

Minutes of Council Meeting held on Tuesday, 17 February 2015**Meeting commenced at 6.33pm****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

Gardiner (Mayor)	Hanna (Deputy Mayor)	Barbar	Brooks
Ellsmore	Haylen	Iskandar	Leary
Macri	Phillips	Tyler	Woods

APOLOGIES: Nil.**DISCLOSURES OF INTERESTS:** Nil.**CONFIRMATION OF MINUTES****Motion: (Tyler/Hanna)**

THAT the Minutes of the Council Meeting held on 25 November 2014 be confirmed.

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

THAT the Minutes of the Council Meeting held on 2 December 2014 be confirmed.

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

C0215 Item 1 2015/16 SPECIAL RATE VARIATION - COMMUNITY CONSULTATION FEEDBACK

Public speakers: Jack Tsonis, Jonathan Appleby and Joe Khoury

Motion: (Gardiner/Ellsmore)

THAT Council:

1. acknowledge the results of the community consultation contained within the body of this report;
2. acknowledge the support by the Marrickville Infrastructure Jury in its latest correspondence (ATTACHMENT 2);
3. formally make application to the Independent Pricing and Regulatory Tribunal (IPART) for a permanent Special Rate Variation of 3.0% (over and above the 2.4% rate increase determined by the IPART), commencing 1 July 2015 under Section 508(2) of the Local Government Act, 1993 for the purposes of assisting with the annual infrastructure asset renewal funding shortfall;
4. support eligible pensioners by offering a fixed \$25.50 rebate to offset the average residential rate increase resulting from the proposed additional 3% special rate increase for eligible pensioners at 1 July 2015; and
5. adopt the suite of integrated planning and reporting documents that were publicly exhibited for the purposes of seeking public feedback in relation to the proposed special rate increase.

Motion Carried

For Motion: Councillors Brooks, Ellsmore, Gardiner, Haylen, Leary, Phillips and Woods

Against Motion: Councillors Barbar, Hanna, Iskandar, Macri and Tyler

ITEM OF BUSINESS ARISING OUT OF ITEM C0215 ITEM 1:

Motion: (Macri/Tyler)

THAT a detailed report be provided to Council regarding use of the identified \$1M savings to fund a principal and interest loan of \$10M loan at 6% or better, and use of S94 funds to accelerate infrastructure works.

Motion Carried

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

Against Motion: Councillors Brooks, Gardiner and Leary

**C0215 Item 2 DRAFT MARRICKVILLE DEVELOPMENT CONTROL PLAN 2011
(AMENDMENT NO. 3) - REVISED MASTERPLAN FOR THE FORMER
MARRICKVILLE HOSPITAL SITE**

Motion: (Gardiner/Phillips)

THAT Council:

1. receive and note the report;
2. adopt Marrickville Development Control Plan 2011 (Amendment No. 3) to amend Part 9.40.5.8 – Marrickville Hospital Site – Masterplan Area (MA 40.8) and make consequential changes to Part 9.40 of Marrickville Development Control Plan 2011 in accordance with the revised Masterplan and provisions contained in ATTACHMENT 1 to this report;
3. place a notice in a local newspaper advising of commencement of MDCP 2011 (Amendment No. 3); and
4. notify those persons who made a submission in relation to Draft MDCP 2011 (Amendment No. 3) to inform them of Council's resolution.

Motion Carried

For Motion: Councillors Barbar, Brooks, Ellsmore, Gardiner, Iskandar, Leary, Macri, Phillips, Tyler and Woods

Against Motion: Nil

Absent: Councillors Hanna and Haylen

Motion: (Ellsmore/Gardiner)

THAT Council deals with Items 3, 4, 5, 6, 7, 9, 11, 12, 13, 16, 17 and 18 on block.

Motion Carried

For Motion: Councillors Barbar, Brooks, Ellsmore, Gardiner, Iskandar, Leary, Macri, Phillips, Tyler and Woods

Against Motion: Nil

Absent: Councillors Hanna and Haylen

C0215 Item 3 MARRICKVILLE CRIME PREVENTION STRATEGY ACTION PLAN 2015

Motion: (Gardiner/Macri)

THAT Council:

1. note the community responses and comment provided on these by Council officers;
2. endorse the attached *Marrickville Crime Prevention Strategy Action Plan 2015* and the programs outlined in the Plan; and
3. make a submission to the Crime Prevention and Community Programs Division of the Department of Justice NSW to have the *Marrickville Crime Prevention Action Plan 2015* endorsed as a *Safer Community Compact* and seek funding to implement the programs in the Plan targeting theft and alcohol related violence.

Motion Carried

For Motion: Councillors Barbar, Brooks, Ellsmore, Gardiner, Iskandar, Leary, Macri, Phillips, Tyler and Woods

Against Motion: Nil

Absent: Councillors Hanna and Haylen

C0215 Item 4 SOCIAL HOUSING IN NSW: A DISCUSSION PAPER

Motion: (Gardiner/Macri)

THAT Council forwards the attached submission to the NSW Government in response to the *Social Housing in NSW: Discussion Paper*.

Motion Carried

For Motion: Councillors Barbar, Brooks, Ellsmore, Gardiner, Iskandar, Leary, Macri, Phillips, Tyler and Woods

Against Motion: Nil

Absent: Councillors Hanna and Haylen

C0215 Item 5 QUARTERLY BUDGET REVIEW STATEMENT FOR THE PERIOD ENDED 31 DECEMBER 2014

Motion: (Gardiner/Macri)

THAT:

1. the report be received and noted; and
2. Council approve the variations identified as matters requiring budget adjustments.

Motion Carried

For Motion: Councillors Barbar, Brooks, Ellsmore, Gardiner, Iskandar, Leary, Macri, Phillips, Tyler and Woods

Against Motion: Nil

Absent: Councillors Hanna and Haylen

C0215 Item 6 CONDUCT OF THE 2016 LOCAL GOVERNMENT ELECTION

Motion: (Gardiner/Macri)

THAT Council resolves:

1. pursuant to s. 296(2) and (3) of the Local Government Act 1993 (NSW) ("the Act") that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council;
2. pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council; and
3. pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.

Motion Carried

For Motion: Councillors Barbar, Brooks, Ellsmore, Gardiner, Iskandar, Leary, Macri, Phillips, Tyler and Woods

Against Motion: Nil

Absent: Councillors Hanna and Haylen

C0215 Item 7 ACCEPTANCE OF TECH SAVVY SENIORS GRANT

Motion: (Gardiner/Macri)

THAT:

1. Council receives and notes this report;
2. Council accepts the NSW Government and Telstra grant Tech Savvy Seniors Program grant; and
3. an appropriate adjustment is made to the budget at the next financial review.

Motion Carried

For Motion: Councillors Barbar, Brooks, Ellsmore, Gardiner, Iskandar, Leary, Macri, Phillips, Tyler and Woods

Against Motion: Nil

Absent: Councillors Hanna and Haylen

C0215 Item 8 MAJOR COMMUNITY EVENTS PROGRAM - REQUEST FOR FEE WAIVER - PETERSHAM RSL CLUB - ANZAC DAY DAWN SERVICE

Motion: (Macri/Gardiner)

THAT:

1. that the report be received and noted; and
2. Council incorporate the Anzac Day Dawn Service as part of the Marrickville Remembers program and fund the \$2,287.10 venue hire fee for the Petersham Town Hall on Saturday 25 April 2015 with a budget adjustment;

Motion Carried

For Motion: Councillors Barbar, Brooks, Ellsmore, Gardiner, Leary, Macri, Phillips, Tyler and Woods

Against Motion: Nil

Absent: Councillors Hanna, Iskandar and Haylen

C0215 Item 9 AMENDMENT TO FEES AND CHARGES FOR BONDS FOR NOT-FOR-PROFIT ORGANISATIONS HIRING COMMUNITY HALLS AND MEETING ROOMS

Motion: (Gardiner/Macri)

THAT:

1. the report be received and noted; and
2. Council adopt the proposed amendment to fees and charges relating to hire bonds for regular not-for-profit users for community halls and meeting rooms as publicly exhibited.

Motion Carried

For Motion: Councillors Barbar, Brooks, Ellsmore, Gardiner, Iskandar, Leary, Macri, Phillips, Tyler and Woods

Against Motion: Nil

Absent: Councillors Hanna and Haylen

C0215 Item 10 UPDATE REPORT ON PARRAMATTA ROAD URBAN TRANSFORMATION PROGRAM

Public speakers: Alison McLaren, Kathleen Reynolds and Mathew Hounsell

Motion: (Phillips/Leary)

THAT:

1. the report be received and noted;
2. expresses its concern over the cancellation of the 170 consultation events on the Parramatta Road corridor programmed by Urban Growth NSW and the uncertainty and secrecy surrounding the project;
3. express its concern for the future of Petersham Park and its surrounds, and calls on the state government to rule out significant redevelopment of this area for either motorway infrastructure or high density residential; and
4. withdraw from the Memorandum of Understanding with Urban Growth NSW citing the cancellation of the public consultation program.

Motion Lost

For Motion: Councillors Brooks, Ellsmore, Leary and Phillips

Against Motion: Councillors Barbar, Gardiner, Iskandar, Macri, Tyler and Woods

Absent: Councillors Hanna and Haylen

Motion: (Gardiner/Macri)

THAT the report be received and noted.

Motion Carried

For Motion: Councillors Barbar, Brooks, Ellsmore, Gardiner, Iskandar, Macri, Tyler and Woods

Against Motion: Councillors Leary and Phillips

Absent: Councillors Hanna and Haylen

C0215 Item 11 OUT OF SCHOOL HOURS CARE LICENCE FEES UPDATE

Motion: (Gardiner/Macri)

THAT the report be received and noted.

Motion Carried

For Motion: Councillors Barbar, Brooks, Ellsmore, Gardiner, Iskandar, Leary, Macri, Phillips, Tyler and Woods

Against Motion: Nil

Absent: Councillors Hanna and Haylen

C0215 Item 12 2014-15 OPERATIONAL PLAN H1 PROGRESS REPORT

Motion: (Gardiner/Macri)

THAT the report be received and noted.

Motion Carried

For Motion: Councillors Barbar, Brooks, Ellsmore, Gardiner, Iskandar, Leary, Macri, Phillips, Tyler and Woods

Against Motion: Nil

Absent: Councillors Hanna and Haylen

C0215 Item 13 STATUS UPDATE - RESOLUTIONS OF COUNCIL

Motion: (Gardiner/Macri)

THAT the report be received and noted.

Motion Carried

For Motion: Councillors Barbar, Brooks, Ellsmore, Gardiner, Iskandar, Leary, Macri, Phillips, Tyler and Woods

Against Motion: Nil

Absent: Councillors Hanna and Haylen

C0215 Item 14 NOTICE OF MOTION: BANNERS FOR SAVE MILLERS POINT PUBLIC HOUSING

Public speakers: Kelli Haynes and John Dunn

Motion: (Woods/Leary)

THAT Council endorses the allocation of a budget of \$1000 to cover the making and hanging of 2 banners that read "defend public housing, save Millers Point, millerspointcommunity.com.au" in the Marrickville municipality to show our communities support for the public housing residents of Millers Point.

Motion Carried

For Motion: Councillors Barbar, Brooks, Ellsmore, Iskandar, Leary, Phillips and Woods

Against Motion: Councillors Gardiner, Macri and Tyler

Absent: Councillors Hanna and Haylen

REPORTS WITH CONFIDENTIAL INFORMATION

C0215 Item 15 CAMDENVILLE PARK UPGRADE CONSULTANCY SERVICES TENDER 23/14 - ASSESSMENT OF TENDERS

Public speaker: Peter Erling

Motion: (Woods/Gardiner)

THAT:

1. Council move into closed session to deal with this matter as the information contained in CONFIDENTIAL ATTACHMENT 1 of this report are 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 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 tenders of the assessment process. Companies have provided sensitive information about their operations 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 allow members of the public to make representations as to whether this part of the meeting should be closed.

Motion Carried

For Motion: Councillors Barbar, Brooks, Ellsmore, Gardiner, Iskandar, Leary, Macri, Phillips, Tyler and Woods

Against Motion: Nil

Absent: Councillors Hanna and Haylen

Motion: (Woods/Gardiner)

THAT Council return to open session.

Motion Carried

For Motion: Councillors Barbar, Brooks, Ellsmore, Gardiner, Iskandar, Leary, Macri, Phillips, Tyler and Woods

Against Motion: Nil

Absent: Councillors Hanna and Haylen

Motion: (Leary/Gardiner)

THAT an extension of time be given to allow the meeting to continue past 10.30pm.

Motion Carried

For Motion: Councillors Barbar, Brooks, Ellsmore, Gardiner, Iskandar, Leary, Macri, Phillips, Tyler and Woods

Against Motion: Nil

Absent: Councillors Hanna and Haylen

Motion: (Woods/Gardiner)

THAT:

1. resolve that CONFIDENTIAL ATTACHMENT 1 to the report be treated as confidential in accordance with Section 10A of the Local Government Act 1993, as it relates to a matter specified in Section 10A(2), (c) and (d) of the Local Government Act 1993, and as such is to be treated as confidential;
2. considers not proceeding with some works to the western edge of Camdenville Park specifically the detention basin and fence replacement works including detailed design and documentation, until impacts of the Westconnex Campbell St widening are known;
3. considers proceeding with the modification of the Bedwin Road fence to allow passive surveillance of the western side of the park and the area affected by Westconnex as well as the construction of the bike track (the bike track is not affected by the Westconnex easement p.9); and
4. adopts the recommendation contained in CONFIDENTIAL ATTACHMENT 1 and encourages the adoption of the accelerated implementation of the Camdenville Park upgrade for all remaining works as Option 1, to commence in 2015. This clause would reflect the time and expense saved with the exclusion of the works on the detention basin and fence replacement (see p.4 on timeframe). In the event of Westconnex not resuming this section of the park the detention basin and fence design, documentation and works would be commenced at a later date.

Motion Carried

For Motion: Councillors Barbar, Brooks, Ellsmore, Gardiner, Iskandar, Leary, Macri, Phillips, Tyler and Woods

Against Motion: Nil

Absent: Councillors Hanna and Haylen

C0215 Item 16 TENDER RECOMMENDATION OPENSOURCE TREES INVENTORY

Motion: (Gardiner/Macri)

THAT:

1. Council resolve that CONFIDENTIAL ATTACHMENTS 1 and 2 to the report be treated as confidential in accordance with Section 10A of the Local Government Act 1993, as it relates to a matter specified in Section 10A(2),(c) and (d) 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 adopts the recommendation contained in CONFIDENTIAL ATTACHMENT 1.

Motion Carried

For Motion: Councillors Barbar, Brooks, Ellsmore, Gardiner, Iskandar, Leary, Macri, Phillips, Tyler and Woods

Against Motion: Nil

Absent: Councillors Hanna and Haylen

C0215 Item 17 TENDER NO. 22/14 SUPPLY OF BIODIESEL FUEL TO COUNCIL VEHICLES

Motion: (Gardiner/Macri)

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)(2) of the Local Government Act 1993;
2. the report be received and noted; and
3. Council adopt the Tender Review Panel's recommendation contained in CONFIDENTIAL ATTACHMENT 1.

Motion Carried

For Motion: Councillors Barbar, Brooks, Ellsmore, Gardiner, Iskandar, Leary, Macri, Phillips, Tyler and Woods

Against Motion: Nil

Absent: Councillors Hanna and Haylen

C0215 Item 18 TENDER RECOMMENDATION FOR CCTV INSPECTION, CONDITION ASSESSMENT AND HEAVY CLEANING FOR STORMWATER CONDUITS

Motion: (Gardiner/Macri)

THAT:

1. Council resolve that CONFIDENTIAL ATTACHMENT 1 to the report be treated as confidential in accordance with Section 10A of the Local Government Act 1993, as it relates to a matter specified in Section 10A(2),(c) and (d) 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 CONFIDENTIAL ATTACHMENT 1.

Motion Carried

For Motion: Councillors Barbar, Brooks, Ellsmore, Gardiner, Iskandar, Leary, Macri, Phillips, Tyler and Woods

Against Motion: Nil

Absent: Councillors Hanna and Haylen

Meeting closed at 10.44pm.

CHAIRPERSON