

Minutes of Ordinary Council Meeting held on 10 April 2018**Meeting commenced at 6.37 pm****Present:**

Darcy Byrne	Mayor
Julie Passas	Deputy Mayor
Marghanita Da Cruz	Councillor
Mark Drury	Councillor
Lucille McKenna OAM	Councillor
Colin Hesse	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	Deputy General Manager Assets and Environment
Michael Tzimoulas	Deputy General Manager Chief Financial and Administration Officer
John Warburton	Deputy General Manager Community and Engagement
Nellette Kettle	Group Manager Civic and Executive Support, Integration, Customer Service and Business Excellence
Jon Stiebel	Urban Sustainability Manager
Allan Willding	A/Group Manager Environment and Sustainability
Brooke Martin	Group Manager Properties, Major Building Projects and Facilities
David Birds	Group Manager Strategic Planning
Ryan Cole	A/Group Manager, Development Assessment & Regulatory Services
Ian Naylor	Manager Civic and Executive Support
Katherine Paixao	Business Paper Coordinator (Minute Taker)

APOLOGIES:**Motion: (Macri/Porteous)****THAT apologies from Cllr Iskandar be accepted.****Motion Carried****For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Kiat, Lockie, Macri, McKenna OAM, Passas, Porteous, Raciti, Stamolis, Steer and York**Against Motion:** Nil**DISCLOSURES OF INTERESTS:**

Clrs Lockie and York declared a non-significant, non-pecuniary conflict of interest in Item 6 - Petersham RSL - Planning Proposal and Draft Development Control Plan for 3-7 & 13-17 Regent Street, 287-309 Trafalgar Street and 16-20 Fisher Street, Petersham - Post Exhibition Report and Item 20 – Petersham RSL VPA as they are members of the Petersham RSL Club.

Clr Hesse declared a non-significant, non-pecuniary conflict of interest in Item 22 – Addison Road Community Centre; Greek Atlas Club; and Village Church, Annandale as he does volunteer work on a community radio station that operates out of Addison Road Community Centre.

Motion: (Stamolis/Macri)

THAT Council note the disclosures of interests.

Motion Carried

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

Against Motion: Nil

CONFIRMATION OF MINUTES

Motion: (Passas/York)

THAT the Minutes of the Council Meeting held on Tuesday, 27 March 2018 be confirmed.

Motion Carried

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

Against Motion: Nil

Suspension of Standing Orders

Motion: (McKenna OAM/Passas)

THAT Council bring forward Items 1, 3, 6, 7, 10, 11, 12, 15 and 22 to be dealt with at this time.

Motion Carried

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

Against Motion: Nil

C0418 Item 1 Inner West Council Climate and Renewables Strategy

Motion: (York/Byrne)

THAT Council:

- 1. Note the project outline for the development of a Climate and Renewables Strategy;**
- 2. Adopt the five pledges for the Inner West's commitment to the Cities Power Partnership outlined in the report with an amendment as follows:**

Pledge 4 - Investigate the best options and support residents and commercial property managers to install and own solar and renewable energy, including solar PV solutions that will decrease the cost of living for low income households";

- 3. Procure an initial 25% renewable energy through the SSROC Renewable Energy Power Purchase Agreement (PPA) noting the opportunity to scale up over time;**

4. Endorse the General Manager accepting the Recommended Tenderer from the SSROC Renewable Energy Power Purchase Agreement (PPA) RFT process and executing a contract with the Recommended Tenderer; and
5. Produce a report into the benefits of trees within the Inner West Council as a carbon sink and for cooling the environment.

Motion Carried

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

Against Motion: Nil

Amendment (Kiat/Hesse)

THAT Point 2 of the motion be amended to:

Adopt the five pledges for the Inner West's commitment to the Cities Power Partnership outlined in the report, with the following amendment to pledge 1:

- "1. Prepare an Inner West Climate and Renewables Strategy with a 100% carbon neutral target and 100% renewables electricity procurement target for Council**

Motion Tied

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

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

The Chairperson used his Casting Vote against the **MOTION** and the **MOTION** was lost.

THAT Point 2 of the motion be amended to:

Adopt the five pledges for the Inner West's commitment to the Cities Power Partnership outlined in the report, with the following amendment to pledge 4:

- 4. Investigate the best options and support residents and commercial property managers to install and own solar and renewable energy, including solar PV solutions that will decrease the cost of living for low income households";**

Motion Carried

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

Against Motion: Nil

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

THAT Point 3 of the motion be amended to:

Procure an initial 50% renewable energy through the SSROC Renewable Energy Power Purchase Agreement (PPA) noting the opportunity to scale up over time.

Motion Tied

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

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

The Chairperson used his Casting Vote against the **MOTION** and the **MOTION** was lost.

Amendment (Da Cruz/Kiat)

THAT a report be produced into the benefits of trees within the Inner West Council as a carbon sink and for cooling the environment.

Motion Carried

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

Against Motion: Crs Passas and Raciti

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

C0418 Item 3 Sydney Motorway Corporation Proposal For Haberfield Community Facilities**Motion: (McKenna OAM/Byrne)****THAT Council:**

- 1. Accept the \$2.5 million and consult the community to establish suitable community projects;**
- 2. Does not sign the MOU with SMC for these funds for community facilities without bringing a report back to Council; and**
- 3. Request General Manager urgently write to SMC and RMS in relation to the houses on Walker Ave to be returned to residential use, requesting that ownership of same be transferred to Council for use as affordable rental housing in accordance with Council's Affordable Housing Policy.**

Motion Carried

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

Against Motion: Nil

Foreshadowed Motion (Da Cruz/Steer)**THAT Council:**

- 1. Notes that \$273,000 was allocated in 2017/8 budget and \$840,000 is proposed in the 2018/9 budget for the Haberfield Centre;**
- 2. Notes the Walker Street community's objections to WMC adapting the properties at 18 and 20 Walker Avenue to Parkland and Community Use;**
- 3. Write back to SMC:**
 - a) Asking about the status of closing off Walker Avenue at Parramatta Road as desired by residents;**
 - b) Ask what is proposed for the property at 22 Walker Avenue;**
 - c) To assist SMC to meet its obligations for open space and community facilities in the vicinity of Walker Street at Parramatta Road, Inner West Council proposes:**

- I. Option 1. Restorate Yasmar and its gardens for Community Use and Open Space and transfer the property to council; and
- II. Option 2. Return 18 & 20 Walker Ave to residential use and transfer their ownership to Council to fund the restoration of Yasmar for community use and open space.

This Foreshadowed Motion lapsed.

Amendment (Kiat/Porteous)

THAT the General Manager urgently write to SMC and RMS in relation to the houses on Walker Ave to be returned to residential use, requesting that ownership of same be transferred to Council for use as affordable rental housing in accordance with Council's Affordable Housing Policy.

Motion Carried

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

Against Motion: Crs Passas and Raciti

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

Foreshadowed Motion (Stamolis)

THAT Council:

1. Work with the community to develop a package of community facilities outcomes in the Haberfield using SMC funds; and
2. Negotiate with SMC to achieve better financial outcomes for the community.

This Foreshadowed Motion lapsed.

C0418 Item 6 Petersham RSL - Planning Proposal and Draft Development Control Plan for 3-7 & 13-17 Regent Street, 287-309 Trafalgar Street and 16-20 Fisher Street, Petersham - Post Exhibition Report

Motion: (Macri/Passas)

THAT:

1. Council amend the *Marrickville Local Environmental Plan 2011* at 3-7, 13-17 Regent Street, 287-309 Trafalgar Street and 16-20 Fisher Street, Petersham in accordance with the report;
2. Council liaise with the Department of Planning and Environment and Parliamentary Counsel's Office to draft and finalise the LEP amendment;
3. Council delegate the making of the LEP amendment to the Group Manager Strategic Planning;
4. Following completion of (3) above, request the Department of Planning and Environment to notify the plan;
5. Council place any proposed VPA on public exhibition prior to the finalisation of making the LEP amendment;

6. Council delegate the adoption of the Marrickville Development Control Plan 2011 (Amendment No. 8) to amend Part 9.6 (Precinct 6) MDCP 2011 in accordance with the exhibited draft and the revised figures and recommendations contained within this report to the Group Manager Strategic Planning;
7. Council request the Proponent to work with Council's Traffic Engineer to provide detailed information to enable resolution of the exact location of the median strip and to undertake consultation with Sydney Trains in regard to access to their training facility to determine what land may need to be dedicated at 287-309 Trafalgar Street to ensure a left-in/left-out to the new Club without compromising pedestrian safety and road efficiency as part of a future development application for Site 3;
8. Council place a notice in a local newspaper advising of commencement of MDCP 2011 (Amendment No. 8);
9. Council notify those persons who made a submission in relation to the draft MLEP and Draft MDCP 2011 to inform them of Council's resolution; and
10. The amended diagram tabled by the proponent, replace the relevant diagram indicating the retail frontages in the plans to be adopted.

Motion Carried

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

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

Amendment (Kiat/Porteous)

THAT Council in amending the Marrickville LEP, incorporate the recommendation of the AEP in relation to restricting the location of the proposed outdoor gaming area away from the street fronts of Trafalgar and Regent Streets.

Motion Lost

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

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

Foreshadowed Motion (Steer/Hesse)

THAT:

1. The motion be deferred;
2. Council staff brief Councillors on the Petersham RSL development and all matters in item 6.

This Foreshadow Motion lapsed.

Councillors Drury, Macri and Passas Left the meeting at 8.58pm

C0418 Item 7 Planning Proposal - 21 - 35 John Street, Leichhardt

Motion: (McKenna OAM/Byrne)

THAT:

1. Council not support the Planning Proposal for the reasons outlined in the report, including that:
 - a) It fails the Strategic Merit Test of the Guidelines for preparing Planning Proposals pursuant to Section 3.33 of the Environmental Planning and Assessment Act 1979;
 - b) It is inconsistent with the Greater Sydney Region Plan 2018 and the Eastern City District Plan 2018 in relation to retention of all industrial lands;
 - c) It is inconsistent with s.117 Direction 1.1 - Business and Industrial Zones and 7.1 - Implementation of A Plan for Growing Sydney;
 - d) It is inconsistent with the Leichhardt Employment and Economic Development Plan 2013 - 2023 and would result in loss of employment and urban services land;
 - e) It is a departure from a consistently held strategic planning position in former Leichhardt to resist rezoning industrial lands for residential purposes;
 - f) The proposed built form controls sought through the Planning Proposal are inappropriate due to adverse amenity impacts on the adjoining low density residential area;
 - g) Support of this Planning Proposal is likely to result in an adverse precedent and the associated loss of adjoining industrial sites in the Moore Street South precinct;
 - h) In the context of persistent demand for a limited and decreasing supply of industrial land, a rezoning would dilute Council's ability to provide sufficient industrial land to accommodate future needs; and
 - i) It is inconsistent with Inner West Council's Affordable Housing Policy (2016) for 15% affordable housing.
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; and
3. In order to maximise Council's influence over this proposal site, should a Rezoning Review prove successful, Council accepts the role of Planning Proposal Authority (formerly Relevant Planning Authority) should the Department of Planning and Environment invite Council to perform that role.

Motion Carried

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

Against Motion: Nil

Absent: Crs Drury, Macri and Passas

Councillors Drury, Macri and Passas returned to the meeting at 9.02pm

C0418 Item 10 Glebe Island Silos Application to Extend Consent for 4 years

Motion: (Byrne/Macri)

THAT Council seek confirmation from the applicant that the public benefit contributed to Council and can be used for heritage projects, prioritised by Council, throughout the local government area.

Motion Carried

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

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

ADJOURNMENT

9.20pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

9.33pm – The Mayor, Clr Byrne resumed the meeting.

C0418 Item 11 Notice of Motion to Rescind: Item 14 Notice of Motion: Late Registration at Ordinary Council Meetings - 27 March 2018 Council Meeting

Motion: (Drury/Byrne)

THAT Item 14 from 27 March 2018 Ordinary Council meeting be rescinded.

Motion Carried

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

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

C0418 Item 12 Notice of Motion to Rescind: Item 18 Notice of Motion: Marion Street Cottages - 27 March 2018 Council Meeting

Motion: (Macri/Passas)

THAT Item 18 from 27 March 2018 Ordinary Council be rescinded.

Motion Tied

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

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

The Chairperson used his Casting Vote for the **MOTION** and the **MOTION** was carried.

C0418 Item 15 Notice of Motion: Supporting Local Communities to Conserve Heritage

Motion: (Da Cruz/Porteous)

THAT Council update the existing banner and re-hang it on Norton Street (or if not available, another prominent location) to promote the 2018 Heritage Festival Open Day at the Hunter Baillie Memorial Presbyterian Church.

Motion Carried

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

Against Motion: Nil

C0418 Item 22 Addison Road Community Centre; Greek Atlas Club; and Village Church, Annandale

Motion: (York/Hesse)

THAT:

- 1. Council provide a donation to the equivalent sum of any application fees required to authorise the uses in question, upon the making of the application for the Greek Cultural and community centre and the Addison Road Community Centre and immediately for the Annandale Anglican Church;**
- 2. Council endorse a partnership between Inner West Council, the Addison Road Community Centre and other not for profit organisations who operate exclusively within Council boundaries for the purpose of investigating a best practice development policy to assist local not for profit organisations;**
- 3. Council officers liaise with the Addison Road Community Centre et al to advise on the formation of the Policy, so as to ensure that it meets the needs of Inner West Council; and**
- 4. Officers provide a report to Council on the final Policy following consultation with the Addison Road Community Centre et al, with recommendations on whether it is appropriate for use in the Inner West Local Government Area.**

Motion Carried

For Motion: Crs Byrne, Drury, Hesse, Kiat, Lockie, McKenna OAM, Porteous, Raciti, Stamolis, Steer and York

Against Motion: Crs Da Cruz, Macri and Passas

Resumption of Standing Orders

Motion: (Drury/McKenna OAM)

THAT Standing orders be resumed.

Motion Carried

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

Against Motion: Nil

Extension of Time

Motion: (Drury/Stamolis)

THAT the meeting be extended for 10 minutes.

Motion Carried

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

Against Motion: Cr Passas

Councillor Macri requested that the meeting consider an urgency motion with regards to Lazy Bones Lounge

Urgency Motion: (Macri/Byrne)

THAT the motion be considered as a matter of urgency.

Motion Carried

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

Against Motion: Nil

The Mayor declared this matter was urgent.

Urgency Motion – Lazy Bones Lounge

Motion: (Macri/Byrne)

THAT Council is supportive of the on-going operation of the Lazy Bones Lounge as a great contributor to the night time economy and supports the letter sent by the Mayor on the 10 April to the Newtown police command asking for a meeting to resolve the compliance issues.

Motion Carried

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

Against Motion: Nil

Councillor Hesse requested that the meeting consider an urgency motion with regards to Sydney Metro Project

Urgency Motion: (Hesse/Drury)

THAT the motion be considered as a matter of urgency.

Motion Carried

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

Against Motion: Nil

The Mayor declared this matter was urgent.

Urgency Motion – Sydney Metro Project

Motion: (Hesse/Drury)

THAT Council:

- 1. Welcomes the announcement by Luke Foley, leader of the NSW Labor opposition that the NSW Labor Party will, if elected:**
 - a) accelerate the construction of a new metro rail line between Western Sydney and the CBD;**
 - b) not proceed with the conversion of the Sydenham to Bankstown rail line to a metro line; and**

- c) not proceed with the construction of a hugely expensive mega road tunnel to the Northern Beaches.
2. Congratulates local community groups for their campaign in opposing the conversion of the Sydenham to Bankstown rail line to a Metro line, in particular the Sydenham to Bankstown Alliance, Save Dully, the Marrickville Residents Action Group and Save Marrickville.

Motion Carried

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

Against Motion: Nil

Confidential Session

Motion: (Porteous/Da Cruz)

THAT Council move into Confidential session to consider Items of business containing Confidential Information.

Motion Carried

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

Against Motion: Nil

Members of the public were asked to leave the Chamber.

Councillor Passas left the Meeting at 11.10pm.

Councillor Passas returned to the Meeting at 11.17pm.

Motion: (Drury/McKenna OAM)

THAT Council return to open session to read out the recommendations from the Closed Session.

Motion Carried

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

Against Motion: Nil

The Mayor read out to the Meeting the recommendation from the Closed Session of Council.

REPORTS WITH CONFIDENTIAL INFORMATION

C0418 Item 20 Petersham RSL VPA

Motion: (Drury/McKenna OAM)

THAT:

1. The proposed Voluntary Planning Agreement for Petersham RSL sites 1, 2 and 3 be placed on public exhibition noting that it includes :
 - a) 6 Affordable Housing units (3 x 2 bedroom units and 3 x 1 bedroom units) with ownership of the units to be transferred to Inner West Council at the completion of the project;

- b) 24 public car spaces within the development; and
- c) a payment of \$3.5 million for public domain and community facilities improvements.

2. Placed on public exhibition for a minimum of 28 days; and

3. Reported back to Council after public exhibition.

Motion Carried

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

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

Items 2, 4, 5, 8, 9, 13, 14, 16, 17, 18 and 21 were not considered at this meeting and will be listed on the Agenda for 24 April 2018 Council Meeting.

Meeting closed at 11.33 pm.

PUBLIC SPEAKERS:

Item #	Speaker	Suburb
Item 1:	Jacqui Mumford Michael Sullings	Stanmore Marrickville
Item 3:	Vincent Crow John Lozano	Haberfield Haberfield
Item 6:	Danny Fitzgerald Fouad Deiri Andy Ludvik Adrienne Shilling	Redfern Redfern Redfern Petersham
Item 7:	Simon Gunasekara	Sydney
Item 10:	Belinda Barnett	Mosman
Item 11:	John Lozano	Haberfield
Item 12:	John Lozano	Haberfield
Item 15:	John McPhail	Bronte
Item 22:	Rosanna Barbero Veronica Mayson Peter Meldrum Kate Jones Michael Kotis Kay Kotis	Marrickville Marrickville Marrickville Marrickville Marrickville Marrickville