

Council Meeting

MINUTES OF MEETING 04/07 - 15 May, 2007

Meeting Commenced at 6.40 pm.

PRESENT His Worship the Mayor, Councillor M Hanna OAM, who occupied the Chair, the Deputy Mayor, Councillor Peter Olive, and Councillors S Byrne, V Macri, B Cotter, R Owen, C Hesse, D Thanos, S Khan, F Byrne and S Iskandar.

ALSO PRESENT General Manager, Director Corporate Services, Director Development & Environmental Services, Acting Director Technical Services, Director Community Services, Manager Administrative Services, Manager Corporate Development, Executive Manager Major Projects and Communications Co-ordinator.

ACKNOWLEDGEMENT OF COUNTRY BY CHAIRPERSON

We meet today on the traditional land of the Cadigal Wangal People. I acknowledge their care of the land over many generations.

PERIOD OF SILENCE FOR PRAYER, PLEDGE OR CONTEMPLATION

APOLOGIES

5603 **RESOLVED:** On the Motion of Councillor Hanna, seconded by Councillor Macri, **THAT** the apology extended for Councillor Sharpe, who was unable to attend because she was in Parliament, be accepted and leave of absence be **GRANTED**.

For Motion: Unanimous

BUSINESS

DISCLOSURE OF INTERESTS

File Ref: 4084

Nil

CONFIRMATION OF MINUTES

File Ref: 4322

5604 **RESOLVED:** On the Motion of Councillor Hanna, seconded by Councillor Iskandar, **THAT** the Minutes of the Council Meeting 03/07, held on Tuesday, 17 April 2007, as circularised, be **CONFIRMED**.

For Motion: Unanimous

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5605 **RESOLVED:** On the Motion of Councillor Hanna, seconded by Councillor Macri, **THAT** the Minutes of the CDM Meeting 04/07, held on Tuesday, 1 May 2007, as circularised, be **CONFIRMED**.

For Motion: Unanimous

SUSPENSION OF STANDING ORDERS
OPEN COMMITTEE OF THE WHOLE

5606 **RESOLVED:** On the Motion of Councillor Hanna, seconded by Councillor Macri, **THAT:**

1. Standing Orders be suspended to allow an item to be brought forward and for members of the public to address Council in relation to that item as follows:

*Item GM 41 Ms Keren Lavelle
Mr Ian Tyrell*

2. Council resume Standing Orders at the completion of each address to allow Council to consider the particular item.

For Motion: Unanimous

GM 41 **MAJOR PROJECTS – RESULTS OF RECENT COMMUNITY CONSULTATION AND RECOMMENDATION TO ADVANCE A DETAILED DESIGN PROCESS FOR A NEW WATERPLAY PARK PROPOSAL ALONG THE COOKS RIVER FORESHORE OF STEEL PARK, MARRICKVILLE**

File Ref: 2268

Ms Keren Lavelle addressed the Council.

5607 **RESOLVED:** On the Motion of Councillor Hanna, seconded by Councillor Thanos, **THAT** Ms Keren Lavelle be granted an extension of time to speak.

For Motion: Unanimous

Mr Ian Tyrell addressed the Council.

A **MOTION** was moved by Councillor Macri, seconded by Councillor Cotter, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

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An **AMENDMENT** was moved by Councillor S Byrne, seconded by Councillor Hesse, **THAT** the Recommendation be **ADOPTED** with an amendment to point 2 to replace the location with the Forecourt of the Debbie and Abbey Borgia Recreation Centre instead of the Cooks River Foreshore.

A **FORESHADOWED AMENDMENT** was moved by Councillor Thanos, seconded by Councillor Owen, **THAT** the matter be **DEFERRED** to next month's meeting for a report on the costings for progressing with detailed designs for both options.

The **AMENDMENT** was put to the vote and was **LOST**.

For Motion: Councillors F Byrne, S Byrne, Khan, Hesse and Olive

Against Motion: Councillors Hanna, Macri, Cotter, Owen, Iskandar and Thanos

The **FORESHADOWED AMENDMENT** became the **FURTHER AMENDMENT** and was put to the vote and was **CARRIED**.

For Motion: Councillors Hanna, Cotter, Owen, Iskandar, F Byrne, Khan, Hesse, Olive and Thanos

Against Motion: Councillors S Byrne and Macri

5608 The **FURTHER AMENDMENT** became the **MOTION** and was put to the vote and was **CARRIED**.

For Motion: Councillors Hanna, Cotter, Owen, Iskandar, F Byrne, Khan, Hesse, Olive, S Byrne and Thanos

Against Motion: Councillor Macri

COMMUNITY SERVICES

**COMMUNICATION AND CULTURAL SERVICES AND
CHILDREN'S SERVICES MATTERS**

5609 **IT WAS RESOLVED BY THE COUNCIL, ON THE MOTION OF COUNCILLOR ISKANDAR, SECONDED BY COUNCILLOR MACRI, TO ADOPT THE RECOMMENDATIONS OF THE COMMUNITY SERVICES COMMITTEE AS APPEARING ON THE BUSINESS PAPER FOR THE FOLLOWING ITEMS:**

CC 9 **SISTER CITIES STRATEGIC PLAN 2007-2010**

File Ref: 190-01

CC 10 **COOKS RIVER ARTS AND SUSTAINABILITY FESTIVAL**

File Ref: 2185

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CC 11 **NEWTOWN PRECINCT FUNDING FROM CITY OF SYDNEY**

File Ref: 940

CS 8 **INCLUSION SUPPORT SUBSIDY FUNDING FOR OUTSIDE SCHOOL HOURS CARE**

File Ref: 2331

For Motion: Unanimous

TECHNICAL SERVICES

ENGINEERING AND PARKS & RESERVES MATTERS

5610 IT WAS RESOLVED BY THE COUNCIL, ON THE MOTION OF COUNCILLOR F BYRNE, SECONDED BY COUNCILLOR KHAN, TO ADOPT THE RECOMMENDATIONS OF THE TECHNICAL SERVICES COMMITTEE AS APPEARING ON THE BUSINESS PAPER FOR THE FOLLOWING ITEMS:

ES 15 **REPORT OF THE LOCAL TRAFFIC PLANNING AND ADVISORY COMMITTEE HELD ON TUESDAY 17 APRIL 2007**

File Ref: 14532-08

ES 16 **ENGINEERING PERFORMANCE REPORT FOR APRIL 2007**

File Ref: 4572-04

ES 17 **ALTERNATIVES TO PESTICIDE USE**

File Ref: 8826-03

Note: This items was Re-committed later in the Meeting.

ES 18 **DEMOLITION AND REPLACEMENT OF JETTY AND PONTOON AT HOLBEACH AVENUE, TEMPE ADJACENT TO COOKS RIVER MOTOR BOAT CLUB**

File Ref: 10879-02

PR 11 **PARKS AND RESERVES PERFORMANCE REPORT FOR APRIL 2007**

File Ref: 4572-04

PR 12 **WEEKLEY PARK DRAFT CONCEPT PLAN**

File Ref: 10112-02

For Motion: Unanimous

Councillor Iskandar temporarily left the meeting at 7.20pm.

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PR 13 PLASTICS IN PARKS

File Ref: 10749-13

A **MOTION** was moved by Councillor F Byrne, seconded by Councillor Hesse, **THAT** the Recommendation of the Technical Services Committee as appearing on the Business Paper be **ADOPTED**.

An **AMENDMENT** was moved by Councillor Macri, seconded by Councillor Owen, **THAT** the Motion be adopted with an amendment to delete point 3.

Councillor Iskandar returned to the meeting at 7.22pm.

Councillor Owen temporarily left the meeting at 7.38pm

The Chairperson adjourned the meeting at 7.40pm for 5 minutes

The Chairperson reconvened the meeting at 7.46pm.

Councillor Owen returned at 7.46pm.

The **AMENDMENT** was put to the vote and was **LOST**.

For Motion: Councillors Cotter, Owen, Iskandar, Hanna and Macri

Against Motion: Councillors S Byrne, F Byrne, Khan, Olive, Hesse and Thanos

5611 The **MOTION** was put to the vote and was **CARRIED**.

For Motion: Councillors S Byrne, F Byrne, Khan, Olive, Hesse and Thanos

Against Motion: Councillors Cotter, Owen, Iskandar, Hanna and Macri

RECOMMITTAL OF ITEM ES 17

5612 **RESOLVED:** On the Motion of Councillor S Byrne, seconded by Councillor Hanna, to **RECOMMIT** Item ES 17.

For Motion: Unanimous

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ES 17 ALTERNATIVES TO PESTICIDE USE

File Ref: 8826-03

5613 RESOLVED: On the Motion of Councillor S Byrne, seconded by Councillor Hanna, **THAT** the Recommendation of the Technical Services Committee as appearing on the Business Paper be **ADOPTED** with an amendment to delete point 3 and insert the words “*including a costing for the service*” after the word “*contract*” in point 2.

For Motion: Unanimous

PROPERTY SERVICES MATTERS

PW 6 SALE OF DISUSED TOILET BLOCK, NEW CANTERBURY ROAD, DULWICH HILL

File Ref: 2688

5614 RESOLVED: On the Motion of Councillor F Byrne, seconded by Councillor Macri, **THAT** the Recommendation of the Technical Services Committee as appearing on the Business Paper be **ADOPTED**.

For Motion: Unanimous

MAYORAL MINUTES

MM 7 MAYORAL CHARITY DINNER DANCE

File Ref: 1811

5615 RESOLVED: On the Motion of Councillor Hanna, seconded by Councillor Iskandar, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

For Motion: Unanimous

MM 8 DELEGATION FROM ZONNEBEKE-PASSEDALE, BELGIUM

File Ref: 190

5616 RESOLVED: On the Motion of Councillor Hanna, seconded by Councillor Hesse, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

For Motion: Unanimous

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GENERAL MANAGER'S REPORTS

5617 IT WAS RESOLVED BY THE COUNCIL, ON THE MOTION OF COUNCILLOR HANNA, SECONDED BY COUNCILLOR ISKANDAR, TO ADOPT THE RECOMMENDATIONS AS APPEARING ON THE BUSINESS PAPER FOR THE FOLLOWING ITEMS:

GM 36 **OUTSTANDING CONFERENCES AND REPORTS REQUESTED BY COUNCILLORS**

File Ref: 4577-03

GM 37 **PETITIONS RECEIVED**

File Ref: 4577-03

GM 38 **GST CERTIFICATE**

File Ref: 328

For Motion: Unanimous

GM 39 **MAJOR PROJECTS – PURCHASE OF NSW HEALTH PROPERTIES NOS 182, 184, AND 186 LIVINGSTONE ROAD, MARRICKVILLE AND CLASSIFICATION UNDER THE LOCAL GOVERNMENT ACT, 1993**

File Ref: 1974

It was noted that the word “give” should be included in point 2 before “public notice”.

5618 **RESOLVED:** On the Motion of Councillor Hanna, seconded by Councillor Macri, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

For Motion: Unanimous

GM 40 **MAJOR PROJECTS – UPDATE OF INITIAL INVESTIGATIONS INTO THE VIABILITY OF THE MAY MURRAY AND MARRICKVILLE WEST PUBLIC SCHOOL CHILDREN'S CENTRE PROPOSALS**

File Ref: 1968

5619 **RESOLVED:** On the Motion of Councillor Hanna, seconded by Councillor Iskandar, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

For Motion: Unanimous

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GM 42 COUNCILLORS' ACCESS TO INFORMATION

File Ref: 4015-04 .

5620 RESOLVED: On the Motion of Councillor Hanna, seconded by Councillor Owen, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

For Motion: Unanimous

GM 43 AUDIT COMMITTEE MEETING 10 APRIL 2007

File Ref: 7105-05

5621 RESOLVED: On the Motion of Councillor Hanna, seconded by Councillor Iskandar, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

For Motion: Unanimous

GM 44 2006/2007 LOAN PROGRAM

File Ref: 2196

5622 RESOLVED: On the Motion of Councillor Hanna, seconded by Councillor Macri, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

For Motion: Councillors Hanna, Olive, S Byrne, F Byrne, Khan, Macri,
Iskandar, Owen, Hesse and Thanos

Against Motion: Councillor Cotter

**GM 45 FIXING OF ANNUAL FEES FOR 2007/2008 FOR COUNCILLORS
AND THE MAYOR AND A FEE FOR THE DEPUTY MAYOR**

File Ref: 4014-04

5623 RESOLVED: On the Motion of Councillor Cotter, seconded by Councillor Macri, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

For Motion: Councillors Hanna, Olive, S Byrne, F Byrne, Khan, Macri,
Iskandar, Owen, Hesse and Cotter

Against Motion: Councillor Thanos

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GM 46 SYDNEY WATER DESALINATED WATER PROJECT

File Ref: 2684

5624 RESOLVED: On the Motion of Councillor Hanna, seconded by Councillor Iskandar, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

For Motion: Unanimous

Councillor Hesse temporarily left the meeting at 8.45pm

GM47 APRIL 2007 BUDGET REVIEW

File Ref: 328

5625 RESOLVED: On the Motion of Councillor Hanna, seconded by Councillor Macri, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

For Motion: Unanimous
Absent: Councillor Hesse

GM 48 ADDITIONAL INFORMATION ON DRAFT 2007/08 BUDGET

File Ref: 4577-03

5626 RESOLVED: On the Motion of Councillor Hanna, seconded by Councillor Macri, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

Councillor Hesse returned to the meeting at 8.48pm

For Motion: Unanimous

GM 49 BETTY SPEARS CHILD CARE CENTRE – WASTE SERVICES

File Ref: 2152

5627 RESOLVED: On the **MOTION** of Councillor Owen, seconded by Councillor Olive, **THAT:**

1. Council receive and note the report;
2. Council advertise its intention to provide financial assistance pursuant to s356 of the Local Government Act 1993 to pay for:
 - (a) the cost of a commercial provider to service the property for waste; and

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- (b) the difference between the current residential rate and the commercial rate for 2007/08;
3. Council write to the Minister for Local Government seeking appropriate amendments to the Local Government Act; and
4. both issues be brought back to Council when the Minister's response is received.

For Motion: Unanimous

Matter arising out of consideration of GM 49

5628 **RESOLVED:** On the Motion of Councillor Thanos, seconded by Councillor S Byrne, **THAT:**

1. Council write to the Minister for Local Government requesting amendments to the Local Government Act 1993 that will allow further support for not-for-profit organisations delivering human services or conducting community development activities in terms of providing garbage removal services via Council's Domestic Waste Management Service; and
2. Council also write to the Federal Government urging them to provide assistance to non-for-profit childcare centres.

For Motion: Unanimous

NOTICES OF MOTION

NM22 **INFORMATION ON ESTIMATED COST OF IMPLEMENTING NOTICES OF MOTION**

File Ref: 4577-03

A **MOTION** was moved by Councillor Macri, seconded by Councillor Iskandar, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

Councillor Owen temporarily left the meeting at 9.20pm and returned at 9.23pm.

An **AMENDMENT** was moved by Councillor Cotter, seconded by Councillor Owen, **THAT** the matter be **DEFERRED** and the General Manager report on how to implement a system to monitor cost and resources implications.

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The **AMENDMENT** was put to the vote and was **CARRIED**.

For Motion: Councillors Cotter, Owen, Iskandar, Hanna, Macri and Thanos

Against Motion: Councillors S Byrne, F Byrne, Khan, Olive and Hesse

5629 The **AMENDMENT** became the **MOTION** and was put to the vote and was **CARRIED**.

For Motion: Councillors Cotter, Owen, Iskandar, Hanna, Macri and Thanos

Against Motion: Councillors S Byrne, F Byrne, Khan, Olive and Hesse

NM23 **SYDNEY AIRPORT GROUND TRAVEL PLAN**

File Ref: 4577-03

5630 **RESOLVED:** On the Motion of Councillor Khan, seconded by Councillor Olive, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

For Motion: Unanimous

NM24 **REMOVING SIGNAGE CLUTTER**

File Ref: 4577-03

5631 **RESOLVED:** On the Motion of Councillor S Byrne, seconded by Councillor Hesse, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED** with an amendment to delete points 4 and 5.

For Motion: Unanimous

Meeting closed at 9.55pm

CHAIRPERSON