

Minutes of Ordinary Council Meeting held on 28 August 2018**Meeting commenced at 6.35pm****Present:**

Darcy Byrne	Mayor
Julie Passas	Deputy Mayor (6.47pm)
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 (6.49pm)
Vittoria Raciti	Councillor (6.47pm)
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
Ian Naylor	Manager Civic and Executive Support
Darcie Huisman	Business Paper Support Officer (Minute Taker)
Wal Petschler	Group Manager Footpaths, Roads, Traffic and Stormwater
Brooke Martin	Group Manager Properties, Major Building Projects and Facilities
David Birds	Group Manager Strategic Planning
Laura Stevens	Group Manager Communications, Engagement and Events
Josephine Bennett	Group Manager Recreation and Aquatics
Joe Strati	Group Manager Legal
Aaron Callaghan	Manager Parks Planning and Engagement

APOLOGIES:**Motion: (Byrne/Da Cruz)****THAT apologies from Cirs Passas, Porteous and Raciti for lateness be accepted.****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 Passas, Porteous and Raciti**DISCLOSURES OF INTERESTS:**

Nil

CONFIRMATION OF MINUTES**Motion: (Stamolis/Macri)****THAT the Minutes of the Council Meeting held on Tuesday, 14 August 2018 be confirmed as a correct record.****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 Passas, Porteous and Raciti

Councillors Raciti and Passas entered the meeting at 647pm.

Councillor Porteous entered the meeting at 649pm.

C0818(3) Item 23 Mayoral Minute: Henson Park Redevelopment**Motion: (Byrne)****THAT:**

- 1. Council note the receipt of correspondence from NSW AFL and Newtown Jets confirming their incorporated Not for Profit status;**
- 2. Council note that given this confirmation there is no obstacle to entering into negotiations directly with Newtown Jets and NSW AFL to determine long term tenure for both entities, as is required for them to secure capital and grant contributions to the Henson Park upgrade project;**
- 3. Council commit to the necessary improvements required to make the Henson Park playing surface of an elite standard, noting that this may require the installation of a new irrigation system as well as resurfacing of the ground;**
- 4. Allocate funds from the Marrickville Hospital site VPA to cover costs of improvements to the playing surface that are not met by the grant;**
- 5. Details of the leasing arrangements, including ground maintenance costs, and content of elite sport be determined through future negotiations, pending the approval of the grant application;**
- 6. That Council commit to expending funds from the Marrickville Hospital VPA exclusively in the former Marrickville local government area and that a further report be brought to Council identifying potential projects which the funds could be allocated to;**
- 7. That Council report back within 30 days on items 3, 4, 5 & 6, in particular to the costs in these items and to identify which funds the costs will come from; and**
- 8. That Council receive a report on synthetic surfaces at Steel and Mackey Parks in Marrickville.**

Motion Carried**For Motion:** Crs Byrne, Drury, Hesse, Iskandar, Lockie, Macri, McKenna OAM, Passas, Raciti, Stamolis, Steer and York**Against Motion:** Crs Da Cruz, Kiat and Porteous**Suspension Of Standing Orders****Motion: (Byrne/Passas)****That the registered speakers be brought forward and they all speak before debate on agenda items.****Motion Carried****For Motion:** Crs Byrne, Drury, Iskandar, Macri, McKenna OAM, Passas, Raciti and York**Against Motion:** Crs Da Cruz, Hesse, Kiat, Lockie, Porteous, Stamolis and Steer**Foreshadowed Motion (Porteous/****That Council suspend standing orders and bring forward all items for which people are registered to speak and deal with these items before the rest of the agenda.**

This foreshadowed motion lapsed.

Resumption Of Standing Orders**Motion: (Byrne/Passas)****THAT Standing orders be resumed.****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: (Porteous/Hesse)****That standing orders be suspended to bring forward 5, 6, 10, 13 14, 15 and 21.****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

C0818(3) Item 5 Funding Proposals for Balmain Public Square Heritage Project**Motion: (Byrne/Raciti)****THAT Council:**

1. Note that the cost of the Telstra building project has continually blown out and is now estimated at \$1.6 million and that the Council officer's advice that the \$500 000 shortfall in the project would need to be funded through deferral of much needed town centre upgrades to footpaths:
 - a) Further note that the heritage renovation of Dawn Fraser Pool is the highest priority heritage project in the Balmain Ward and that the cost of urgent and essential works to keep the Pool safe and operational are approximately \$6.7 million;
2. Transfer the \$1.1 million allocated to the Telstra building project to the implementation for the Dawn Fraser Pool heritage upgrade;
3. Inform Telstra of Council's interest in ongoing negotiations to constructing the more substantial public square which will be made possible at the completion of the NBN roll out;
4. Seek to enter into the lease offered by Telstra, to make use of the space in the former telephone exchange, for a shared work space, to be made available for local businesses and start-ups; and
5. Prepare a report on the implementation of the shared work space following development of this plan by the Economic Development Unit, in consultation with the Balmain / Rozelle Chamber of Commerce and local businesses.

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

1. The Balmain Public Square heritage project Option A be funded in the 2018/19 financial year with \$1.1M and 2019/20 financial year with \$500,000; and
2. The project is funded through consideration at the next quarterly budget review. If the quarterly budget review funds are not forthcoming then the \$500,000 shortfall be funded by deferral and reprioritisation of the other Town Centre improvement works identified in the Long Term Financial Plan.

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

Councillor Passas left the meeting at 8.35pm.

C0818(3) Item 6 Dawn Fraser Baths Master Plan and Essential Works Update

Motion: (Byrne/Drury)

THAT:

1. The draft Dawn Fraser Baths Master Plan (ATTACHMENT 1) be placed on public exhibition for a period of 28 days;
2. The results of the public exhibition and community engagement process are presented to Council recommending further action;
3. The new scope essential works are undertaken as soon as practical following IDA approval;
4. Council apply for a \$4.2 million Greater Sydney Sports Facility Grant;
5. Council commit to urgently undertaking, as one project, the \$6.7 million in urgent and necessary works identified in the Masterplan as necessary for Dawn Fraser Pool to remain safe and operational and to continue as the home of UTS Balmain Water Polo Club:
 - a) Note that Council has resolved to allocate \$1.6million to the Telstra telephone exchange project in Balmain;
 - b) Transfer \$2.1 million from the Section 94 funds allocated by the former Leichhardt Council to development of an Indoor Sports Centre to the implementation of the Dawn Fraser Pool Masterplan; and
 - c) Consider options for funding the remaining \$2.2 million shortfall once the outcome of current grant applications for the project is known, noting that there must be no delay to implementation of the aforementioned essential works;
6. Monitoring of the structural integrity and flood inundation continues and where the risk is too high the Baths are closed to public;
7. Write to OEH requesting any potential special grant funding programs;
8. That Council officers bring forward a report advising the cost of the impact of expected sea level rise over the next 30 years on all Council facilities; and
9. That the Mayor writes to the Minister for Environment and Heritage seeking an urgent meeting to request special funding opportunities due to the heritage significance of the Dawn Fraser Pool.

Motion Carried

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

Against Motion: Nil

Absent: Cr Passas

Councillor Passas returned to the meeting at 9.03pm.

C0818(3) Item 10 Ferris Lane, Annandale - Potential Conversion to a Park**Motion: (Da Cruz/McKenna OAM)****THAT Council:**

1. Note the attached landscape plan (Attachment 1) which has been developed by Council officers in relation to the Ferris Lane Annandale Green Space;
2. Note the capital costs associated with the project and consider funding this project as part of a future capital budget initiative in future years;
3. Note that any future capital budget initiative for improvements in Ferris lane should be aligned with future stormwater improvement upgrade works;
4. Initiate the process of Permanent Road Closure of Ferris Lane and its rezoning as open space;
5. Enter into a license agreement with a community group for the management of Ferris Lane Open Space;
6. Install a metered tap with removable handle at an estimated cost of \$5,000 and these funds be identified by deferral and reprioritisation of other works; and
7. That Council seeks to proceed with the project in the next financial year and include this in the 2019/2020 budget.

Motion Carried**For Motion:** Crs Byrne, Da Cruz, Drury, Hesse, Iskandar, Kiat, Lockie, Macri, McKenna OAM, Porteous, Raciti, Stamolis, Steer and York**Against Motion:** Cr Passas**C0818(3) Item 13 Local Traffic Committee Meeting held on 7 August 2018****Motion: (Drury/Passas)**

THAT the Minutes of the Local Traffic Committee Meeting held on 7 August 2018 be received and the recommendations be adopted with the exception of LTC 0818 item 4 and in this case Council request that the alternative plan devised for a resident be referred to the next Local Traffic Committee meeting for its consideration.

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**C0818(3) Item 14 Victoria Road Precinct, Marrickville, Development Control Plan Amendment****Motion: (Byrne/Passas)**

THAT Council adopts the Victoria Road Precinct Development Control Plan as exhibited.

Motion Carried

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

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

Amendment (Kiat/Porteous)**THAT:**

1. Council notes the upzoning has resulted in a potential additional 1,100 dwellings in the precinct, Council engages a consultant for a maximum of \$15,000 to prepare an affordable housing contribution scheme for the precinct in accordance with Council's Affordable Housing Policy and Council's inclusion in SEPP 70 in February 2018, with progress to be reported back to Council by October;
2. Council notes the affordable housing contribution scheme can inform either a submission to DPE for the precinct's inclusion in a SEPP 70 mandatory affordable housing zone, OR a VPA negotiation with the proponent;
3. Council immediately write to the DPE to indicate Council's intention to prepare an affordable housing contribution scheme as a feasibility study to support the Victoria Rd precinct's inclusion under the SEPP 70 scheme; and
4. The funds required for the consultant be identified by officers by reprioritisation of other works.

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

Foreshadowed Motion (Hesse/Lockie)**THAT Council:**

1. Updates the draft Victoria Road Development Control Plan in accordance with the recommendations listed in Tables 1 - 3 (Attachment 1) of this report;
2. Continues to prepare a Section 7.11 Contributions Plan to support infrastructure upgrades in the precinct; and
3. Requests a report be made to a future meeting of Council on progress on items 1 and 2 above at such time as the likely scope and cost of infrastructure needs for the precinct have been identified.

This foreshadowed motion lapsed.

ADJOURNMENT

10.03pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

10.16pm– The Mayor, Clr Byrne resumed the meeting.

C0818(3) Item 15 Interim heritage order and heritage assessment of dwellings at 73 and 73A The Boulevarde, Dulwich Hill

Motion: (Drury/Hesse)

THAT Council:

Consider the advice from the Inner West Local Planning Panel in relation to 73 and 73A The Boulevarde, Dulwich Hill. Subject to Council’s consideration of this advice:

- a) resolve to include 73 The Boulevarde, Dulwich Hill (Lot 1 DP 301656) in Schedule 5 of the Marrickville Local Environmental Plan 2011 as a local item of environmental heritage. The listing is to include the interiors of the intact rooms, including the inglenook;
- b) resolve to include 73A The Boulevarde, Dulwich Hill (Lot X DP 411590) in Schedule 5 of the Marrickville Local Environmental Plan 2011 as a local item of environmental heritage. The listing is to include the front garden, path & fence, the exterior of the front section of the house (in front of the first floor addition); and the interior of the front section of the house (including the interiors of the intact rooms, including the ceilings and fireplaces);
- c) submit the planning proposal and the advice of the Inner West Local Planning Panel to the Minister for Planning for a Gateway determination to include Nos. 73 and 73A The Boulevarde, Dulwich Hill as items of environmental heritage in Schedule 5 of the Marrickville Local Environmental Plan 2011, in accordance with Section 3.34 of the Environmental Planning & Assessment Act 1979;
- d) requests that delegated plan making functions be granted in relation to the planning proposal; and
- e) publicly exhibit the planning proposal following a Gateway determination being issued.

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

C0818(3) Item 21 Notice of Motion: Glebe Island Proposals: Inner West Working With City Of Sydney

Motion: (Stamolis/Byrne)

THAT Council:

1. Engage with City of Sydney Council to respond to major community concerns in regard to the proposals for Glebe Island. Discussions between the two Councils should address:
 - Proximity of industrial working harbour activities to high density residential;
 - Potential for significant noise impacts;

- Impact on air quality;
- Proposing 24/7 operations next to high density residential;
- Major increases in traffic and trucks movements;
- Significant environmental effects: sediment disturbance and contamination;
- The departure from the Bays Precinct Plan; and

2. Report back on an appropriate response to State Government in regard to the above concerns and any others issues identified by the two Councils.

Motion Carried

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

Against Motion: Cr Passas

Resumption Of Standing Orders

Motion: (Byrne/Da Cruz)

THAT standing orders be resumed.

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

Motion: (Byrne/Stamolis)

THAT the Items 17 and 19 be brought forward and 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, Porteous, Raciti, Stamolis, Steer and York

Against Motion: Nil

C0818(3) Item 17 Referral of Draft 30 June 2018 Financial Statements for Audit

Motion: (Byrne/Stamolis)

THAT Council refer Council's draft 2017/18 financial reports for audit pursuant to S413 of the *Local Government Act 1993*.

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

C0818(3) Item 19 Investment Report as at 31 July 2018

Motion: (Byrne/Stamolis)

THAT the report be received and noted.

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

C0818(3) Item 1 Supporting Anzac Day Across the Inner West

Motion: (McKenna OAM/Byrne)

THAT Council:

- 1. Endorse the provision of support to Petersham and Ashfield RSLs for their ANZAC Day events, including fee waivers for venue hire, assistance with road closures and communications support; and**
- 2. Endorse the provision of support to Petersham and Ashfield RSLs for their Remembrance Day events, including fee waivers for venue hire and communications support.**

Motion Carried

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

Against Motion: Crs Hesse and Steer

C0818(3) Item 2 Sponsorship policy

Motion: (McKenna OAM/Passas)

THAT:

- 1. The draft Sponsorship Policy be placed on public exhibition, with outcomes reported back to Council;**
- 2. The policy be amended to include: “where there are other sponsoring organisations alongside Council. These other organisations should not be inconsistent with Council’s values and policies, adversely affect Council’s public image or reputation or otherwise present a conflict of interest”; and**
- 3. Under restrictions, add the following: “Involved in gambling products or services, unless the business is based in Council’s Local Government Area and can demonstrate a considerable contribution to the community”.**

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

Amendment (Hesse/Steer)

THAT Council will not accept sponsorship from developers, real estate agents or the building and construction sector.

Motion Lost

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

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

C0818(3) Item 3 Media and Social Media Policies For Councillors

Motion: (Byrne/Porteous)

THAT Council:

- 1. Adopt the Media Policy for Councillors;**
- 2. Adopt the Social Media Policy for Councillors;**
- 3. Remove the word “enhance” in point 3 of the purpose of the policy; and**
- 4. Include in the policy a means by which councillors can appeal when social media is being inappropriately used by other councillors.**

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

Meeting closed at 11.00pm

The following items will be considered at the next Ordinary Council Meeting on 11 September 2018; 4, 7, 8, 9, 11, 12, 16, 18, 20 and 22.

PUBLIC SPEAKERS:

Item #	Speaker	Suburb
Item 5:	Fergus Fricke Michele Hacking	Birchgrove Rozelle
Item 6:	Warwick Mayer Bronwyn Smith	Birchgrove Balmain
Item 10:	Kathy O'Donnell Cathie Edlington John Lozano	Annandale Annandale Haberfield
Item 13:	Carolyn Ridley	Dulwich Hill
Item 14:	David Tierney Veronica Mayson Sean Macken	Marrickville Marrickville Newtown
Item 15:	Alexander Catania	Dulwich Hill
Item 21:	Michele Hacking	Rozelle
Item 23:	Stuart McCarthy	Marrickville