

**Minutes of Ordinary Council Meeting held on 25 February 2020 at
Ashfield Service Centre**

Meeting commenced at 6.30 pm

Present:

Darcy Byrne	Mayor
Marghanita Da Cruz	Councillor
Mark Drury	Councillor
Lucille McKenna OAM	Councillor
Colin Hesse	Councillor
Tom Kiat	Councillor
Pauline Lockie	Councillor
Victor Macri	Councillor
Julie Passas	Councillor
Rochelle Porteous	Councillor (6:43pm)
John Stamolis	Councillor
Louise Steer	Councillor
Anna York	Councillor
Michael Deegan	Chief Executive Officer
Elizabeth Richardson	Chief Operating Officer, Director Development and Recreation
Cathy Edwards-Davis	Director Infrastructure
Harjeet Atwal	Senior Manager Planning
Terri Southwell	Team Leader - Urban Strategy
Ian Naylor	Manager Governance
Katherine Paixao	Governance Coordinator

APOLOGIES:

Motion: (Macri/McKenna OAM)

THAT apologies from Councillors Iskandar and Raciti be accepted, and apologies for lateness from Councillor Porteous be accepted.

Motion Carried

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

Against Motion: Nil

DISCLOSURES OF INTERESTS:

Clr Hesse declared a non-significant, non-pecuniary interest in Item 13 - Sydney Eastern City Planning Panel Report: DA201900096 – 182-198 Victoria Road and 28-30 Faversham Street, Marrickville as he is a member of the Marrickville Bowling Club.

Motion: (Byrne/McKenna OAM)

THAT Council note the disclosure of interest.

Motion Carried

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

Against Motion: Nil

CONFIRMATION OF MINUTES

Motion: (Kiat/McKenna OAM)

THAT the Minutes of the Council Meeting held on Tuesday, 10 December 2019 and Tuesday, 11 February 2020 be confirmed as a correct record.

Motion Carried

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

Against Motion: Nil

Registered Speakers

Motion: (Hesse/Stamolis)

THAT Council hear all registered speakers for Item 6 Housing and Transport Strategies - Post exhibition report.

Motion Carried

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

Against Motion: Nil

Councillor Porteous entered the Meeting at 6:43 pm.

PUBLIC FORUM

The registered speakers were asked to address the meeting. The list of speakers is available on the last page of these minutes.

Councillor McKenna OAM left the Meeting at 7:14 pm.

Councillor McKenna OAM returned to the Meeting at 7:18 pm.

C0220(2) Item 1 Mayoral Minute: Disaster relief funding for RFS

Motion: (Byrne)

THAT Council:

- 1. Gives a \$50,000 donation to the NSW Rural Fire Service (RFS) to assist it in its disaster relief activities during the ongoing bushfire crisis; and**
- 2. Note that staff have identified funds from working capital for this donation.**

Motion Carried

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

Against Motion: Nil

C0220(2) Item 2 Mayoral Minute: Yabun Festival

Motion: (Byrne)

THAT Council:

1. Support the Yabun Festival with a \$30,000 sponsorship in 2020;
2. Receive a report regarding an annual funding process that would allow Yabun to be part of Council's formal grant framework from 2021; and
3. Note that staff have identified funds from existing City Living budgets to provide this sponsorship for the 2020 event.

Motion Carried

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

Against Motion: Crs Macri, Passas and Stamolis

Councillor Kiat left the Meeting at 7:33 pm.

Councillor Passas left the Meeting at 7:34 pm.

Councillor Kiat returned to the Meeting at 7:35 pm.

Councillor Passas returned to the Meeting at 7:42 pm.

C0220(2) Item 4 Mayoral Minute: Rozelle Interchange

Motion: (Byrne)

THAT Council:

1. Notes the provision of onsite parking for staff working on WestConnex Stages 3a and 3b is totally inadequate and is having massive impacts on parking in local streets;
2. Notes that given the complexity of RMS requirements at the time, that no new RPS were sufficiently supported by residents to be established in the streets bordering King George Park when surveys were conducted in 2019;
3. Notes the \$178,000 allocated from Transport for NSW (TfNSW) to fund Resident Parking Schemes (RPS) investigations in areas affected by the construction of the Rozelle Interchange and Stage 3a works near King George Park, and writes to TfNSW insisting that they undertake the investigations as a matter of urgency with the recommendations to be reported to the Local Traffic Committee meeting in April;
4. Letterboxes affected areas to notify residents how they can participate and make proposals to the TfNSW Resident Parking Scheme investigations to be funded from the TfNSW grant;
5. Continues to lobby TfNSW and the project contractor to continue to investigate other measures to mitigate the impacts of worker parking, including appropriate onsite or satellite parking provisions, carpool strategies and public transport initiatives, in the areas affected by the construction of Rozelle Interchange;
6. Designs a flyer to be made available to residents outlining how they can lodge complaints about compliance breaches on Stage 3a and 3b WestConnex construction sites and advocate to the State Government about traffic, parking

and other impacts;

7. Makes the amelioration of the impacts of worker parking and traffic disruption along Lilyfield Road, due to the construction of the Rozelle Interchange, a priority;
8. Writes to the State Government demanding they make publicly available the satellite imaging technology the Government has purchased relating to WestConnex construction impacts so that residents can determine the impact of WestConnex construction on their properties; and
9. Writes to Transport NSW condemning to the removal of the pedestrian/cycling bridge connecting Lilyfield road to ANZAC bridge, which is the second busiest cycle route in Sydney, and the lack of any safe alternative route.

Motion Carried

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

Against Motion: Nil

C0220(2) Item 5 Mayoral Minute: Property and Rating System

Motion: (Byrne)

THAT:

1. Council thanks and congratulates the dedicated team of more than 30 Council staff lead by Council's Chief Operating Officer and Director Development and Recreation, Elizabeth Richardson, Chief Information Officer, Harin Perera, and Project Manager, Steve Johnson, who worked tirelessly to deliver this state-of-the-art technology to the Inner West; and
2. A Councillor briefing and demonstration on the Property and Rating system be held and a report be provided on the implementation of the system.

Motion Carried

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

Against Motion: Nil

C0220(2) Item 3 Mayoral Minute: Birchgrove and Balmain Ferries Changes

Motion: (Byrne)

THAT Council:

1. Registers its strong opposition to the proposal to eliminate all direct services from both Birchgrove and Thames Street wharves to Circular Quay; and the direction for all passengers on the Parramatta River to transfer at Balmain East for ferry services to Circular Quay;
2. Writes to the Minister for Transport and Roads condemning the proposal;
3. Conducts a survey of residents of the Balmain Peninsula regarding the impacts on their lives that this elimination of ferry services would result in. That the results of this survey be used to raise awareness of the issue and are sent ti

the Minister for Transport and Roads and Transdev; and

- 4. Immediately lodges a submission to the community consultation process outlining the impacts on the local and wider transport network, local economy and on local residents.**

Motion Carried

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

Against Motion: Nil

Suspension of Standing Orders

Motion: (Porteous/Hesse)

THAT Council bring forward Items 6, 7, 10 and 14 which had registered speak to be dealt with at this time.

Motion Carried

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

Against Motion: Crs Drury and Passas

C0220(2) Item 6 Housing and Transport Strategies - Post exhibition report

Motion: (York/Da Cruz)

THAT Council defer this item until the end of the meeting to discuss this matter and make a decision tonight.

Motion Carried

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

Against Motion: Nil

Foreshadowed Motion: (McKenna OAM/York)

THAT Council:

- 1. Adopt the draft Integrated Transport Study and Strategy (Attachments 1 and 2);**
- 2. Adopt draft Inner West Local Housing Strategy (Attachment 3); and**
- 3. Seek endorsement from the Department of Planning, Industry and Environment for the strategies.**

This Foreshadowed Motion was withdrawn.

Councillor Hesse left the Meeting at 8:38 pm.

C0220(2) Item 7 Draft Local Strategic Planning Statement - Post Exhibition Report

Motion: (Drury/McKenna OAM)

THAT Council:

1. **Endorse the Draft Local Strategic Planning Statement (LSPS) (Attachment 1) for submission to the Greater Sydney Commission; and**
2. **Delegate authority to the CEO to 'make' the LSPS following receipt of written support from the Greater Sydney Commission, addressing any requirements or conditions which may be included and publish it on the NSW Planning Portal.**

Motion Carried

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

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

Absent: Cr Hesse

Foreshadowed Motion: (Da Cruz/Stamolis)

THAT Council defer the item to allow councillors to receive a briefing on the Local Strategic Planning Statement and submit a draft LSPS to the Department.

This Foreshadowed Motion lapsed.

Councillor Hesse returned to the Meeting at 8:44 pm.

C0220(2) Item 10 Voluntary Planning Agreement Policy

Motion: (Kiat/Porteous)

THAT:

1. **Endorse the draft Voluntary Planning Agreement Policy with the following amendment:**
 - a) **The policy be amended ensure that VPAs seek to implement with Council's Affordable Housing Policy and Housing Strategy to obtain 15% of total gross floor area of major planning agreements (including any development larger than 20 units) to be transferred to Council as Affordable Housing units. This should be made clear in the following sections of the Policy: Objectives (s 3), Principles (s 6), Types of contributions and benefits (s 11), and in the Guidelines/Procedures (Part C).**
2. **Rescind the Voluntary Planning Agreement policies of the former Leichhardt and Marrickville councils;**
3. **Noting the support of Council for establishing an Affordable Housing fund, that an audit be conducted in relation specifically to cash contributions received under VPAs for the purpose of affordable housing, for the past ten years (including constituent Councils), in order that these funds be allocated to the Affordable Housing fund when it is established.**

Motion Lost

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

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

Amendment (Drury/McKenna OAM)

THAT point 1 be replaced with “the policy be amended to seek to implement the Council’s Affordable Housing Policy and Housing Strategy to obtain 15% of total gross floor area of major planning agreements (including any development larger than 20 units) to be transferred to Council as Affordable Housing units.”

Motion Lost

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

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

Foreshadowed Motion: (Macri/Passas)

THAT Council:

- 1. Endorse the draft Voluntary Planning Agreement Policy provided in Attachment 1; and**
- 2. Rescind the Voluntary Planning Agreement policies of the former Leichhardt and Marrickville councils.**

Motion Carried

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

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

Councillor Passas left the Meeting at 9:23 pm.

ADJOURNMENT

9.23pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

9.26pm– The Mayor, Clr Byrne resumed the meeting.

C0220(2) Item 14 Local Traffic Committee Meeting held on 2 December 2019 and 3 February 2020

Motion: (Hesse/Byrne)

THAT the Minutes of the Local Traffic Committee Meeting held on 2 December 2019 and 3 February 2020 be received and the recommendations be adopted subject to the following amendments:

- a) December 2019 - LTC1219 Item 8 Carrington Road Marrickville, THAT a further report be provided to Council to examine the provision of a pedestrian crossing on Carrington Road near Renwick Street Marrickville to improve pedestrian safety, particularly the safety of students attending Tempe High School;**
- b) February 2020 - LTC0220 Item 9 Clissold Street, Ashfield - Investigation of Proposed Works from the Ashfield Traffic Management Strategy (Djarrawunang-Ashfield Ward/Summer Hill Electorate/Burwood PAC) - THAT Council write to Transport for NSW and Transit Systems and request that to ensure safe traffic management they support the introduction of opposing**

directional one-way streets in Clissold Street and Seaview Street, Ashfield, with the associated changes to the 406 and 413 bus routes; and

- c) That traffic officers meet with Stockland Cardinal Freeman Village with the view to have delivery and large vehicles enter from either Victoria Street or Queen Street Ashfield.

Motion Carried

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

Against Motion: Nil

Absent: Cr Passas

Amendment (Drury/York)

February 2020 - LTC0220 Item 9 Clissold Street, Ashfield - Investigation of Proposed Works from the Ashfield Traffic Management Strategy (Djarrawunang-Ashfield Ward/Summer Hill Electorate/Burwood PAC) - THAT Council write to Transport for NSW and Transit Systems and request that to ensure safe traffic management they support the introduction of opposing directional one-way streets in Clissold Street and Seaview Street, Ashfield, with the associated changes to the 406 and 413 bus routes.

Motion Tied

For Motion: Crs Byrne, Drury, Hesse, Lockie, McKenna OAM and York

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

Absent: Cr Passas

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

As this Amendment was carried, it was incorporated into the primary motion.

Amendment (Passas/Da Cruz)

THAT Traffic Officers meet with Stockland Cardinal Freeman Village with the view to have delivery and large vehicles enter from either Victoria Street or Queen Street Ashfield.

As this Amendment was carried, it was incorporated into the primary motion.

Motion Carried

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

Against Motion: Nil

Absent: Cr Passas

Amendment (Passas/Stamolis)

THAT point 3 of February 2020 - LTC0220 Item 1 The Esplanade/Markham Place and Charlotte Street, Ashfield- Bicycle Contra-Flow in One-Way Streets (Djarrawunang-Ashfield Ward/Summer Hill Electorate/Burwood PAC) Fox Lane be deleted.

Motion Lost

For Motion: Nil

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

Councillor Porteous left the Meeting at 09:30 pm.

ADJOURNMENT

9.30pm - The Mayor, Clr Byrne adjourned the meeting for a short recess.

9.37pm– The Mayor, Clr Byrne resumed the meeting.

Confidential Session

The Mayor, Councillor Byrne, asked the Chief Executive Officer if any representations had been received from the public on any of the items Council will be discussing in Closed Session as per the Agenda.

The Chief Executive Officer replied that no representations had been received to talk to the items in Closed Session.

The Mayor, Councillor Byrne, asked if there were any members of the public gallery who would like to speak on the reasons Council proposes to consider the items in Closed Session.

There were none.

Members of the Public were asked to leave the Chamber.

Motion: (Byrne/McKenna OAM)

THAT Council enter into Confidential session.

Motion Carried

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

Against Motion: Nil

Absent: Crs Passas and Porteous

That in accordance with Section 10A(1) of the Local Government Act 1993, the following matters be considered in Closed Session of Council for the reasons provided:

C0220(2) Item 29 - Licence of Leichhardt Oval to Sydney Football Club Pty Ltd (Section 10A(2)(d)(ii) of the Local Government Act 1993) that would, if disclosed confer a commercial advantage on a competitor of the council.

C0220(2) Item 30 Sydney Gateway Project - Property Acquisition Section 10A(2)(d)(i) of the Local Government Act 1993) that would, if disclosed prejudice the commercial position of the person who supplied it.

C0220(2) Item 31 Recycling Processing Services Section 10A(2)(d)(i) of the Local Government Act 1993) that would, if disclosed prejudice the commercial position of the person who supplied it.

Motion: (Byrne/Passas)

THAT Council move back into the Open Session of the Council Meeting.

Motion Carried

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

Against Motion: Nil

REPORTS WITH CONFIDENTIAL INFORMATION

C0220(2) Item 29 Licence of Leichhardt Oval to Sydney Football Club Pty Ltd

Motion: (McKenna OAM/Drury)

THAT Council as the land manager of Leichhardt Park (D500207):

1. Resolves to grant a one year temporary licence (Licence) of Leichhardt Park Oval 1 to Sydney Football Club Pty Ltd (Sydney FC) for football matches and training; and
2. Authorises the CEO or delegate to negotiate terms and execute the Licence.

Motion Carried

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

Against Motion: Nil

Absent: Crs Passas and Porteous

Councillor Passas returned to the Meeting at 9:39 pm.

Councillor Porteous returned to the Meeting at 9:41 pm.

C0220(2) Item 30 Sydney Gateway Project - Property Acquisition

Motion: (Drury/Macri)

THAT:

1. Council delegate to the CEO the authority to enter into an agreement with Transport for NSW for the acquisition of land required for the Sydney Gateway Project. Such an agreement only to be entered into where the matters listed in Part 5 of the report have been addressed to the satisfaction of the CEO;
2. Councillors be advised of the final outcome of negotiations with TfNSW; and
3. Funds from the compensation received for the acquisition of Council's existing industrial investment lands be held in reserve for investment (including in property where optimal) in order to offset the loss of existing rental income.

Motion Carried

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

Against Motion: Cr Porteous

C0220(2) Item 31 Recycling Processing Services

Motion: (McKenna OAM/Passas)

THAT Council adopt the recommendation contained within the Confidential Attachment.

Motion Carried

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

Against Motion: Nil

C0220(2) Item 6 Housing and Transport Strategies - Post exhibition report

Motion: (Da Cruz/Kiat)

THAT Council defer the item and to allow councillors to receive a briefing on the Housing/Transport/Economic-Retail-Employment Strategies.

Foreshadowed Motion: (Drury)

1. Adopt the draft Integrated Transport Study and Strategy (Attachments 1 and 2);
2. Adopt draft Inner West Local Housing Strategy subject to the amendments below; and
3. Seek endorsement from the Department of Planning, Industry and Environment for the strategies.

AMENDMENTS TO LOCAL HOUSING STRATEGY:

Dulwich Hill

- a) Amend the wording in Key Constraints section of Table 25 on Page 30 under Dulwich Hill Station Neighbourhoods to include the wording "Biodiversity corridor Marrickville LEP 2011".
- b) Insert a map identifying the Greenway and Biodiversity Corridor in Section 6.2.
- c) Include wording "Lands within the biodiversity corridor in Marrickville LEP 2011 and the Greenway" in Constraints Analysis section of Section 6.2.1.
- d) Delete the following wording "provides an opportunity for redevelopment" in the last paragraph under the Dulwich Hill section in page 36.
- e) Amend figure 49 on page 145 to correctly reflect the zoning fronting Grove Street, Dulwich Hill.
- f) Delete any references to funding associated with the Greenway in the strategy.
- g) Delete any references to focusing development between Dulwich Hill Train Station and Dulwich Grove Light Rail Station.
- h) Delete examples in Action 3B of Principle 4 in Section 5.2.

Carrington Road

- i) Delete any references which prohibit residential development in the Carrington Road precinct.
- j) Amend last paragraph in Section 6.2.3 on page 112 under the Carrington Road, Marrickville section to state *"As such, Carrington Road is identified as significantly constrained. Council should continue to work with the landowners to manage these lands into the future."*

Affordable Housing

- k) Add any missing performance indicators for affordable housing from the Affordable Housing Policy.

- l) Recognise the existence and potential of housing co-operatives.**

Amendment (Hesse)

THAT point I and J be deleted of the foreshadowed motion.

Amendment (Kiat)

THAT Council adopt draft Inner West Local Housing Strategy (Attachment 3) subject to the following amendments:

- 1. That Council note that Strategy's advice that there must be 571 affordable/social dwellings approved annually (57% total approvals) to meet the 'affordable housing gap' i.e. the needs of those in the Inner West who are homeless or in housing stress;**
- 2. That Council respond to this challenge by prioritising the planning and non-planning mechanisms identified in the strategy, receiving quarterly reports on progress toward addressing the affordable housing gap;**
- 3. Noting that the top three housing typologies preferred by respondents for growth were medium density, affordable for key workers and affordable for low income, and that medium density capacity is nearly exhausted in the LGA, that any options for increasing housing density in the LEP project include a focus on these typologies;**
- 4. Noting that individual and organisation respondents supported expanding the affordable housing contribution mechanism to apply across the entire LGA at the 15% rate, that this be included as a specific 'planning action' in the Strategy;**
- 5. Noting that three CHPs stated an intention to work with Council to identify opportunities to work with Council to investigate opportunities for delivering affordable housing, including on public land, that Council pursue high level discussions with these CHPs and report back to Council on progress;**
- 6. That the Strategy include establishment of the Affordable Housing Fund as a tool for financing future projects as an action under the 'non-planning mechanisms' for delivering affordable housing; and**
- 7. That the changes adopted by Council officers tonight, in relation to constraints to development in Dulwich Hill, following consultation with members of the community, form part of this area's consideration as part of the LEP project.**

Meeting closed at 10.11pm

The following Items will be considered at the Extraordinary Council Meeting on 3 March 2020; Item 6, 8, 9 11, 12, 13, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28.

PUBLIC SPEAKERS:

Item #	Speaker	Suburb
Item 6:	Dominic Hunt Jo Blackman Mark Skelsey Guy Rob Anthony Massera David Collins-White	Sydney (Mirvac) Dulwich Hill Dulwich Hill Lewisham Ashfield Croydon
Item 7:	John Haralambides	Marrickville
Item 10:	David Collins-White	Croydon
Item 14:	Graeme Kerr Anthony Johnsen	Ashfield Marrickville

The Minutes of the Ordinary Meeting of Council held on the 25th day of February, 2020 were confirmed as a correct record on this 10th day of March, 2020.

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CHAIRPERSON