

Minutes of Council Meeting held on Tuesday 15 July 2014

Meeting commenced at 6.36pm

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

Haylen (Mayor)	Tyler (Deputy Mayor)	Brooks	Ellsmore
Iskandar	Macri	Phillips	Woods

APOLOGIES:

Motion: (Haylen/Tyler)

THAT the apologies for Councillors Hanna, Gardiner, Leary and Tsardoulis be noted and leave of absence granted.

Motion Carried

For Motion: Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods

Against Motion: Nil

DISCLOSURES OF INTERESTS:

Item 7: Councillor Woods declared a significant non-pecuniary interest in Item 7 (Recreation Grants 2014 – Recommendations) as he is the President of the Dulwich Newtown Basketball Club. He will leave the Chamber during this item.

Item 15: Councillors Macri and Tyler declared a significant pecuniary interest in Item 15 (Brown Street, Lewisham Road Closure) as they are members of the Joint Regional Planning Panel (JRPP). They will leave the Chamber during this item.

CONFIRMATION OF MINUTES

Motion: (Haylen/Brooks)

THAT the Minutes of the Council Meeting held on Tuesday, 24 June 2014 be confirmed.

Motion Carried

For Motion: Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods

Against Motion: Nil

C0714 Item 1 MAYORAL MINUTE: FAIR TRADE ACCREDITATION

Motion: (Haylen)

THAT Council:

1. supports becoming accredited as a Fair Trade Council by the Fair Trade Association of Australia and New Zealand; and
2. endorses the establishment of a Fair Trade Steering Committee to commence the process of obtaining accreditation and to promote Fair Trade throughout the Marrickville LGA.

Motion Carried

For Motion: Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods

Against Motion: Nil

C0714 Item 2 MAYORAL MINUTE: CONSULTATION ON DESIGNATION OF RICHARDSON'S LOOKOUT AS A PEACE AND RECONCILIATION PARK

Motion: (Haylen)

THAT Council take a leadership role in facilitating a meeting/s with all relevant stakeholder groups (including external and internal committees) with the aim of producing a proposal considering the designation of Richardson's Lookout as a Peace and Reconciliation Park.

Motion Carried

For Motion: Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods

Against Motion: Nil

C0714 Item 3 MAYORAL MINUTE: ASSISTANCE FOR THE USE OF THE PETERSHAM TOWN HALL FOR THE GALLIPOLI CENTENARY PEACE CAMPAIGN

Motion: (Haylen/Woods)

THAT:

1. the report be received and noted; and
2. Council provide in-kind assistance to the Gallipoli Centenary Peace Campaign for the use of the Petersham Town Hall on 21 or 22 April 2015 to host a debate relating to Anzac Day activities.

Motion Carried

For Motion: Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods

Against Motion: Nil

C0714 Item 4 DRAFT PLAN OF MANAGEMENT AND MASTER PLAN FOR CAMPERDOWN PARK - PUBLIC EXHIBITION

Motion: (Haylen/Woods)

THAT:

1. the report be received and noted;
2. Council adopt the draft Camperdown Park Plan of Management and Master Plan as attached to this report;
3. all residents and stakeholders who made submissions during the public exhibition be notified of Council's determination; and
4. the Plan of Management and Master Plan be used to inform future management and capital upgrade of Camperdown Park.

Motion Carried

For Motion: Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods

Against Motion: Nil

C0714 Item 5 DRAFT PLAN OF MANAGEMENT AND MASTER PLAN FOR CAMDENVILLE PARK - PUBLIC EXHIBITION

Public speakers: Peter Erling, Matthew Jackman, Julie Gordon and Glenn Stevens

Motion: (Haylen/Iskandar)

THAT:

1. the report be received and noted;
2. Council adopt the draft Camdenville Park Plan of Management and Master Plan as attached to this report;
3. all residents and stakeholders who made submissions during the public exhibition be notified of Council's determination;
4. the Plan of Management and Master Plan be used to inform future management and capital upgrade of Camdenville Park;
5. Council proceed with planning for a junior BMX track built within THREE years in conjunction with new paths, improved sightlines and access, and ancillary facilities;
6. Council adopt the categorisation of Camdenville Park as 'General Community Use' and 'Sportsground' under the Local Government Act (1993);
7. Council investigate the removal of the Bedwin Road fence and the associated noise impact of the removal of the fence; and completion of the pathway(s) from Bedwin Road to bring forward the BMX track from the 3 year completion target;
8. Council investigate the installation of perpendicular parking into the park area on the Southern end of Council Street which is currently used for bin storage, the same as that proposed for the northern or railway end of Council Street; and
9. Council investigate the realignment of the playing field to ensure that it moves as far as practical to avoid problems from overplay into the homes beside the field.

Motion Carried

For Motion: Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods

Against Motion: Nil

C0714 Item 6 MARRICKVILLE TOWN HALL FORECOURT UPGRADE**Motion: (Haylen/Macri)**

THAT Council endorse the concept plans for the Marrickville Town Hall forecourt redevelopment.

Motion Carried**For Motion:** Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods**Against Motion:** Nil**C0714 Item 7 RECREATION GRANTS 2014 - RECOMMENDATIONS****Motion: (Haylen/Tyler)**

THAT:

1. the report be received and noted; and
2. Council endorse funding for 14 grant applications as outlined in ATTACHMENT 1, totalling \$30,000 for the 2014 Recreation Grants Program.

Motion Carried**For Motion:** Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips and Tyler**Against Motion:** Nil**Absent:** Councillor Woods**C0714 Item 8 COMMUNITY GRANTS PROGRAM 2014****Motion: (Haylen/Woods)**

THAT:

1. the report be received and noted;
2. Council approve the grants, as contained in this report under Section 356 of the Local Government Act 1993;
3. each organisation be advised of Council's decision; and
4. Council hold a small evening function during Anti-Poverty Week to award the grants and celebrate the success of funding recipients.

Motion Carried**For Motion:** Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods**Against Motion:** Nil**C0714 Item 9 INDEPENDENT ARTISTS GRANTS - RECOMMENDATIONS 2014****Motion: (Haylen/Woods)**

THAT:

1. the report be received and noted; and
2. Council endorse funding for the 14 applications as outlined in ATTACHMENT 1, totalling \$31,500 for the 2014 Independent Artist Grants Program.

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

C0714 Item 10 ARTS AND CULTURAL GRANTS - RECOMMENDATIONS 2014

Motion: (Haylen/Woods)

THAT:

1. the report be received and noted; and
2. Council endorse funding for the 20 applications as outlined in ATTACHMENT 1, totalling \$63,420 for the 2014 Arts and Cultural Grants Program.

Motion Carried

For Motion: Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods

Against Motion: Nil

C0714 Item 11 COMMUNITY GRANTS CONTINGENCY GRANTS FUND- REQUEST FOR FINANCIAL ASSISTANCE FOR GREEK WELFARE CENTRE FOR THE HIRE OF MARRICKVILLE TOWN HALL

Motion: (Haylen/Woods)

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 the Greek Welfare Centre with the cost of venue hire for the use of Marrickville Town Hall on 1 July 2014, 10 December 2014 and 1 April 2015 for a Community Appeal/Charity Drive.

Motion Carried

For Motion: Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods

Against Motion: Nil

C0714 Item 12 RETHINK WASTE STRATEGIC PLAN- FINAL DRAFT FOR PUBLIC EXHIBITION

Motion: (Haylen/Woods)

THAT the draft *Rethink Waste Strategic Plan* be endorsed by Council and placed on public exhibition.

Motion Carried

For Motion: Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods

Against Motion: Nil

C0714 Item 13 NEW CHILDCARE CENTRE - DAB SITE - PROGRESS REPORT

Motion: (Haylen/Woods)

THAT the report be received and noted.

Motion Carried

For Motion: Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods

Against Motion: Nil

**C0714 Item 14 ADOPTION OF WESTERN CHANNEL SUBCATCHMENT
MANAGEMENT PLAN**

Motion: (Haylen/Woods)

THAT Council adopts the Western Channel Subcatchment Management Plan.

Motion Carried

For Motion: Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods

Against Motion: Nil

C0714 Item 15 BROWN STREET, LEWISHAM ROAD CLOSURE

Councillors Macri and Tyler left the Chamber having declared a conflict of interest in this item.

Council could not consider this item as there was no quorum. The item will be deferred to the next Council Meeting.

**C0714 Item 16 PRELIMINARY PLANNING PROPOSAL FOR PART OF THE
MARRICKVILLE/SYDENHAM INDUSTRIAL AREA -
VICTORIA ROAD PRECINCT**

Motion: (Haylen/Phillips)

THAT Council:

1. defer further consideration of the report until the next Ordinary Council Meeting;
2. seek advice from the Department of Planning and Environment on the following key macro level planning issues:
 - i) whether it considers that the aircraft noise strategy within the Preliminary Planning Proposal satisfactorily addresses the requirements of Section 117 Direction "3.5 - Development near Licensed Aerodromes"; and if not, the range of matters that the strategy should address having regard to the extent of residential development proposed in heavily noise affected areas;
 - ii) whether it supports the range of land uses proposed for the precinct given its current land use strategies and having regard to the draft Metropolitan Strategy strategic assessment checklist evaluation undertaken in this report;
 - iii) the status of the Sub Regional Strategies and whether the relevant Strategy will provide direction on the agreed future land use direction of the Marrickville/Sydenham Industrial Area;
 - iv) the role of the Marrickville Employment Lands Study Review in resolving the appropriate range of land uses having regard to the above matters; and
3. a Councillor Conference be undertaken prior to Council reconsidering the matter.

Motion Carried

For Motion: Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods

Against Motion: Nil

C0714 Item 17 SUNDAY STREETS

Motion: (Haylen/Tyler)

THAT:

1. Council trial a 'Sunday Streets' component supporting the Marrickville Festival on 19 October 2014.
2. a budget adjustment of \$7,500 be made to accommodate 'Sunday Streets' as part of Marrickville Festival.

Amendment: (Ellsmore/Brooks)

THAT:

1. Council notes that a key component of 'Sunday Streets' is that it involves closing a significant stretch of main road or roads to be used for free, recreation activities;
2. Council staff provide an urgent, detailed report to the Pedestrian, Cyclist, Traffic Calming Advisory Committee about opportunities and requirements to ensure that any trial of Sunday Streets includes the closure of more than a few blocks of a main road, including as part of or connected to the Marrickville Festival; and
3. Council seeks an urgent response from the RMS as to what would be required to support a temporary closure of part of King Street and Enmore Road as part of a trial of Sunday Streets, potentially in coordination with the Marrickville Festival.

Amendment Tied

For Amendment: Councillors Brooks, Ellsmore, Haylen and Phillips

Against Amendment: Councillors Iskandar, Macri, Tyler and Woods

The Mayor used her Casting Vote and the Amendment was **CARRIED**.

COUNCIL RESOLUTION

Amended Motion: (Haylen/Tyler)

THAT:

1. Council trial a 'Sunday Streets' component supporting the Marrickville Festival on 19 October 2014.
2. a budget adjustment of \$7,500 be made to accommodate 'Sunday Streets' as part of Marrickville Festival.
3. Council notes that a key component of 'Sunday Streets' is that it involves closing a significant stretch of main road or roads to be used for free, recreation activities;
4. Council staff provide an urgent, detailed report to the Pedestrian, Cyclist, Traffic Calming Advisory Committee about opportunities and requirements to ensure that any trial of Sunday Streets includes the closure of more than a few blocks of a main road, including as part of or connected to the Marrickville Festival; and
5. Council seeks an urgent response from the RMS as to what would be required to support a temporary closure of part of King Street and Enmore Road as part of a trial of Sunday Streets, potentially in coordination with the Marrickville Festival.

Motion Carried

For Motion: Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods

Against Motion: Nil

C0714 Item 18 FEDERAL BUDGET CUTS TO FAMILY DAY CARE FUNDING**Motion: (Haylen/Woods)**

THAT:

1. Council writes to the Hon. Christopher Pyne MP, Minister for Education and Leader of the House, the Hon. Sussan Ley MP, Assistant Minister for Education and the Hon. Anthony Albanese MP, Federal Member for Grayndler to express its significant concerns about the ongoing viability of Family Day Care as a result of proposed changes to funding guidelines and loss of Community Support Program funding from 1 July 2015; and
2. Council writes to Local Government NSW requesting it to lodge a submission on behalf of NSW local councils to the above Ministers requesting urgent consultations to be held with the sector about the impacts of the proposed changes to Community Support Program funding for Family Day Care services; and
3. a further report about transition progress is provided to Council later in 2014.

Motion Carried**For Motion:** Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods**Against Motion:** Nil**C0714 Item 19 AFFORDABLE HOUSING COMMITTEE****Motion: (Haylen/Woods)**

THAT:

1. Council convenes a public presentation on the four preferred expressions of interest for the Marrickville Hospital Site; and
2. the presentations focus on design, the integration of affordable housing with private development, and the business and community development aspects of affordable housing as provided by community housing providers.

Motion Carried**For Motion:** Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods**Against Motion:** Nil**C0714 Item 20 SOCIAL ENTERPRISE PROPOSAL FOR FANNY DURACK CAFE****Motion: (Haylen/Macri)**

THAT:

1. the report be received and noted; and
2. Council proceed to an open tender process for operation of the FDAC Café on the basis that Council will fund fitout costs.

Motion Carried**For Motion:** Councillors Haylen, Iskandar, Macri, Tyler and Woods**Against Motion:** Councillors Brooks, Ellsmore and Phillips

C0714 Item 21 AFTER HOURS YOUTH ACTIVITIES

Motion: (Haylen/Macri)

THAT:

1. a 6 month trial of regular Friday evening programs alternating between sports, recreation and social activities such as live music be undertaken and that a budget of \$40,000 be allocated for this purpose in the next budget review;
2. Council provide one off funding of \$5,000 in the next budget review for the provision of movie nights at the library/Town hall targeted at young people aged 12 – 18 years;
3. Council seek to partner with an existing café that will agree to provide extended hours to be open to youth for after hours socializing; and
4. a further report be provided to Council following an audit of available after hours youth options already supplied by both local and faith based agencies and the 6 month trial period of the above program.

Motion Carried

For Motion: Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods

Against Motion: Nil

C0714 Item 22 MARRICKVILLE COUNCIL LGBTIQ FORUM 2014

Motion: (Haylen/Woods)

THAT a further report outlining possible responses to LGBTIQ forum issues be provided for consideration by Council in November 2014.

Motion Carried

For Motion: Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods

Against Motion: Nil

C0714 Item 23 PROPOSED TRIAL OF CURATED STREET ART PROGRAM FOR THE MAY LANE AREA, ST PETERS

Motion: (Haylen/Woods)

THAT Council endorse the trial of a curated art program for the May Lane area. The curated program would change twice per year on properties where the owner's permission has been granted.

Motion Carried

For Motion: Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods

Against Motion: Nil

C0714 Item 24 COMMUNITY ENGAGEMENT POLICY

Motion: (Haylen/Woods)

THAT Council adopt the Community Engagement Policy.

Motion Carried

For Motion: Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods

Against Motion: Nil

C0714 Item 25 SALES OF LAND FOR UNPAID RATES

Motion: (Haylen/Woods)

THAT:

1. pursuant to Section 713 of the Local Government Act 1993, Council resolve to sell the land listed at ATTACHMENT 1 for unpaid rates and charges; and
2. Council delegates authority to the General Manager to appoint an auctioneer, to set the reserve price (in consultation with the appointed auctioneer) and to sell the land by private treaty if it fails to sell at auction.

Motion Carried

For Motion: Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods

Against Motion: Nil

C0714 Item 26 DRAFT COMPANION ANIMAL ACTION PLAN

Motion: (Haylen/Woods)

THAT Council:

1. receive and note the report; and
2. endorse the Plan to be placed on public exhibition for a period of 30 days.

Motion Carried

For Motion: Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods

Against Motion: Nil

C0714 Item 27 STATUS UPDATE - RESOLUTIONS OF COUNCIL

Motion: (Haylen/Woods)

THAT the report be received and noted.

Motion Carried

For Motion: Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods

Against Motion: Nil

C0714 Item 28 QUESTION ON NOTICE: MARRICKVILLE SUB-REGIONAL STRATEGY

The response to the Question on Notice was noted.

C0714 Item 29 QUESTION ON NOTICE: PERCENTAGE OF CYCLIST IN MARRICKVILLE LGA

The response to the Question on Notice was noted.

REPORTS WITH CONFIDENTIAL INFORMATION**C0714 Item 30 MARRICKVILLE HOSPITAL SITE REDEVELOPMENT AND COMMUNITY HUB - EXPRESSIONS OF INTEREST PROCESS****Motion: (Haylen/Woods)**

THAT Council:

1. receives and notes this report;
2. move into closed session to deal with this matter as information contained in CONFIDENTIAL ATTACHMENTS 3 and 4 of the Report is classified as confidential under the provisions of Section 10A (2)(c) and (d) of the Local Government Act 1993 for the following reasons:
 - a. the information within CONFIDENTIAL ATTACHMENTS 3 and 4 of this report, if disclosed, could confer a commercial advantage on persons with whom the Council proposes to or may conduct business; and
 - b. it is not in the public interest to reveal all details of these Expressions of Interest (EOI) or the assessment process. Companies have provided sensitive information about their competitive strengths in the confidence that their details will not be made public by Council. The practice of publication of sensitive information provided by companies could result in the withholding of such information by companies and reduction in the provision of information relevant to Council's decision.

And in accordance with Sections 10A(4) of the Local Government Act 1993, that the Chairperson allows members of the public to make representations as to whether this part of the meeting should be closed.

Motion Carried**For Motion:** Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods**Against Motion:** Nil**Motion: (Haylen/Woods)**

THAT Council:

1. adopts the recommendations in CONFIDENTIAL ATTACHMENTS 3 and 4;
2. writes to each of the successful proponents requesting an update on whether their EOI offer would change given the Federal Government's decision to discontinue incentives through Round 5 of the National Rental Affordability Scheme;
3. places on public exhibition the design concepts of the four successful EOI proponents and seeks submissions from the public for a period of 28 days; and
4. in seeking submissions requests feedback from the public on whether they are satisfied that the designs generated by the 'no cost scenario' are acceptable or whether Council should consider either investing public monies into the tender process and/or reducing its expectations of what can be delivered.

Amendment: (Phillips/Haylen)

THAT additional points be included as follows:

Council staff seek two independent valuations of the old Marrickville Hospital site:

- i) for the entire site with and without the heritage terraces;
- ii) for precincts C, D and E where A and B are for civic use and the FSR for A and B is moved to C, D and E; and

to report back to Council in time and to inform the proposed councillor conference.

Amendment Carried**For Amendment:** Councillors Brooks, Ellsmore, Haylen, Iskandar, Phillips, Tyler and Woods**Against Amendment:** Councillor Macri

COUNCIL RESOLUTION

Amended Motion: (Haylen/Woods)

THAT Council:

1. adopts the recommendations in CONFIDENTIAL ATTACHMENTS 3 and 4;
2. writes to each of the successful proponents requesting an update on whether their EOI offer would change given the Federal Government's decision to discontinue incentives through Round 5 of the National Rental Affordability Scheme;
3. places on public exhibition the design concepts of the four successful EOI proponents and seeks submissions from the public for a period of 28 days;
4. in seeking submissions requests feedback from the public on whether they are satisfied that the designs generated by the 'no cost scenario' are acceptable or whether Council should consider either investing public monies into the tender process and/or reducing its expectations of what can be delivered;
5. Council staff seek two independent valuations of the old Marrickville Hospital site:
 - i) for the entire site with and without the heritage terraces;
 - ii) for precincts C, D and E where A and B are for civic use and the FSR for A and B is moved to C, D and E; andto report back to Council in time and to inform the proposed councillor conference.

Motion Carried

For Motion: Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods

Against Motion: Nil

Motion: (Haylen/Woods)

THAT Council moves back into open session.

Motion Carried

For Motion: Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods

Against Motion: Nil

C0714 Item 31 COOKS RIVER FOOTBRIDGE TENDER ASSESSMENT

Motion: (Haylen/Tyler)

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 the CONFIDENTIAL ATTACHMENT 1.

Motion Carried

For Motion: Councillors Brooks, Ellsmore, Haylen, Iskandar, Macri, Phillips, Tyler and Woods

Against Motion: Nil

C0714 Item 32 TENDER FOR CLEANING OF EARLY LEARNING CENTRES**Motion: (Haylen/Tyler)**

THAT:

1. Council resolve that CONFIDENTIAL ATTACHMENT 1 to the report be treated as confidential in accordance with Section 10A (4) of the Local Government Act 1993, as they relate to a matter specified in Section 10A(2)(c) and (d) of the Local Government Act 1993;
2. the report be received and noted; and
3. Council adopt the recommendation contained in CONFIDENTIAL ATTACHMENT 1.

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

Meeting closed at 8.31pm.

CHAIRPERSON