree sloping plane from a point 5 metres vertically above the ground level of the property being developed, measured at the rear boundary, and contain a maximum of one storey on the rear most building plane;
 - ii. notwithstanding point i., building envelopes may exceed the above building envelope control where it can be demonstrated that any rear massing that penetrates above the envelope control will not cause significant visual bulk or amenity impacts on neighbouring properties to the rear.

2. That Figure 8 in Section 5.1.3.3 Massing and setbacks of draft Marrickville Development Control 2011 be amended to be consistent with the amended wording proposed in Motion 1.
3. That Objective O9 in Section 5.1.3.3 Massing and setbacks of draft Marrickville Development Control 2011 be amended to be consistent with the amended wording proposed in Motion 1 as follows:

- O9 To ensure the rear massing of developments does not cause significant visual bulk or amenity impacts on neighbouring properties to the rear.

4. That the precinct-specific diagrams in Sections 9.36, 9.38 and 9.40 be amended to be consistent with the amended wording proposed in Motion 1, deleting the 6m minimum control adjacent to the lane.

Motion Carried

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

Against Motion: Nil

C1211(1) Item 12 NOTICE OF MOTION: LOUISA LAWSON RESERVE

Motion: (Tsardoulis/Macri)

THAT Council installs a shelter area of the park which consists of three tables and seats to allow seniors and other community groups to use and be completed in this budget. Budget can be drawn from the \$45k allocation of switch box which can't be delivered from allocated budget.

Motion Lost

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

Against Motion: Councillors Byrne, Hanna, Kontellis, Olive and Thanos

Motion: (Olive/Byrne)

THAT Council considers these works in the 2012/13 budget process.

Motion Carried

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

Against Motion: Nil

C1211(1) Item 13 NOTICE OF MOTION: JACK SHANAHAN RESERVE

Public speaker: Liz Locksley

Motion: (Tsardoulis/Kontellis)

THAT Council:

1. staff prepare a report to investigate the costing of an upgrade of the reserve which includes access to the light rail proposal and greenway gardens along the border of the fence of the tracks, resurfacing of tennis courts, basketball courts and furniture upgrade, toilets and graffiti murals for the 2012/13 budget;
2. writes to the State Government immediately to encourage them to formalise Council's control of the corridor as previously determined by Council; and
3. writes to the other two Councils (Leichhardt and Ashfield) to encourage them to join Marrickville Council in the above course of action.

Motion Carried

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

Against Motion: Nil

**C1211(1) Item 14 NOTICE OF MOTION: REFURBISHMENT OF KINTORE STREET
POCKET PARK**

Motion: (Tsardoulis/Macri)

THAT:

1. Council completes a refurbishment of Kintore St Pocket Park; and
2. Council consults with Dulwich Hill Public School and Kintore St residents in establishing a pocket community garden in the Kintore St Pocket Park.

Motion Carried

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

Against Motion: Councillors Byrne and Olive

Procedural Motion: (Thanos)

THAT Council recommit Items 12 and 13.

Motion Lost

For Motion: Councillors Thanos and Tsardoulis

Against Motion: Councillors Hanna, Kontellis, Macri, Olive, O'Sullivan and Wright

Absent: Councillor Byrne

C1211(1) Item 15 QUESTIONS ON NOTICE: GARBAGE COLLECTION CREWS

Motion: (Hanna/Tsardoulis)

The response to the Questions on Notice was noted.

Motion Carried

For Motion: Councillors Hanna, Kontellis, Macri, Olive, O'Sullivan, Thanos, Tsardoulis and Wright

Against Motion: Nil

Absent: Councillor Byrne

Meeting closed at 9.15pm.

CHAIRPERSON