

Minutes of Council Meeting held on Tuesday 27 June 2017**Meeting commenced at 6.31pm****Present:**

Richard Pearson	Administrator
Rik Hart	Interim General Manager
Michael Tzimoulas	Deputy General Manager Chief Financial and Administration Officer
John Warburton	Deputy General Manager Community and Engagement
Cathy Edwards-Davis	Group Manager Trees, Parks & Sports Fields
Pav Kuzmanovski	Group Manager Finance
Simon Manoski	Group Manager Strategic Planning
Brooke Martin	Group Manager Properties, Major Building Projects & Facilities
Wal Petschler	Group Manager Footpaths, Roads, Traffic & Stormwater
Elizabeth Richardson	Group Manager Development Assessment & Regulatory Services
Tanya Whitmarsh	Group Manager Governance
Rad Miladinovic	Coordinator Governance and Administration (Minute Taker)

Public Speakers: see last page of these minutes.**1. Acknowledgement of Country by Chairperson**

"I acknowledge the Gadigal and Wangal people of the Eora nation on whose country we are meeting today, and their elders past and present."

2. Notice of Live Streaming of Council Meeting

The Administrator advised that the Council meeting was being streamed live on Council's website and members of the public must ensure their speech to the Council is respectful and use appropriate language.

DISCLOSURES OF INTERESTS: The Administrator declared a less than significant, non-pecuniary disclosure of interest in Item 7 (Changes to Planning Rules for Outdoor Advertising (Review of SEPP 64)) as he carried out consulting for the RMS two years ago on a matter related to the issue of outdoor advertising.

CONFIRMATION OF MINUTES

The Administrator determined that the Minutes of the Council Meeting held on Tuesday, 23 May 2017 be confirmed.

C0617 Item 1 MINUTES OF THE IMPLEMENTATION ADVISORY GROUP (IAG) MEETING HELD 8 JUNE 2017 AND MINUTES OF THE LOCAL REPRESENTATION ADVISORY COMMITTEE (LRAC) MEETING HELD 13 JUNE 2017**The Administrator determined that:**

1. the Minutes of the IAG Meeting held on 08 June 2017 be noted; and
2. the Minutes of the LRAC Meeting held on 13 June 2017 be noted.

C0617 Item 2 WESTCONNEX UPDATE REPORT: STAGE 3 ASSESSMENT; LOCAL AREA TRAFFIC IMPROVEMENT STRATEGY; AND SUPPORT FOR COMMUNITY ADVOCACY

The Administrator determined that:

Council:

1. receives and notes this report;
2. makes a financial and in-kind contribution to a total value of \$750 toward curating costs to the organisers of the *DisConnex: Reframing Resistance* art exhibition;
3. makes a financial and in-kind contribution to a total value of \$300 to Newtown Residents Against WestConnex (NRAW) for a WestConnex protest event at Camperdown Park; and
4. calls on the EPA to carry out air quality monitoring around all proposed WestConnex ventilation facility sites (pre- and post- operation) with the results to be made publicly available to the community online and in real time, in a similar manner to the EPA's White Bay cruise ship terminal air quality monitoring.

C0617 Item 3 ASHFIELD AQUATIC CENTRE REFURBISHMENT - PROJECT UPDATE AND COMMUNITY ENGAGEMENT OUTCOMES

The Administrator determined that:

1. Council endorses the Concept Plan Option 3 (Diagram 6) with the following amendments as detailed in the 'Community Preferred Concept Design' (Diagram 7):
 - inclusion of a combined splash-pad and shallow water pool suitable for young children;
 - inclusion of a 25 metre grandstand on the western side of the 50 metre pool;
 - inclusion of shade sails over the combined splash-pad and shallow water pool, grassed areas on the western side of the 50 metre pool and grassed area on the south-eastern corner of the site;
 - extension of the Bastable Street carpark, including demolition of the Bastable Street Hall and playground, single entry via Elizabeth Street and single exit onto Bastable Street;
2. all residents and stakeholders who made submissions during the community engagement be notified of Council's decision; and
3. the project proceeds to detailed design based on 'Community Preferred Concept Design' (Diagram 7).

C0617 Item 4 OPERATIONAL PLAN AND BUDGET 2017/18

The Administrator determined that Council:

1. adopts the Operational Plan and Budget 2017/18 subject to the minor amendments detailed in this report;
2. makes and levy the Rates for 2017/18 as contained in accordance with section 405 of the *Local Government Act 1993*;
3. adopts the rate of 7.5% as the interest rate to apply on outstanding rates, in accordance with section 566(3) of the *Local Government Act 1993*; and
4. adopts the Schedule of Fees and Charges, annexed to the Operational Plan 2017/18 noting the changes to Fees and Charges made since on public exhibition.

C0617 Item 5 VICTORIA ROAD PRECINCT PLANNING PROPOSAL**The Administrator determined that:**

Council forwards the Victoria Road Planning Proposal to the Minister for Planning indicating its support for the Proposal subject to:

1. resolution of matters the subject of an unresolved objection from the Roads and Maritime Service;
2. there is to be no change to the existing IN1 – General Industrial zoning on the south eastern side of Victoria Road. This land forms part of the core Sydenham / Marrickville Industrial Area and should be preserved in line with the recommendations of the Marrickville Employment Lands Study and subsequent Review. Council will further consider its position subject to review of the Sydenham to Bankstown Urban Renewal Corridor Strategy;
3. with the exception of the properties on the north western side of Farr Street to be zoned R3 – Medium Density Residential, no properties in the precinct are to be zoned residential; the Danias Timbers Site / Timber Yards Sub-precinct to be zoned B4 – Mixed Use (along Victoria Road and Sydenham Road) and B7 – Business Park (for the remainder of the sub-precinct) with an appropriate mix of employment and residential uses to be provided via site specific provision. The remainder of the precinct north-west of Victoria Road and north of Chalder Street to be zoned B5 – Business Development;
4. any intersection upgrade works necessitated by the planning proposal cannot require the acquisition of parts of Wicks Park or properties outside the area covered by the planning proposal;
5. the planning proposal must adequately deal with infrastructure planning, funding and delivery (including any required property acquisitions) in consultation with Council;
6. the planning proposal must reflect the urban design and built form recommendations provided by Rod Simpson and Council’s Architectural Excellence Panel;
7. affordable housing being provided in accordance with the requirements of the Inner West Council Affordable Housing Policy;
8. the planning proposal cannot result in the loss of any existing areas of public open space and adequate new additional areas of public open space must be provided to service the new resident and worker population (e.g. an expansion and embellishment of Wicks Park);
9. the planning proposal must provide suitable mechanisms to deliver the new laneways and road connections required to service the rezoning and stated vision for the Victoria Road corridor; and
10. the planning proposal must adequately deal with identified potential heritage.

**C0617 Item 6 PARRAMATTA ROAD URBAN TRANSFORMATION STRATEGY -
COUNCIL'S ACTION PLAN****The Administrator determined that:**

1. Council resolves to receive and note the report;
2. works identified to implement the PRUTS have been estimated at \$1.2 million; and
3. Council supports an application to State Government to seek funds to complete work identified in this report.

**C0617 Item 7 CHANGES TO PLANNING RULES FOR OUTDOOR ADVERTISING
(REVIEW OF SEPP 64)****The Administrator determined that:**

1. Council receives and notes this report including the draft submission at (**ATTACHMENT 1**);
2. the submission be sent to the Department of Planning and Environment.

C0617 Item 8 PLANNING PROPOSAL: 55-63 SMITH STREET SUMMER HILL**The Administrator determined that:**

1. Council notes the report and response to submissions;
2. Council authorises the General Manager to finalise the Planning Proposal as outlined in this report;
3. the Planning Proposal be referred pursuant to Section 59 of the *Environmental Planning and Assessment Act 1979* (the Act) to the NSW Parliamentary Counsel Office to seek an Opinion that the Plan may be made;
4. upon receipt of a Parliamentary Counsel Opinion, Council requests the Department of Planning and Environment to make the Plan; and
5. site specific Draft Development Control Plan contained in Attachment 5 be incorporated into the exhibition of future amendments to the "Inner West Comprehensive Development Control Plan 2016 Ashbury, Ashfield, Croydon, Croydon Park, Haberfield, Hurlstone Park and Summer Hill".

C0617 Item 9 HABERFIELD HERITAGE CONSERVATION AREA - PROJECT FOR LISTING ON STATE HERITAGE REGISTER**The Administrator determined that:****Council:**

1. receives and notes this report;
2. supports the project to list the Haberfield Conservation Area on the NSW State Heritage Register;
3. agrees to Council officers to work with the Heritage Office and commence preparatory work required for the Nomination of the Haberfield Conservation Area; and
4. notes that a further report be brought to Council once a pathway for listing has been agreed and entered into.

C0617 Item 10 POST EXHIBITION REPORT - DRAFT MARRICKVILLE LOCAL ENVIRONMENTAL PLAN 2011 (AMENDMENT NO. 12) - 180 PRINCES HIGHWAY, ST PETERS**The Administrator determined that:**

1. the report be received and noted; and
2. Council forwards the draft amendment to MLEP 2011 to the Department of Planning & Environment seeking final approval and gazettal.

C0617 Item 11 3-7 & 13-17 REGENT STREET, 287-309 TRAFALGAR STREET AND 16-20 FISHER STREET, PETERSHAM**The Administrator determined that:**

1. Council supports the planning proposal subject to:
 - (i) The resident car parking on site to be capped at the rate contained in Part 2.10 of Marrickville Development Control Plan (MDCP) 2011;
 - (ii) The proponent must engage an arborist to investigate the opportunities to retain the significant trees located on the corner of Regent Street and Fisher Street (Site 3) and adjust the building envelopes as may be required;
 - (iii) an affordable housing contribution being made using Council's Affordable Housing Policy and 15% target as a guide;
2. Council officers consider the Voluntary Planning Agreement (VPA) Offer in accordance with Council's interim VPA Policy;
3. forward the planning proposal to the Minister for Planning for a Gateway determination in accordance with Section 56 of the *Environmental Planning & Assessment Act 1979*;
4. request that Council be delegated plan making functions in relation to the planning proposal; and
5. resolves to develop site specific planning controls to apply to the future development at 3-7 Regent Street (Site 1); 13-17 Regent Street (Site 2); and 287-309 Trafalgar Street & 16-20 Fisher Street (Site 3), Petersham for inclusion in Part 9.6 (Precinct 6) of MDCP 2011 and that these be publicly exhibited concurrently with the planning proposal.

C0617 Item 12 LOCAL TRAFFIC COMMITTEE MEETING HELD ON 1 JUNE 2017

The Administrator determined that the Minutes of the Local Traffic Committee Meeting held on 1 June 2017 be received and the recommendations be adopted.

C0617 Item 13 FLOOD MANAGEMENT ADVISORY COMMITTEE MEETING HELD 16 MAY 2017

The Administrator determined that the minutes of the Inner West Council Flood Management Advisory Committee held on 16 May 2017 be received and the recommendations be adopted.

C0617 Item 14 MANDATORY REPORTING OF FIRE SAFETY REPORTS REFERRED TO COUNCIL FROM FIRE AND RESCUE NSW

The Administrator determined that:

Council:

1. notes the correspondence provided by Fire and Rescue NSW for development on land at Sydney College of the Arts “- Callen Park Balmain Road Lilyfield; Balmain Lodge - 415 Darling St Balmain ; Balmain Backpackers – 673 to 677 Darling Street Rozelle, “The Fig”68 -82 Palmer St Balmain and Ashfield Mall – 260A Liverpool Road Ashfield (Attachments 1 - 5);
2. endorses the Council's Officers use of statutory powers (and discretion as appropriate) under s121B of the Environmental Planning and Assessment Act 1979 to require upgrades to buildings to the satisfaction of Council's Fire Safety Officer in order to:
 - improve the provisions for fire safety at the premises;
 - improve the provision of fire safety awareness;
 - improve the adequacy of the premises to prevent fire;
 - improve the adequacy of the premises to suppress fire or prevent the spread of fire,
 - Improve the safety of persons in the event of fire; and
3. notes that Council is proceeding with a priority audit of all high rise residential buildings (greater than 3 storeys) and other high-risk premises in the LGA with external cladding to identify any buildings with non-compliant cladding and recommended actions to rectify if any are found.

C0617 Item 15 NAMING OF NEW LANE BETWEEN GROVE AND ALFRED STREETS AND PERPENDICULAR TO ALBION AND ROLFE LANES, ST PETERS

The Administrator determined that:

Council:

1. selects “Dangura Lane” as the preferred option for naming the new lane running between Grove and Alfred Streets, and perpendicular to Albion and Rolfe Lanes for the purpose of public exhibition;
2. publicly exhibits its preferred name for a period of not less than 28 days; and
3. receives a further report on the outcome of the public exhibition period prior to determining the name.

C0617 Item 16 REVIEW OF THE TRIAL EXTENSION OF THE 2016/17 SWIMMING SEASON AT FANNY DURACK AQUATIC CENTRE**The Administrator determined that:**

1. Council notes the outcomes from the trial extension of the 2016/17 swimming season at Fanny Durack Aquatic Centre;
2. Council continues to operate the Fanny Durack Aquatic Centre from October to March each year;
3. Council writes to the head petitioner informing them of the outcome of the trial and thanking them for their initiative; and
4. Council writes to Belgravia Leisure expressing appreciation for their cooperation in undertaking the operation of Fanny Durack Aquatic Centre during April 2017.

C0617 Item 17 DRAFT COMMUNITY ENGAGEMENT FRAMEWORK - RESULTS OF PUBLIC EXHIBITION**The Administrator determined that:**

1. Council receives and notes the results of the Draft Community Engagement Framework public exhibition;
2. Council adopts the final Community Engagement Policy and Framework; and
3. Council endorses a comprehensive review of the Framework to take place within one year of adoption with Councillor, community and staff input.

C0617 Item 18 DRAFT MOBILE FOOD VENDING POLICY**The Administrator determined that:**

1. Council adopts the draft Mobile Food Vending Policy as attached at (ATTACHMENT 1) of this report and that the policy be placed on public exhibition (including targeted stakeholder consultation) for a minimum of 28 days; and
2. a further report be prepared for Council's consideration following the exhibition of the draft Mobile Food Vending Policy.

C0617 Item 19 INTERNAL OMBUDSMAN**The Administrator determined that:**

1. Council approves in principle the establishment of an Internal Ombudsman service for the Inner West Council;
2. the General Manager be authorised to establish the Internal Ombudsman service which is either a shared service with other partner Councils or as a role dedicated only to the Inner West Council;
3. the General Manager be authorised to sign agreements necessary to both appoint an Internal Ombudsman and commit to the commercial terms of a shared arrangement with partner Councils; and
4. the estimated costs of the Internal Ombudsman service be provided for in the 2017/2018 Budget.

C0617 Item 20 COUNCILLOR REMUNERATION - 2017/18 ANNUAL FEES FOR COUNCILLORS AND THE MAYOR**The Administrator determined that::**

1. the report be received and noted; and
2. Council fixes the 2017/18 annual fee to be paid to Councillors under section 248 of the Local Government Act 1993 at the maximum annual rate of \$24,550; and
3. Council fixes the 2017/18 annual fee to be paid to the Mayor under section 249 of the Local Government Act 1993 at the maximum annual rate of \$65,230.

C0617 Item 21 DRAFT COUNCILLOR EXPENSES AND FACILITIES POLICY**The Administrator determined that:**

1. in accordance with section 253(1) of the *Local Government Act 1993*, the DRAFT Councillor Expenses and Facilities Policy (ATTACHMENT 1) be placed on public exhibition for a period of 28 days from 28 June to 25 July 2017;
2. in the event that submissions are received in response to the public notice inviting submissions from members of the public, staff submit a further report to the next Council Meeting presenting the feedback received in the submissions and making a recommendation for Council's consideration;
3. in the event that no submissions are received in response to the public notice, Council adopts the attached Councillor Expenses and Facilities Policy; and
4. Council staff advertise the Draft Policy widely to increase awareness of the proposal to adopt the policy and to encourage members of the public to provide feedback for Council's consideration before a policy is adopted, in accordance with section 253(2) of the *Local Government Act 1993*.

C0617 Item 22 INNER WEST COUNCIL INVESTMENTS AS AT 31 MAY 2017

The Administrator determined that the report be received and noted.

Meeting closed at 9.25pm.

PUBLIC SPEAKERS:

Item #	Speaker	Suburb
Item 1:	Chris Elenor John Stamolis, Leichhardt LRAC Adrian Schilling Julie Passas, Ashfield LRAC John Lozano	Haberfield Balmain No WestConnex Ashfield Haberfield
Item 2:	Cynthia Moore Julie Passas, Ashfield LRAC Lucille McKenna, Ashfield LRAC Victor Macri, Marrickville LRAC John Stamolis, Leichhardt LRAC Chris Eleanor John Lozano Richard Dudley-Smith	Haberfield Ashfield Summer Hill Belmore Balmain Haberfield Haberfield Annandale
Item 3:	Mark Drury, Ashfield LRAC Julie Passas, Ashfield LRAC	Croydon Ashfield
Item 4:	Mark Drury, Ashfield LRAC Anna York Paul Avery Julie Passas, Ashfield LRAC Darcy Byrne, Leichhardt LRAC John Stamolis, Leichhardt LRAC	Croydon Newtown Balmain Ashfield Leichhardt Balmain
Item 5:	Jon Farry Sean Macken Anthony Markakis Dan Jacobson Todd Wagstaff David Tierney David Rodriguez George Bouteris James Gilronan Mark Drury, Ashfield LRAC Victor Macri, Marrickville LRAC Rosana Tyler, Marrickville LRAC Morris Hanna, Marrickville LRAC	Marrickville Marrickville Marrickville Marrickville Marrickville Croydon Belmore Tempe Maroubra
Item 9:	Lucille McKenna, Ashfield LRAC	Summer Hill
Item 11:	Mark Drury, Ashfield LRAC	Croydon
Item 18:	Mark Drury, Ashfield LRAC James Gilronan	Croydon
Item 19:	Mark Drury, Ashfield LRAC	Croydon
Item 22:	Frank Breen, Leichhardt LRAC	Birchgrove