

## Minutes of Council Meeting held on Tuesday, 7 August 2012

Meeting commenced at 6.38pm

### 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)	Iskandar (Deputy Mayor)	O'Sullivan	Tsardoulias
Thanos	Olive	Kontellis	Wright
Macri	Peters	Byrne	

### APOLOGIES

**Motion: (Hanna/Macri):**

THAT the request for leave of absence for Councillor Phillips from 14/07/12 to 11/08/12 be noted and leave of absence granted.

**Motion Carried**

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

**Against Motion:** Nil

### DISCLOSURES OF INTERESTS:

**Item 7:** Councillor Hanna declared a less than significant non-pecuniary conflict of interest in Item 7 (Sponsorship Request from Sydney Festival and Branch Nebula) as he is related to the General Manager of the Sydney Festival. Councillor Hanna will remain in the Chamber during this item.

### CONFIRMATION OF MINUTES

**Motion: (Hanna/Macri)**

That the Minutes of the Council Meeting held on Tuesday, 17 July 2012 be confirmed.

**Motion Carried**

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

**Against Motion:** Nil

**C0812(1) Item 1    GREENWAY REPORTS AND UPDATES**

**Motion:    (Hanna/Thanos)**

THAT Council:

1. notes the activities completed as part of the GreenWay Sustainability Project and significant progress made toward project outcomes as outlined in ATTACHMENT 1;
2. notes the conclusion of the grant-funded GreenWay Sustainability Project in September 2012 and approves the 'in-kind' action/support that may be necessary subsequent to September 2012;
3. approves and adopts the GreenWay Active Transport Strategy at ATTACHMENT 2 and notes the requirement for ongoing implementation of the GreenWay Active Transport Strategy and its initiatives;
4. adopts the final draft GreenWay Biodiversity Strategy at ATTACHMENT 3 and endorses the proposal by the Partner GreenWay Councils to place this document on public exhibition; and
5. receives and notes the Minutes from the Meeting of the GreenWay Steering Committee held on June 25<sup>th</sup> 2012 at ATTACHMENT 4

**Motion Carried**

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

**Against Motion:**            Nil

**C0812(1) Item 2    EXPOSURE DRAFT BOARDING HOUSES BILL**

Public speaker: Julia Murray

**Motion:    (Hanna/Olive)**

THAT:

1. Council endorse the submission attached to this Business paper (ATTACHMENT 1); and
2. the submission is made to the Division of Local Government, NSW Department of Premier and Cabinet and the NSW Department of Family and Community Services on or before 17 August 2012.

**Motion Carried**

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

**Against Motion:**            Nil

**C0812(1) Item 3 MARRICKVILLE COUNCIL PARTNERSHIP WITH CRC FOR WATER SENSITIVE CITIES**

**Motion: (Hanna/Thanos)**

THAT Council:

1. maintains its involvement in the national/international research program for water sensitive cities;
2. authorises the General Manager to sign the agreement as an Other Participant with the Cooperative Research Centre for Water Sensitive Cities;
3. approves the current allocation of \$50,000 p.a. from the Stormwater Management Service Charge as Council's contribution to the Cooperative Research Centre for Water Sensitive Cities; and
4. officers review Council's commitment to the partnership and the financial contribution during 2014/15.

**Motion Carried**

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

**Against Motion:** Nil

**C0812(1) Item 4 50:50 VISION - COUNCILS FOR GENDER EQUITY**

**Motion: (Byrne/Hanna)**

THAT:

1. Council's participation in the 50:50 Vision – Councils for Gender Equity Program be endorsed;
2. Council endorse the following statement:  
*"We will work towards increasing the representation of women in local government, both as elected members and senior managers and professionals. We will undertake ongoing reviews of policies and practices to remove barriers to women's participation and to engender safe, supportive working and decision-making environments that encourage and value a wide range of views";* and
3. the nominated 50:50 Vision champion be the General Manager.

**Motion Carried**

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

**Against Motion:** Nil

**C0812(1) Item 5 FOOTPATH OCCUPATION POLICY REVIEW**

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

THAT the report be received and noted.

**Motion Carried**

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

**Against Motion:** Nil

**C0812(1) Item 6 SISTER CITIES PROGRAM ACTIVITIES**

**Motion: (Hanna/Iskandar)**

THAT Council:

1. receive and note the report; and
2. endorse the Sister Cities stall at Marrickville Festival 2012.

**Motion Carried**

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

**Against Motion:** Nil

**C0812(1) Item 7 SPONSORSHIP REQUEST FROM SYDNEY FESTIVAL AND BRANCH NEBULA**

Public speaker: Fiona Winning

**Motion: (Tsardoulias/Olive)**

THAT:

1. the report be received and noted;
2. subject to development consent of Sydney Festival's application to hold the Concrete and Bone Sessions at the Jack Shanahan Reserve Skate Park Dulwich Hill as part of the 2013 Sydney Festival, Council support the project from the 2012/2013 Arts and Cultural Development Community Program budget;
3. the Sydney Festival applies for the Artist Residency program as per the standard application process.

**Motion Carried**

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

**Against Motion:** Nil

**C0812(1) Item 8 PROPOSED NAME CHANGE OF TENNYSON ST RESERVE, DULWICH HILL AS BETTY SPEARS PLAYGROUND**

**Motion: (Hanna/Olive)**

THAT:

1. Council undertake community consultation on the proposed name change of Tennyson Street Reserve, Dulwich Hill as Betty Spears Playground in recognition of her achievements;
2. subject to there being no objections to the proposal as a result of the community consultation, that Council submit a proposal to the Geographical Names Board of NSW for the proposed name change;
3. Council notifies Unions NSW and the relevant family regarding this outcome; and
4. Council endorses the installation of suitable signage and a commemorative plaque at the reserve funded from Section 94 open space funds.

**Motion Carried**

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

**Against Motion:** Nil

**C0812(1) Item 9 PROPOSAL TO BROADEN INVITATIONS TO THE SPORTS  
STAKEHOLDER FORUM**

**Motion: (Hanna/Peters)**

THAT Council extends invitations to the Sports Stakeholder Forum to a broader range of sporting clubs and organisations based in the Marrickville Local Government Area.

**Motion Carried**

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

**Against Motion:** Nil

**C0812(1) Item 10 COMMEMORATION OF THE 100TH ANNIVERSARY OF THE  
LANDING AT GALLIPOLI AND ESTABLISHMENT OF A MEMORIAL  
TO MARRICKVILLE SERVICE PERSONNEL**

**Motion: (Hanna/Wright)**

THAT:

1. Council note the report;
2. Council nominate Councillor Victor Macri as the Chair of the Gallipoli 100<sup>th</sup> Anniversary Commemoration Committee;
3. the Manager, Corporate Development, Coordinator, History Services, Events Coordinator and Coordinator Arts and Culture as Council officers be invited to join the Committee;
4. Council advertise for two community representatives to serve on the Committee with preference to be given to Returned Services League members; and
5. the establishment of a memorial to World War II soldiers and to those in subsequent conflicts be included in the Terms of Reference of the Committee.

**Motion Carried**

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

**Against Motion:** Nil

**C0812(1) Item 11 MOTIONS FOR SUBMISSION TO THE LOCAL GOVERNMENT  
ASSOCIATION CONFERENCE**

**Motion: (Hanna/Iskandar)**

THAT:

1. the report be received and noted; and
2. Council puts the following motions to the Local Government Association Conference.

A.

Subject Heading: Services

Title: Affordable Housing

Motion: a) That State Government data collection as well as including dwelling approvals, includes the proportion of new homes affordable to different income groups.  
b) That the State Government include provisions within the planning regime facilitating the dedication of dwellings (or the monetary equivalent) for the purpose of affordable housing as part of new residential developments.

B.

Subject Heading: Finance  
 Title: Strategic Waste Management and Resource Recovery  
 Motion: That the Local Government Association lobby the Government to amend the Local Government Act and the definition of Domestic Waste to include Street Litter Bins and Park Litter Bins.

Note from Council: Litter generated in parks is the result of family activities including picnics and sporting activities. The waste is not of a commercial nature. Similarly waste in street litter bins for the most part is made up waste discarded by residents who have been shopping. To assist the holistic approach to the strategic management of waste and to streamline the administration of this service, Council contends that the cost of providing the service would best be recovered under the banner of the Domestic Waste Charge.

C.

Subject Heading: Planning Reform  
 Title: Green Paper: A New Planning System for NSW  
 Motion: a) That the State Government ensures that the new Act genuinely achieves the stated objectives of the Green Paper and does not include mechanisms that enable the development industry to avoid proper planning assessment by councils via rezonings in sub regional plans.  
 b) That the new Act provides that individual Council's determine the membership and terms of reference of any IHAP established to evaluate development applications in-lieu of elected Councillors.  
 c) That the new Act does not diminish the level of community consultation that occurs as part of land use planning.  
 d) That the new Act does not facilitate the expansion of certification of development to merit based matters or in sensitive areas such as heritage conservation areas.

**Motion Carried**

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

**Against Motion:** Nil

**C0812(1) Item 12 COUNCIL INVESTMENTS AS AT 30 JUNE 2012**

**Motion: (Macri/Byrne)**

THAT the report indicating Council's Fund Management position be received and noted.

**Motion Carried**

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

**Against Motion:** Nil

**C0812(1) Item 13 NOTICE OF MOTION: ELECTRICITY POLES**

**Motion: (Olive/Peters)**

THAT Council moves to discourage the use of power poles on residential buildings through a note on the relevant existing DA condition.

**Motion Carried**

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

**Against Motion:** Nil

**C0812(1) Item 14 NOTICE OF MOTION: SYDENHAM/UNWINS BRIDGE ROAD RAILWAY UNDERPASS LIGHTING**

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

THAT Council:

1. approach RailCorp requesting installation of lighting to enhance the night time safety of pedestrian commuters walking to and from Sydenham Station under the Unwins Bridge Road underpass; and
2. officers report back to Council on the outcomes of this request and any further options should these be necessary.

**Motion Carried**

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

**Against Motion:** Nil

**C0812(1) Item 15 NOTICE OF MOTION: 2013 BLACK SPOT FUNDING FOR PEDESTRIAN ROUTES BETWEEN ST PETERS AND MARRICKVILLE METRO**

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

THAT the implementation of Condition B13 of the Marrickville Metro consent that Council seek to ensure that appropriate measures are taken to facilitate safe vehicle and especially pedestrian transit between St Peters and Marrickville.

**Motion Carried**

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

**Against Motion:** Nil

**C0812(1) Item 16 QUESTION ON NOTICE: REMOVAL OF BROWN ST RESIDENT'S REAR GARAGE ACCESS BY THE ERECTION OF A FENCE**

The response to the Questions on Notice was noted.

**C0812(1) Item 17 QUESTION ON NOTICE: SOUTH WARD TRAFFIC CALMING EXPENSES SINCE OCTOBER 2008**

The response to the Questions on Notice was noted.

**REPORTS WITH CONFIDENTIAL INFORMATION**

**C0812(1) Item 18 TENDER REPORT - FANNY DURACK AQUATIC CENTRE**

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

THAT:

- 1.A 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, Iskandar, Kontellis, Macri, Olive, O'Sullivan, Peters, Thanos, Tsardoulis and Wright

**Against Motion:** Nil

**C0812(1) Item 19 MEMBERSHIP OF METROPOOL AND UNITED INDEPENDENT POOLS**

**Motion:** (Hanna/Wright)

- 1.A the Council resolve that CONFIDENTIAL 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 advise Metropool that it has resolved to retain its membership of Metropool and United Independent Pools.

**Motion Carried**

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

**Against Motion:** Nil

**C0812(1) Item 20 MAYORAL MINUTE: POLITICAL POSTERS**

**Motion:** (Hanna)

THAT Council write to the NSW Electoral Commissioner seeking urgent advice on the enforcement action proposed to ensure compliance with s151B of the Parliamentary Electorates and Elections Act 1912 in the upcoming Local Government elections.

**Motion Lost**

**For Motion:** Councillors Hanna, Macri and Thanos

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



**C0812(1) Item 21 MAYORAL MINUTE: PENSIONER REBATES ON RATES**

**Motion: (Hanna)**

THAT Council writes to the NSW Premier Barry O'Farrell requesting him to:

1. increase the current Local Government Pensioner Rate Concession from \$250 to \$500, to be fully funded by the NSW State Government; and
2. provide the annual indexation of the Local Government Pensioner Rate Concession.

**Motion Carried**

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

**Against Motion:** Nil

Meeting closed at 8.33pm.

**CHAIRPERSON**