

**Minutes of Council Meeting held on Tuesday, 17 September 2013****Meeting commenced at 6.37pm****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**

Macri (Mayor)	Tsardoulis (Deputy Mayor)	Brooks	Ellsmore
Gardiner	Hanna	Haylen	Iskandar
Leary	Phillips	Tyler	Woods

**APOLOGIES:** Nil.**DISCLOSURES OF INTERESTS:**

**Item 2:** Councillor Hanna declared a less than significant non-pecuniary conflict of interest in Item 2 (Mayoral Minute: Coptic Church) as he attends the church. Councillor Hanna will remain in the Chamber during this item.

**Item 20:** Councillor Woods declared a less than significant non-pecuniary conflict of interest in Item 20 (Proposed Expression of Interest Process for the Tempe Boat Storage Facility - Part of Lot 2023/DP105984) as he is a member of the Tempe Basin Motor Boat Club. Councillor Woods will remain in the Chamber during this item.

**CONFIRMATION OF MINUTES****COUNCIL RESOLUTION****Motion: (Macri/Phillips)**

THAT the Minutes of the Council Meeting held on Tuesday, 20 August 2013 and Council Development Matters Meeting held on Tuesday, 10 September 2013 be confirmed.

**Motion Carried**

**For Motion:** Councillors Brooks, Ellsmore, Gardiner, Hanna, Haylen, Iskandar, Leary, Macri, Phillips, Tsardoulis, Tyler and Woods

**Against Motion:** Nil

**C0913 Item 1 MAYORAL MINUTE: TRANSPARENCY OF COUNCIL SUBSIDIES TO COMMUNITY AND SPORTING ORGANISATIONS**

**COUNCIL RESOLUTION**

**Motion: (Macri)**

THAT officers provide a report in the 2014/15 financial year to provide transparency of Council subsidies to community and sporting organisations.

**Motion Carried**

**For Motion:** Councillors Brooks, Ellsmore, Gardiner, Hanna, Haylen, Iskandar, Macri, Phillips, Tsardoulias, Tyler and Woods

**Against Motion:** Nil

**Absent:** Councillor Leary

**C0913 Item 2 MAYORAL MINUTE: COPTIC CHURCH**

**Motion: (Macri)**

THAT:

1. Council calls for Expressions of Interest (EOI) from parties willing to undertake necessary works on the Coptic Church to make it fit for purpose as an artist studio/gallery, performance space or general community facility, including a place of worship in return for a long term lease; and
2. in the event that Council does not receive any acceptable submissions, Council proceeds with demolition of the Church.

**Amendment: (Ellsmore/Brooks)**

THAT point 2 be deleted from the Motion.

**Amendment Lost**

**For Amendment:** Councillors Brooks, Ellsmore, Leary and Phillips

**Against Amendment:** Councillors Gardiner, Hanna, Haylen, Iskandar, Macri, Tsardoulias, Tyler and Woods

**COUNCIL RESOLUTION**

**Motion: (Macri)**

THAT:

1. Council calls for Expressions of Interest (EOI) from parties willing to undertake necessary works on the Coptic Church to make it fit for purpose as an artist studio/gallery, performance space or general community facility, including a place of worship in return for a long term lease; and
2. in the event that Council does not receive any acceptable submissions, Council proceeds with demolition of the Church.

**Motion Carried**

**For Motion:** Councillors Brooks, Ellsmore, Gardiner, Hanna, Haylen, Iskandar, Leary, Macri, Phillips, Tsardoulias, Tyler and Woods

**Against Motion:** Nil

**C0913 Item 3 MAYORAL MINUTE: MARRICKVILLE COUNCIL PROPOSAL TO SYDNEY WATER FOR PROGRAM TO MONITOR ILLEGAL CONNECTIONS TO SEWERAGE SYSTEM**

**COUNCIL RESOLUTION**

**Motion: (Macri)**

THAT Marrickville Council proposes to the Cooks River Alliance Board that the Alliance enters into discussions with the Sydney Water Corporation to formally partner in a joint Cooks River Catchment program that will reduce sewage entering the Cooks River from private properties via stormwater systems.

**Motion Carried**

**For Motion:** Councillors Brooks, Ellsmore, Gardiner, Hanna, Haylen, Iskandar, Leary, Macri, Phillips, Tsardoulis, Tyler and Woods

**Against Motion:** Nil

**C0913 Item 4 MARKET TESTING OF RESOURCE RECOVERY SERVICES**

Public speaker: Irene Nair

**Motion: (Macri/Gardiner)**

THAT Council:

1. endorse the market testing of the green waste collection service with a view to outsourcing, if financially beneficial to Council, and with the contract commencing from July 2014;
2. endorse the market testing of the recycling collection service with a view to outsourcing, if financially beneficial to Council, and with the contract commencing from July 2014; and
3. commit to operating an in-house garbage collection service until June 2019.

**Motion Lost**

**For Motion:** Councillors Gardiner, Hanna, Macri and Tyler

**Against Motion:** Councillors Brooks, Ellsmore, Haylen, Iskandar, Leary, Phillips, Tsardoulis and Woods

**C0913 Item 5 DRAFT PLAN OF MANAGEMENT AND MASTERPLAN FOR MARRICKVILLE PARK**

Public speakers: Leanne Zai, Peter Sutherland and Greg Gibson

**COUNCIL RESOLUTION**

**Motion: (Woods/Macri)**

THAT the exhibition of the Draft Plan of Management and Masterplan for Marrickville Park be delayed for a period of time to reassess the needs of the Marrickville District Lawn Tennis Club in consultation with the club.

**Motion Carried**

**For Motion:** Councillors Brooks, Ellsmore, Gardiner, Hanna, Haylen, Iskandar, Leary, Macri, Phillips, Tsardoulis, Tyler and Woods

**Against Motion:** Nil

**C0913 Item 6    GALLIPOLI 2015****COUNCIL RESOLUTION****Motion:    (Macri/Tsardoulias)**

THAT Council:

1. receive and note the report;
2. endorse those projects to be completed with in existing budgets;
3. consider allocation of up to \$162,000 in the 2014/15 Operating Budget to fund the outlined Gallipoli Centenary Commemorative activities, noting that up to \$100,000 has been made available for each Federal Member of Parliament to support projects commemorating the First World War, assistance from the Federal Member be sought to fund the Gallipoli Centenary Commemoration activities suggested by the Committee, and a further report provided to Council about allocation in the 2014/5 Operating Budget;
4. consider allocation of \$70,000 in the 2014/15 Operating Budget to fund installation of a memorial to soldiers who fought in World War II and subsequent conflicts; and
5. advise in order of preference which activities will be proceeded with as part of the Gallipoli Centenary Commemoration.
6. Mayor to advise the committee that Council provides the following feedback in relation to the activities proposed for the Gallipoli Centenary Celebration:
  - Marrickville Road Street Parade
    - Clr Gardiner would like the participants to be limited to those who have some direct relationship/are descendants of those who served
  - War Stories:
    - Clr Brooks concerned that contributions of other people as a result of wars would not be covered and believes that stories should also have this focus, particularly on the loved ones who were left behind when people went to war;
    - Clr Iskandar would like the Storytelling to provide the names of some Syrians and Mediterraneans who fought for Australia; and
    - Clr Ellsmore would like to affirm Australia's history and have a healthy debate about the impact of war and also be inclusive of multicultural Marrickville with some residents having relatives who may not have fought for Australia.
  - Anzac Storytelling event
  - War Film Festival

**Motion Carried****For Motion:**                    Councillors Brooks, Ellsmore, Gardiner, Hanna, Haylen, Iskandar, Leary, Macri, Phillips, Tsardoulias, Tyler and Woods**Against Motion:**            Nil

**C0913 Item 7 FEES AND CHARGES FOR ANNETTE KELLERMAN AQUATIC CENTRE - INTRODUCTION OF PROGRAMS FOR PEOPLE WITH A DISABILITY**

**COUNCIL RESOLUTION**

**Motion: (Macri/Tyler)**

THAT:

1. the report be received and noted;
2. Council advertise the proposed changes to the fees and charges schedule for the Annette Kellerman Aquatic Centre as detailed in ATTACHMENT 1 for a period of twenty-eight days in accordance with the provisions of Section 610F of the Local Government Act; and
3. following the public consultation period, a further report will be presented to Council.

**Motion Carried**

**For Motion:** Councillors Brooks, Ellsmore, Gardiner, Hanna, Haylen, Iskandar, Leary, Macri, Phillips, Tsardoulis, Tyler and Woods

**Against Motion:** Nil

**C0913 Item 8 TOM FOSTER COMMUNITY CARE FEES AND CHARGES**

**COUNCIL RESOLUTION**

**Motion: (Macri/Tyler)**

THAT Council adopt the following usage fee for Tom Foster Community Care: for local community groups that charge a fee to participants for an activity the fee be set at \$15.00 per hour, if no fee is charged, then a reduced fee of \$10.00 per hour would be applicable.

**Motion Carried**

**For Motion:** Councillors Brooks, Ellsmore, Gardiner, Hanna, Haylen, Iskandar, Leary, Macri, Phillips, Tsardoulis, Tyler and Woods

**Against Motion:** Nil

**C0913 Item 9 REQUEST FOR FEE WAIVER BY RANDWICK PETERSHAM CRICKET CLUB FOR THE HIRE OF PETERSHAM PARK OVAL FOR 2013/14 SUMMER SEASON**

**COUNCIL RESOLUTION**

**Motion: (Macri/Tyler)**

THAT:

1. the report be received and noted; and
2. Council waive the Petersham Oval hire fee for Randwick Petersham Cricket Club for the 2013/14 summer season.

**Motion Carried**

**For Motion:** Councillors Brooks, Ellsmore, Gardiner, Hanna, Haylen, Iskandar, Leary, Macri, Phillips, Tsardoulis, Tyler and Woods

**Against Motion:** Nil

**C0913 Item 10 COMMUNITY GRANTS CONTINGENCY GRANTS FUND - REQUEST FOR FEE WAIVER BY GREEK WELFARE CENTRE FOR THE HIRE OF MARRICKVILLE TOWN HALL**

**COUNCIL RESOLUTION**

**Motion:** (Tsardoulas/Tyler)

THAT:

1. the report be received and noted; and
2. Council provide \$1,000 from the Community Grants Program Part 2, Contingency Program to assist Greek Welfare Centre with the cost of venue hire for the use of Marrickville Town Hall on 25 September 2013, 11 December 2013 and 9 April 2014 for a Community Appeal/Charity Drive.

**Motion Carried**

**For Motion:** Councillors Brooks, Ellsmore, Gardiner, Hanna, Haylen, Iskandar, Leary, Macri, Phillips, Tsardoulas, Tyler and Woods

**Against Motion:** Nil

**C0913 Item 11 OPEN MARRICKVILLE 2013 REPORT ON PROGRAM**

**COUNCIL RESOLUTION**

**Motion:** (Tyler/Ellsmore)

THAT:

1. the report be received and noted; and
2. Council endorse the grant opening and closing dates and the Open Marrickville 2014 festival dates.

**Motion Carried**

**For Motion:** Councillors Brooks, Ellsmore, Gardiner, Hanna, Haylen, Iskandar, Leary, Macri, Phillips, Tsardoulas, Tyler and Woods

**Against Motion:** Nil

**C0913 Item 12 MARRICKVILLE OPEN STUDIO TRAIL - RECOMMENDATIONS FOR THE 2014 PROGRAM**

**COUNCIL RESOLUTION**

**Motion:** (Ellsmore/Tsardoulas)

THAT:

1. the report be received and noted; and
2. Council approves a budget adjustment of \$10,000 to fund MOST 2014 in its September 2013 Quarterly Budget Review Statement and incorporates the Marrickville Open Studio Trail in its budget on an annual basis.

**Motion Carried**

**For Motion:** Councillors Brooks, Ellsmore, Gardiner, Hanna, Haylen, Iskandar, Leary, Macri, Phillips, Tsardoulas, Tyler and Woods

**Against Motion:** Nil

**C0913 Item 13 STEEL PARK SOCIAL ENTERPRISE LICENCE**

**COUNCIL RESOLUTION**

**Motion: (Brooks/Iskandar)**

THAT Council agree to offer a non-exclusive Licence to operate a mobile coffee and refreshment social enterprise at Steel Park for a two year trial commencing late 2013.

**Motion Carried**

**For Motion:** Councillors Brooks, Ellsmore, Gardiner, Hanna, Haylen, Iskandar, Leary, Macri, Phillips, Tsardoulis, Tyler and Woods

**Against Motion:** Nil

**C0913 Item 14 MOVIES IN THE PARK - EVENT PROPOSAL AND COSTING**

**COUNCIL RESOLUTION**

**Motion: (Tsardoulis/Macri)**

THAT:

1. the report be received and noted;
2. Council endorse the trial *Movies in the Park* event for Saturday 12 April 2014; and
3. should the above be endorsed that a budget adjustment of \$21,600 be made for the delivery of the event.

**Motion Carried**

**For Motion:** Councillors Hanna, Haylen, Iskandar, Macri, Tsardoulis, Tyler and Woods

**Against Motion:** Councillors Brooks, Ellsmore, Gardiner, Leary and Phillips

**C0913 Item 15 PERFORMANCE REVIEW PANEL FOR GENERAL MANAGER'S PERFORMANCE**

**COUNCIL RESOLUTION**

**Motion: (Macri/Haylen)**

THAT:

1. Council nominate a General Manager Performance Review Panel comprising the Mayor, Deputy Mayor, one other Councillor (Clr Ellsmore) and if the General Manager chooses, a Councillor nominated by the General Manager; and
2. the Mayor, in consultation with the Panel, be authorised to finalise and sign the Performance Agreement with the General Manager for 2013/14 and conduct the annual review for 2012/13.

**Motion Carried**

**For Motion:** Councillors Brooks, Ellsmore, Gardiner, Hanna, Haylen, Iskandar, Leary, Macri, Phillips, Tsardoulis, Tyler and Woods

**Against Motion:** Nil

**C0913 Item 16 STATUS UPDATE - RESOLUTIONS OF COUNCIL****COUNCIL RESOLUTION****Motion: (Macri/Tyler)**

THAT the report be received and noted.

**Motion Carried****For Motion:** Councillors Brooks, Ellsmore, Gardiner, Hanna, Haylen, Iskandar, Leary, Macri, Phillips, Tsardoulis, Tyler and Woods**Against Motion:** Nil**C0913 Item 17 QUESTION ON NOTICE: REPORTS ABOUT AIR QUALITY**

The response to the Question on Notice was noted.

**C0913 Item 18 QUESTION ON NOTICE: IMPACT OF PROPOSED NEIGHBOURING DEVELOPMENT ON THE INFRASTRUCTURE WORKS SCHEDULED FOR GROVE STREET, MARRICKVILLE**

The response to the Question on Notice was noted.

**REPORTS WITH CONFIDENTIAL INFORMATION****C0913 Item 19 ARLINGTON RESERVE SYNTHETIC TURF SURFACE - TENDER EVALUATION - TENDER NUMBER 36/13****COUNCIL RESOLUTION****Motion: (Macri/Woods)**

THAT:

1. 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 adopt the recommendation contained in CONFIDENTIAL ATTACHMENT 1 including the Primary Scope of Works detailed in Table 2 Capital Cost Summary on page 24 of the Confidential Business Paper and the following additional discretionary capital works items:
  - a. Synthetic turf to Warm Up Area
  - b. Alternate Infill
  - c. Line marking for small fields
  - d. Removable curtain system/ fencing separating warm up area
  - e. Lighting Upgrade

Council allocate an amount of \$1.532m toward the project plus the contingencies and allowances disclosed on page 24 of the Confidential Business Paper to be funded from the Property Reserve.

**Motion Tied****For Motion:** Councillors Haylen, Iskandar, Macri, Tsardoulis, Tyler and Woods**Against Motion:** Councillors Brooks, Ellsmore, Gardiner, Hanna, Leary and PhillipsThe Chairperson used his Casting Vote and the **MOTION** was **CARRIED**.



**C0913 Item 20 PROPOSED EXPRESSION OF INTEREST PROCESS FOR THE TEMPE BOAT STORAGE FACILITY (PART OF LOT 2023/DP105984)**

Public speaker: Jim McDonald

**Motion: (Phillips/Leary)**

THAT Council:

1. that ATTACHMENT 4 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;
3. the proposed Expression of Interest process for the Tempe Boat Storage, Holbeach Avenue Tempe (Part of LOT 7023/DP105984) be approved; and
4. determine both commercial and not-for-profit operators be permitted to submit an EOI.

**Motion Lost**

**For Motion:** Councillors Brooks, Ellsmore, Leary and Phillips

**Against Motion:** Councillors Gardiner, Hanna, Haylen, Iskandar, Macri, Tsardoulis, Tyler and Woods

**Amendment (Tsardoulis/Woods)**

Delete the word "commercial" from point 4.

**Amendment Lost**

**For Amendment:** Councillors Haylen, Iskandar, Macri, Tsardoulis and Woods

**Against Amendment:** Councillors Brooks, Ellsmore, Gardiner, Hanna, Leary, Phillips and Tyler

**COUNCIL RESOLUTION**

**Motion: (Gardiner/Tyler)**

THAT Council:

1. defer the EOI process for a period of 6 months;
2. obtain further information from the Tempe Motor Boat Association in relation to the nature of its operations to determine whether or not it is properly classified as a community or whether it ought to be considered a commercial organisation;
3. defer any decision with respect to EOI until we know how the land may be affected by the RTA proposals in relation to the proposed Westconnex.

**Motion Carried**

**For Motion:** Councillors Gardiner, Hanna, Haylen, Iskandar, Macri, Tsardoulis, Tyler and Woods

**Against Motion:** Councillors Brooks, Ellsmore, Leary and Phillips

**C0913 Item 21 PLANNING PROPOSAL - 2-18 STATION STREET & 1 LEOFRENE AVENUE, MARRICKVILLE**

Public speakers: Karen Soo, Laura Eden, Peter Lonergan and Wil Nino

**COUNCIL RESOLUTION****Motion: (Macri/Gardiner)**

THAT Council:

1. receive and note the report;
2. submit the planning proposal to the Department of Planning and Infrastructure for Gateway determination;
3. concurrent with the Gateway submission, engage James Mather Delaney Design Pty Ltd (the consultants undertaking Council's Public Domain Study) to peer review the proposed public space design and commission a peer review of the proposed building envelope and relationship to the character of the Marrickville town centre by two suitably qualified consultants;
4. further consider the planning proposal request and Voluntary Planning Agreement and findings of the peer review processes prior to any public exhibition of the planning proposal;
5. seek an amendment to Marrickville LEP 2011 as part of the planning proposal submission for the proposed development to require a design competition process as part of any development application for buildings of a (yet to be determined) significant scale; and
6. write to the Minister for Transport and Transport for NSW to inform of the planning proposal request and to seek consultation concerning the co-ordination of planning processes for the public space associated with the proposed development and the proposed upgrade of Marrickville Railway Station.

**Motion Carried****For Motion:** Councillors Gardiner, Hanna, Haylen, Iskandar, Macri, Tsardoulis, Tyler and Woods**Against Motion:** Councillors Brooks, Ellsmore, Leary and Phillips**C0913 Item 22 NOTICE OF MOTION: REINSTATING BOTTLED WATER IN ORGANISATION****COUNCIL RESOLUTION****Motion: (Tsardoulis/Macri)**

THAT Council reinstate bottle water for all meetings, events and throughout the organisation.

**Motion Carried****For Motion:** Councillors Gardiner, Haylen, Macri, Tsardoulis, Tyler and Woods**Against Motion:** Councillors Brooks and Ellsmore**Absent:** Councillors Hanna, Iskandar, Leary and Phillips

**C0913 Item 23 NOTICE OF MOTION: INSTALLATION OF EXERCISE EQUIPMENT AT JOHNSON PARK**

**COUNCIL RESOLUTION**

**Motion: (Tsardoulis/Tyler)**

THAT:

1. Council install outdoor exercise equipment at Johnson Park Dulwich Hill as per the Camperdown Oval equipment; and
2. the installation and equipment be endorsed for next year's budget.

**Motion Carried**

**For Motion:** Councillors Gardiner, Haylen, Macri, Tsardoulis, Tyler and Woods

**Against Motion:** Councillors Brooks and Ellsmore

**Absent:** Councillors Hanna, Iskandar, Leary and Phillips

**C0913 Item 24 MAYORAL MINUTE: REGIONAL APPROACH TO DEVELOPMENT OF PARRAMATTA ROAD CORRIDOR**

Public speaker: Iain Walker

**Motion: (Macri/Tsardoulis)**

THAT Council:

1. agrees in principle to work collaboratively with Inner City Councils and the NSW State Government to plan the development of the Parramatta Road Corridor;
2. agrees in principle to delegate its planning powers to an appropriate decision-making vehicle to which it will appoint an agreed number of members;
3. works with newDemocracy to prepare a proposal for the appointment of a representative Citizen Jury drawn proportionately from residents of member councils to develop a sub-regional plan for the Parramatta Road Corridor and an associated plan for the use of developer contributions;
4. writes to Leichhardt, Ashfield, Burwood, Strathfield and Canada Bay Councils to seek their support for the approach in points 1 and 2; and
5. writes to the Premier seeking his support to an inter-governmental approach to the development of the Parramatta Road Corridor informed by a Citizen Panel.

**Amendment: (Haylen/Phillips)**

THAT Council adopt the recommendation with the deletion of point 2.

**Amendment Carried**

**For Amendment:** Councillors Brooks, Ellsmore, Haylen, Iskandar, Leary, Phillips and Woods

**Against Amendment:** Councillors Gardiner, Hanna, Macri, Tsardoulis and Tyler

**COUNCIL RESOLUTION**

**Motion (as amended): (Macri/Tsardoulias)**

THAT Council:

1. agrees in principle to work collaboratively with Inner City Councils and the NSW State Government to plan the development of the Parramatta Road Corridor;
2. works with newDemocracy to prepare a proposal for the appointment of a representative Citizen Jury drawn proportionately from residents of member councils to develop a sub-regional plan for the Parramatta Road Corridor and an associated plan for the use of developer contributions;
3. writes to Leichhardt, Ashfield, Burwood, Strathfield and Canada Bay Councils to seek their support for the approach in points 1 and 2; and
4. writes to the Premier seeking his support to an inter-governmental approach to the development of the Parramatta Road Corridor informed by a Citizen Panel.

**Motion Carried**

**For Motion:** Councillors Brooks, Ellsmore, Gardiner, Hanna, Haylen, Iskandar, Leary, Macri, Phillips, Tsardoulias, Tyler and Woods

**Against Motion:** Nil

**C0913 Item 25 MAYORAL MINUTE: ASIA PACIFIC CITIES SUMMIT**

**COUNCIL RESOLUTION**

**Motion: (Macri)**

THAT the report be received and noted.

**Motion Carried**

**For Motion:** Councillors Brooks, Ellsmore, Gardiner, Haylen, Macri, Tsardoulias, Tyler and Woods

**Absent:** Councillors Hanna, Iskandar, Leary and Phillips

Meeting closed at 10.49pm.

**CHAIRPERSON**