

Minutes of Ordinary Council Meeting held on 13 February 2018**Meeting commenced at 6.34 pm****Present:**

Darcy Byrne	Mayor
Julie Passas	Deputy Mayor
Marghanita Da Cruz	Councillor
Mark Drury	Councillor
Lucille McKenna OAM	Councillor
Colin Hesse	Councillor
Sam Iskandar	Councillor
Tom Kiat	Councillor
Pauline Lockie	Councillor
Victor Macri	Councillor
Rochelle Porteous	Councillor
Vittoria Raciti	Councillor
John Stamolis	Councillor
Louise Steer	Councillor
Anna York	Councillor
Rik Hart	General Manager
Elizabeth Richardson	A/Deputy General Manager Assets and Environment
Michael Tzimoulas	Deputy General Manager Chief Financial and Administration Officer
David Birds	Group Manager Strategic Planning
Nellette Kettle	Group Manager Civic and Executive Support, Integration, Customer Service and Business Excellence
Ian Naylor	Manager Civic and Executive Support
Darcie Huisman	Business Paper Support Officer
Katherine Paixao	Business Paper Coordinator (Minute Taker)

APOLOGIES: Nil**Motion (Byrne/Stamolis)**

THAT the media representatives present be granted permission to take photos of the Council Meeting.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Raciti, Stamolis, Steer and York

Against Motion: Nil

DISCLOSURES OF INTERESTS:

Councillor Raciti declared a significant, pecuniary conflict of interest in Item 10 Notice of Motion: Upgrade and Beautification of Haberfield Main Street / Shopping Village, as she owns a property in the Haberfield Town Centre and will leave the Chamber during discussion of the item.

CONFIRMATION OF MINUTES**Motion: (McKenna OAM/Porteous)****THAT:**

1. The Minutes of the Council Meeting held on Tuesday, 21 November 2017 be confirmed as a correct record, subject to the following changes: -
 - a) Clr Kiat being recorded as present; and
 - b) The amendment for Item 7 being recorded as withdrawn.

2. The Minutes of the Council Meeting held on Tuesday, 12 December 2017 be confirmed, subject to the following changes: -
 - a) Clr Kiat being recorded as present;
 - b) The Foreshadowed Motion for Item 4 being recorded as Out of Order by the Mayor; and
 - c) The voting for the amendment for Item 7 to show only Clrs Hesse, Lockie and Steer in favour.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Raciti, Stamolis, Steer and York

Against Motion: Nil

C0218 Item 15 Mayoral Minute: Funding for campaigns opposing overdevelopment in Marrickville and along the Sydenham to Bankstown Corridor**Motion: (Byrne)****THAT Council:**

1. **Allocate funding of up to \$300 for the production of two banners opposing over-development of the Sydenham to Bankstown corridor;**
2. **Letterbox local residents within the catchment of the Sydenham to Bankstown corridor to inform them of the Save Marrickville rally to be held on February 24; and**
3. **Provide logistical support and assistance to the organisers of the rally in liaising with the Police to ensure the safety of the event.**

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Porteous, Stamolis, Steer and York

Against Motion: Crs Passas and Raciti

C0218 Item 16 Mayoral Minute: Initiating Consultation about an Appropriate Frontier War Memorial**Motion: (Byrne)****THAT:**

1. **Council consult with the Aboriginal and Torres Strait Island Strategic Reference Group, the Metro Land Council and further representatives from the local community about the need, form and location of a Frontier War memorial;**
2. **A report be brought back to council outline the results of this consultation; and**

3. The report should draw from international examples and research.**Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Raciti, Stamolis, Steer and York**Against Motion:** Nil**C0218 Item 17 Mayoral Minute: Piloting Aboriginal Language Program in Local Early Learning Centre****Motion: (Byrne)****THAT Council:**

1. Allocate \$5,000 to the Aboriginal Languages and Culture Program to enable the pilot to proceed;
2. Request a full copy of the DiverseWerks report as condition of the funding allocation;
3. Report back regarding the evaluated success of the trial and any appropriate opportunities to trial the program in Council-owned childcare facilities; and
4. Include in the report a summary of Aboriginal staffing and programs at Inner West Council.

Motion Carried**For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Raciti, Stamolis, Steer and York**Against Motion:** Nil**C0218 Item 18 Mayoral Minute: A Respectful and Inclusive Australia Day Commemoration****Motion: (Byrne/Drury)****THAT Council:**

1. Commend the Events and Civic Reception teams for their work in carrying out the citizenship ceremony, awards ceremony and community event on January 26 2018;
2. Staff initiate consultation with the local Aboriginal community, the Metro Land Council and the wider community about how the nature of Council's January 26 events can further evolve to recognise the history of Indigenous Australia; and
3. Staff seek to identify possible funding for consultation as part of the Third Quarter Budget Review.

Motion Lost**For Motion:** Crs Byrne, Drury, Iskandar, Macri, McKenna OAM and York**Against Motion:** Crs Da Cruz, Hesse, Kiat, Lockie, Passas, Porteous, Raciti, Stamolis and Steer**Foreshadowed Motion (Item 14 on the Agenda): (Kiat/Hesse)****THAT:**

1. Acknowledge that January 26 marks the beginning of the British invasion of the lands of First Nations people, and in particular that of the Gadigal people of the Eora Nation, and oppression of First Nations people, and is therefore not an

appropriate date for an inclusive national celebration;

2. Acknowledge that First Nations people never ceded sovereignty of their land and have continuously cared for their country for over 60,000 years as the world's oldest living culture;
3. Acknowledge the first Day of Mourning was held 80 years ago on January 26, 1938, being the 150th anniversary of the British invasion. The day was attended by Indigenous Australians and non-Indigenous supporters in protest of the national holiday and the callous treatment of Aboriginal people and the date continues to be commemorated annually as a Day of Mourning or Invasion Day;
4. Support the Change the Date campaign and advocate to the Federal Government to change the date on which Australia Day is commemorated, consistent with the resolution passed by the National General Assembly of Local Government in June 2017;
5. Provide a report to Councillors by May 2018, based on consultation with local First Nations people and the broader inner west community considering:
 - a) Whether and how Council could host or fund a commemoration of January 26 led by First Nations people;
 - b) How Council can continue to annually recognise community service in the Inner West through its Citizen of the Year awards;
 - c) Whether and how Council can appropriately hold an annual event to commemorate Australia as a nation; and
 - d) Cease holding an "Australia Day" event on January 26 from 2019, and cease referring to the January 26 public holiday as "Australia Day" in its communications.
6. If the consultation with First Nations people is unable to be performed by Council officers, Councillors be provided with a report explaining same and identifying how Council can gain the capacity to perform this essential function.

Motion Lost

For Motion: Crs Da Cruz, Hesse, Kiat, Lockie, Porteous, Stamolis and Steer

Against Motion: Crs Byrne, Drury, Iskandar, Macri, McKenna OAM, Passas, Raciti and York

Councillors Raciti, Passas and Porteous left the meeting at 8.25pm

C0218 Item 1 Affordable Housing Submission to Explanation of Intended Effect for State Environmental Planning Policy No. 70

Motion: (Drury/McKenna OAM)

THAT Council:

1. Support the inclusion of the Inner West LGA in SEPP 70;
2. Endorse Council's Strategic Planning Group to work with the DPE to develop proposals for affordable housing contribution schemes under SEPP 70 to implement Council's Affordable Housing Policy;
3. Endorse Council's Strategic Planning Group to require affordable housing contribution schemes to support Planning Proposals to amend relevant LEPs in accordance with the aims of Council's Affordable Housing Policy;

4. Request that the DPE provides guidance to councils on the process and information requirements to be addressed in preparing an affordable housing contribution scheme; and
5. Request Council's Strategic Planning Group to report back to Council on discussions with DPE on the implementation of Council's Affordable Housing Policy and the potential need for changes to the Policy to optimise the outcomes that can be achieved utilising SEPP 70 including harmonising processes for implementing Council's Policy across the three former councils.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Stamolis, Steer and York

Against Motion: Nil

Absent: Crs Raciti, Passas and Porteous

Councillors Raciti, Passas and Porteous returned to the meeting at 8.32pm.

C0218 Item 2 Planning Proposal for 114-140 Parramatta Road/Ormond Street/Gower Street/Tideswell Street/Liverpool Road, Ashfield

Motion: (McKenna OAM/Passas)

THAT:

1. Council not support the Planning Proposal for the reasons given in the report, including that:
 - a) It fails the Strategic Merit test of the Planning Proposal Guidelines pursuant to Section 55(3) of the Environmental Planning and Assessment Act;
 - b) It is inconsistent with the local council strategy being the Ashfield Urban Planning Strategy 2010;
 - c) It is inconsistent with the Parramatta Road Corridor Urban Transformation Strategy and the recommended Land Use Zoning and Maximum Height of Buildings and Maximum Floor Space Ratio standards, and outside the staging period for development for 2016-2023;
 - d) A significant part of the affected land is outside the Frame Area of the Implementation Plan of the Parramatta Road Corridor Urban Transformation Strategy for redevelopment of land, and is not part of any local strategy;
 - e) It is inconsistent with Section 117 Direction – Clause 7.3 (4), in that it does not comply with the recommendations of the Parramatta Road Corridor Urban Transformation Strategy, and has not produced a “better outcome” pursuant to Section 117 Direction 7.3 (5);
 - f) It will lead to a substantial loss of employment and urban services generating land;

- g) It will lead to a substantial adverse impact on the character of the local area due to its significantly excessive height and density, and will have an adverse social impact as demonstrated by the significant amount of objections to the proposal; and
 - h) Support of the application would cause an adverse precedent and be contrary to the orderly development of land and the objectives of the Environmental Planning and Assessment Act.
2. Should the proponent request a Rezoning Review by the NSW Department of Planning and Environment, delegation is given to the Group Manager of Strategic Planning to lodge a submission to the review process in accordance with this report and Council's resolution;
 3. Notify the communities of Ashfield, Haberfield and Summer Hill of Council's position; and
 4. Convene a meeting at Ashfield Park/ Ashfield Bowling Club to inform the community of Council's position.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Raciti, Stamolis, Steer and York

Against Motion: Nil

Suspension of Standing Orders**Motion (Byrne/Passas)**

That Item 11 be brought forward and dealt with at this time.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Raciti, Stamolis, Steer and York

Against Motion: Nil

C0218 Item 11 Notice of Motion: Trees Policy**Motion: (Passas/ Macri)****THAT Council:**

1. Urgently review the DCP controls on trees relating to issues arising around damage to residents and properties and the financial burden to residents of tree retention ie. The requirement to obtain engineers and arborist reports and bring forward and expedite the harmonisation of Council DCP relating to tree preservation and replacement; and
2. Consider funding this work as part of the next quarterly budget review in 2017/18 or as part of the budget considerations for 2018/19.

Motion Carried

For Motion: Crs Byrne, Drury, Iskandar, Lockie, Macri, McKenna OAM, Passas, Raciti, Stamolis and York

Against Motion: Crs Da Cruz, Hesse, Kiat, Porteous and Steer

ADJOURNMENT

9.47pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

9.57pm - The Mayor, Clr Byrne resumed the meeting.

Motion (Stamolis/Lockie)

THAT Items 4, 5, 6 and 7 be moved en bloc and the recommendations contained in the reports be adopted.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Raciti, Stamolis and York

Against Motion: Nil

Absent: Crs Porteous and Steer

C0218 Item 4 Investment Report as at 30 November 2017**Motion: (Stamolis/Lockie)**

THAT the report be received and noted.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Raciti, Stamolis and York

Against Motion: Nil

Absent: Crs Porteous and Steer

C0218 Item 5 Investment Report as at 31 December 2017**Motion: (Stamolis/Lockie)**

THAT the report be received and noted.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Raciti, Stamolis and York

Against Motion: Nil

Absent: Crs Porteous and Steer

C0218 Item 6 Tabling of Pecuniary Interest Returns of Councillors**Motion: (Stamolis/Lockie)**

THAT Council note the tabling of Pecuniary Interest Returns of Councillors elected in September 2017.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Raciti, Stamolis and York

Against Motion: Nil

Absent: Crs Porteous and Steer

C0218 Item 7 Business excluded from the Council Agenda of 12 December 2017**Motion: (Stamolis/Lockie)****THAT the report be received and noted.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Raciti, Stamolis and York**Against Motion:** Nil**Absent:** Crs Porteous and Steer**C0218 Item 8 Councillor Support Staff****Motion: (Byrne/Macri)****THAT this matter be deferred.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Raciti, Stamolis and York**Against Motion:** Nil**Absent:** Crs Porteous and Steer**Suspension of Standing Orders****Motion (Byrne/McKenna OAM)**

That Items 9, 10, 12 and 13 be brought forward and considered at this time.

Motion Carried**For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Raciti, Stamolis and York**Against Motion:** Nil**Absent:** Crs Porteous and Steer

Councillors Porteous and Steer returned to the meeting at 10.01pm

C0218 Item 9 Notice of Motion to Rescind: Item 4 Post Exhibition Report - Sydenham Station Creative Hub Planning Proposal**Motion: (Byrne/York)****THAT Council Rescind the resolution of 12 December 2017, regarding Item 4 of the 21 November 2017 Ordinary Council Meeting, 'Post Exhibition report – Sydenham Station Creative Hub Planning Proposal'.****Motion Lost****For Motion:** Crs Byrne, Drury, Iskandar, McKenna OAM and York**Against Motion:** Crs Da Cruz, Hesse, Kiat, Lockie, Macri, Passas, Porteous, Raciti, Stamolis and Steer

Clr Raciti left the chamber at 10.53pm as she declared a significant, pecuniary interest in Item 10 and did not participate in discussion of the item and did not vote.

C0218 Item 10 Notice of Motion: Upgrade and Beautification of Haberfield Main Street / Shopping Village

Motion: (Passas/Macri)

THAT:

- 1. Council develop a holistic strategy for the Haberfield town centre including public domain master planning, streetscape improvements and economic sustainability; and**

Motion Carried

For Motion: Crs Da Cruz, Hesse, Kiat, Lockie, Macri, Passas, Porteous and Steer

Against Motion: Crs Byrne, Drury, Iskandar, McKenna OAM, Stamolis and York

Absent: Cr Raciti

- 2. Officers provide a report in March 2018 outlining process, timelines and indicative costs for the development and implementation of the strategy.**

Motion Carried

For Motion: Crs Da Cruz, Hesse, Kiat, Lockie, Macri, Passas, Porteous, Steer and York

Against Motion: Crs Byrne, Drury, Iskandar, McKenna OAM and Stamolis

Absent: Cr Raciti

- 3. Council produce a report identifying the underlying local economic challenges and drivers of economic sustainability in Haberfield and other centres that are facing difficulties within the LGA.**

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Stamolis, Steer and York

Against Motion: Nil

Absent: Cr Raciti

- 4. Priority be given in the 2018/2019 budget for those strips which have received little or no upgrading in the last twenty years.**

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Porteous, Stamolis, Steer and York

Against Motion: Cr Passas

Absent: Cr Raciti

PROCEDURAL MOTION

Motion: (McKenna/Lockie)

THAT the meeting be extended to 11.10pm.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Stamolis, Steer and York

Against Motion: Nil

Absent: Cr Raciti

Amendment (York/Lockie)

THAT Council produce a report identifying the underlying local economic challenges and drivers of economic sustainability in Haberfield and other centres that are facing difficulties within the LGA.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Porteous, Stamolis, Steer and York

Against Motion: Cr Passas

Absent: Cr Raciti

As the amendment was carried, it was included as part of the primary motion.

Amendment (Hesse/Macri)

That priority be given in the 2018/2019 budget for those strips which have received little or no upgrading in the last twenty years.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Porteous, Stamolis, Steer and York

Against Motion: Cr Passas

Absent: Cr Raciti

As the amendment was carried, it was included as part of the primary motion.

Foreshadowed Motion: (Da Cruz)**THAT:**

- 1. Council develop a holistic infrastructure plan for Haberfield including public domain master planning, streetscape improvements and economic sustainability; and**
- 2. Council to include the development of an Active Transport Infrastructure Plan to improve walking and cycling routes through Haberfield to the Bay Run, the Greenway and Light Rail Stops and buses on Parramatta Road, mitigate against rat running and enhance bus traveller facilities along the 438 bus route.**
- 3. That the plan will recognise Haberfield's cultural and built heritage and include the management of Yasmar and State Heritage Listing of the suburb. Particular attention is to be paid to the stranded pockets & parts of Haberfield adjacent to the Westconnex construction sites.**
- 4. Officers to provide a report in March 2018 outlining process, timelines and indicative cost. The Inner West Council to seek compensation and reparations from Sydney Motorway Corporation for the terrible damage it has inflicted on Haberfield and Haberfield residents and businesses. The compensation to also cover the restoration and rebuilding of the suburb of Haberfield together with its town centre and new traffic management infrastructure for the additional**

traffic generation from WestConnex around and through Haberfield./*

5. That Council produce a report identifying the underlying local economic challenges and drivers of economic sustainability in Haberfield and other centres that are facing difficulties within the LGA.
6. And that priority be given in the 2018/2019 budget for those strips which have received little or no upgrading in the last twenty years.

This foreshadowed motion was withdrawn.

Extension of Time

Motion: (Porteous/Lockie)

THAT the meeting be extended up until 11.45pm to deal with Items 12 and 13.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Stamolis, Steer and York

Against Motion: Nil

Absent: Cr Raciti

C0218 Item 12 Notice of Motion: Ferris Lane Annandale Green Space

Motion: (Da Cruz/Byrne)

THAT Council Staff bring back a report on the conversion of Ferris Lane to a Park incorporating a community garden, rain capture and flood mitigation elements.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Porteous, Stamolis, Steer and York

Against Motion: Cr Passas

Absent: Cr Raciti

C0218 Item 13 Notice of Motion: Ted Floyd Way

Motion: (Da Cruz/Hesse)

THAT:

1. Council name the path through the White's Creek wetlands in Lilyfield, "Ted Floyd Way"; and
2. The budgetary implications of this resolution be considered at the next quarterly budget review.

Motion Carried

For Motion: Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Stamolis, Steer and York

Against Motion: Nil

Absent: Cr Raciti

Meeting closed at 11.40 pm.

Item 3 Shade Sails in Playgrounds was not considered at this meeting and will be placed on the agenda for the Council Meeting on 27 February for consideration.

PUBLIC SPEAKERS:

Item #	Speaker	Suburb
Item 15:	Heather Davie Kim Goode	Marrickville Marrickville
Item 18:	Alex Lofts Ken Canning	Summer Hill Glebe
Item 1:	Heather Davie	Marrickville
Item 2:	Sharon Laura Alex Lofts Teresa Jakubowaki	Haberfield Summer Hill Ashfield
Item 9:	Kerri Glasscock Mark Lucas Dave Panichi Simon Konstantinidis	Tempe Leichhardt Marrickville Marrickville
Item 10:	Alfio Musumeci	Haberfield
Item 11:	Maria Totino Linda Viskovic Sherwin Chetty Joanne Nash	Croydon Haberfield Sydenham Balmain
Item 12:	Kathy O'Donnell	Annandale