

Council Meeting

MINUTES OF MEETING 06/07 - 17 July, 2007

Meeting Commenced at 6.35 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 A/g General Manager, Director Corporate Services, Director Technical Services, Director Community Services, Manager Administrative Services, Manager Corporate Development, Executive Manager Major Projects, Manager Parks & Reserves, Corporate Planner and Environmental Engineer.

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

5663 **RESOLVED**: On the Motion of Councillor Iskandar, seconded by Councillor Hanna, **THAT** the apology extended for Councillor P Sharpe, who was unable to attend because she was away, 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

5664 **RESOLVED**: On the Motion of Councillor Hanna, seconded by Councillor Iskandar, **THAT** the Minutes of the Council Meeting 05/07, held on Tuesday, 19 June 2007 as circularised, be **CONFIRMED**.

For Motion: Unanimous

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5665 **RESOLVED:** On the Motion of Councillor Hanna, seconded by Councillor Cotter, **THAT** the Minutes of the CDM Meeting 06/07, held on Tuesday, 3 July 2007 as circularised, be **CONFIRMED**.

For Motion: Unanimous

SUSPENSION OF STANDING ORDERS
OPEN COMMITTEE OF THE WHOLE

5666 **RESOLVED:** On the Motion of Councillor Hanna, seconded by Councillor Hesse, **THAT:**

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

Item NM 26 *Mr Sam Krayem*
Item NM 27 *Father Peter Dixon*
Item NM 29 *Father Dave Smith*

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

For Motion: Unanimous

NOTICES OF MOTION

NM 26 **FOOTPATH TRADING POLICY**

File Ref: 4577-03

Mr Sam Krayem addressed the meeting.

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

An **AMENDMENT** was moved by Councillor Cotter, seconded by Councillor Owen, **THAT** points 1 and 2 of the Recommendation be deleted and replaced with the following:

“THAT Council:

1. *notes that Council Officers are preparing a broad policy which will be presented to Council this year;*

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2. *notes that works are scheduled in two locations with funding allocated and a community expectation that the works will be carried out;*
3. *notes that it is the practice of the Technical Services Division to inform the Access Committee of proposed works and has guidelines protecting access to footpaths in place;*
4. *requests that the designs proposed for Illawarra Road and Unwins Bridge Road be confirmed with the Access and Disability Officer; and*
5. *seeks to consider and determine the proposed Development Control Plan (DCP) prior to April 2008 so that it is in place for the 2008/09 budget allocation”.*

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

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

Against Motion: Councillor F Byrne

5667 The **AMENDMENT** became the **MOTION** and was put to the vote and was **CARRIED**.

For Motion: Unanimous

NM 27 **SUPPORT INCREASED FUNDING FOR INDIGENOUS SERVICES IN NSW**

File Ref: 4577-03

Father Peter Dixon addressed the meeting.

5668 **RESOLVED:** On the Motion of Councillor Hanna, seconded by Councillor Macri, **THAT** Father Peter Dixon be granted an extension of time to speak.

For Motion: Unanimous

5669 **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

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NM 29 CLOSURE OF SEAVIEW STREET, DULWICH HILL AT MARRICKVILLE ROAD TO CREATE A PLAZA

File Ref: 4577-03

Father Dave Smith addressed the meeting.

Ms Angela Smith addressed the meeting.

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

An **AMENDMENT** was moved by Councillor Cotter, seconded by Councillor S Byrne, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED** with the amendment that:

1. after the word "*Road*" delete "*create a plaza*" and insert "*or creation of a shared zone*"; and
2. the report should deal with issues such as access to Council's facilities, impacts on business, access to the school, particularly by buses and service vehicles, and impact on the intersection of Herbert Street and New Canterbury Road.

A **FORESHADOWED AMENDMENT** was moved by Councillor Macri, seconded by Councillor Hanna, **THAT** Council investigate all sites for a plaza.

Councillor Owen temporarily left the meeting at 7.36 and returned at 7.41pm.

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

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

Against Motion: Councillor Macri

The **AMENDMENT** became the **MOTION**.

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

For Motion: Councillor Macri

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

5670 The **MOTION** was put to the vote and was **CARRIED**.

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

Against Motion: Councillor Macri

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Matter Arising out of consideration of Item NM 29

A **MOTION** was moved by Councillor Olive, seconded by Councillor Khan, **THAT** a report listing all closed roads and partial road closures in the Local Government Area (LG) and their benefits be provided to Council.

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

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

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

COMMUNITY SERVICES

COMMUNITY DEVELOPMENT MATTERS

5671 **IT WAS RESOLVED BY THE COMMITTEE, 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:**

CD 23 **SAFETY IN MARRICKVILLE COMMITTEE UPDATE**

File Ref: 145

CD 24 **UNSOLICITED GRANT UNDER THE HOME AND COMMUNITY CARE (HACC) PROGRAM**

File Ref: 3649-05

For Motion: Unanimous

CD 25 **YOUTH FORUM 2007**

File Ref: 3997-04

5672 **RESOLVED:** On the Motion of Councillor Iskandar, seconded by Councillor Hanna, **THAT** the Recommendation of the Community Services Committee as appearing on the Business Paper be **ADOPTED** with an amendment to point 2 as follows:

2. Council invite the Hon. Linda Burney MP, Minister for Youth and Minister for Fair Trading; the Hon Kristina Keneally MP, Minister for Ageing, Minister for Disability Services and Member for Grayndler; the Hon. John Della Bosca MLC and Minister for Industrial Relations and Minister for Education & Training; and the Hon. Carmel Tebbutt MP, Member for Marrickville, to attend the Marrickville Youth Forum 2007 at Marrickville Town Hall on 8 August 2007.

For Motion: Unanimous

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CD 26 FINANCIAL SUPPORT FOR BRIDGE FOR ASYLUM SEEKER FOUNDATION CO-ORDINATOR POSITION

File Ref: 2228

5673 RESOLVED: On the Motion of Councillor Iskandar, seconded by Councillor Macri, **THAT** the Recommendation of the Community Services Committee as appearing on the Business Paper be **ADOPTED** and that Council immediately allocates a further \$5,000 to the Bridge for Asylum Seekers Foundation.

For Motion: Unanimous

COMMUNITY DEVELOPMENT, COMMUNICATION & CULTURAL AND CHILDREN & FAMILY SERVICES MATTERS

5674 IT WAS RESOLVED BY THE COMMITTEE, 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:

CD 27 MARRICKVILLE COUNCIL MULTICULTURAL COMMITTEE (MCMC) – EMERGING COMMUNITIES

File Ref: 2228

CC 17 ARTS GRANTS SCHEME

File Ref: 1321 & 2232

CS 14 FAMILY DAY CARE FEDERAL CHILD CARE SUPPORT FUNDING AGREEMENT 2007/2008

File Ref: 3084-4

CS 15 ADDITIONAL INCLUSION SUPPORT SUBSIDY FUNDING FOR CHILDREN'S SERVICES

File Ref: 3078

For Motion: Unanimous

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GENERAL MATTERS

CG 10 GENERAL PETITIONS, OUTSTANDING REPORTS AND CONFERENCES

File Ref: 1489

5675 RESOLVED: On the Motion of Councillor Hanna, seconded by Councillor Hesse, **THAT** the Recommendation of the Community Services Committee as appearing on the Business Paper be **ADOPTED**.

For Motion: Unanimous

TECHNICAL SERVICES

BUSINESS UNITS & ENGINEERING SERVICES MATTERS

5676 IT WAS RESOLVED BY THE COMMITTEE, ON THE MOTION OF COUNCILLOR ISKANDAR, SECONDED BY COUNCILLOR HANNA, TO ADOPT THE RECOMMENDATIONS OF THE TECHNICAL SERVICES COMMITTEE AS APPEARING ON THE BUSINESS PAPER FOR THE FOLLOWING ITEMS:

BU 6 BUSINESS UNITS PERFORMANCE REPORT FOR JUNE 2007

File Ref: 4572-04

ES 23 ENGINEERING PERFORMANCE REPORT FOR JUNE 2007

File Ref: 4572-04

For Motion: Unanimous

ES 24 ALTERNATIVES TO PESTICIDE USE - STEAM-BASED WEED CONTROL

File Ref: 8826-03

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

Councillor Macri temporarily left the meeting at 8.15pm.

An **AMENDMENT** was moved by Councillor S Byrne, seconded by Councillor Hesse, **THAT** the Recommendation of the Technical Services Committee as appearing on the Business Paper be **ADOPTED** with the amendment of point 2 to read:

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2. e. Council's interest in moving to steam based weed control in the future subject to costs;
- f. priority areas for substitution of herbicide use;

A **FORESHADOWED AMENDMENT** was moved by Councillor S Byrne, seconded by Councillor Hesse, **THAT** the **AMENDMENT** be **ADOPTED** with a further point added that:

5. Council writes to the Southern Sydney Regional Organisation of Councils (SSROC) requesting they consider initiating a future joint tender process featuring steam based weed control.

Councillor Macri returned to the meeting at 8.25pm.

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

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

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

For Motion: Unanimous

5677 The **AMENDMENT** became the **MOTION** and was put to the vote and was **CARRIED**.

For Motion: Unanimous

PARKS & RESERVES AND PROPERTY SERVICES MATTERS

5678 **IT WAS RESOLVED BY THE COMMITTEE, ON THE MOTION OF COUNCILLOR ISKANDAR, SECONDED BY COUNCILLOR HANNA, TO ADOPT THE RECOMMENDATIONS OF THE TECHNICAL SERVICES COMMITTEE AS APPEARING ON THE BUSINESS PAPER FOR THE FOLLOWING ITEMS:**

PR 17 **PARKS & RESERVES PERFORMANCE REPORT FOR JUNE 2007**
File Ref: 4572-04

PR 18 **SYDENHAM GREEN AND MEMORY RESERVE MASTER PLAN REVISIONS**
File Ref: 2565

For Motion: Unanimous

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5679 IT WAS RESOLVED BY THE COMMITTEE, ON THE MOTION OF COUNCILLOR ISKANDAR, SECONDED BY COUNCILLOR MACRI, TO ADOPT THE RECOMMENDATIONS OF THE TECHNICAL SERVICES COMMITTEE AS APPEARING ON THE BUSINESS PAPER FOR THE FOLLOWING ITEMS:

PR 19 **TEMPE AREA COOKS RIVER PARKS**

File Ref: 6152-03

PR 20 **PESTICIDE USE NOTIFICATION PLAN – AMENDED**

File Ref: 8826-03

PW 9 **PROPERTY SERVICES PERFORMANCE REPORT FOR JUNE 2007**

File Ref: 4572-04

For Motion: Unanimous

PW 10 **CRESCENT LANE, NEWTOWN – PROPOSED SALE OF PART**

File Ref: 6494-05

5680 **RESOLVED:** On the Motion of Councillor Iskandar, seconded by Councillor Cotter, **THAT** the Recommendation of the Technical Services Committee as appearing on the Business Paper be **ADOPTED**.

For Motion: Unanimous

PW 11 **E-WASTE COLLECTION DAY PROPOSED BY APPLE COMPUTER AUSTRALIA**

File Ref: 2219

5681 **RESOLVED:** On the Motion of Councillor Iskandar, seconded by Councillor Hanna, **THAT** the Recommendation of the Technical Services Committee as appearing on the Business Paper be **ADOPTED**.

For Motion: Unanimous

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PW 12 **PROGRESS OF PLASTIC BAG REDUCTION PROGRAM – MAY 2006 - MAY 2007**
File Ref: 2161

5682 **RESOLVED:** On the Motion of Councillor Iskandar, seconded by Councillor Hanna, **THAT** the Recommendation of the Technical Services Committee as appearing on the Business Paper be **ADOPTED**.

For Motion: Unanimous

GENERAL MATTERS

TG 7 **TECHNICAL SERVICES COMMUNITY CONSULTATION POLICY**
File Ref: 4572-04

5683 **RESOLVED:** On the Motion of Councillor Iskandar, seconded by Councillor Hanna, **THAT** the Recommendation of the Technical Services Committee as appearing on the Business Paper be **ADOPTED**.

For Motion: Unanimous
Absent: Councillor Iskandar

GENERAL MANAGER'S REPORTS

GM 63 **SEMINAR ON CLIMATE CHANGE AND EQUITY IMPACTS**
File Ref: 1902

5684 **RESOLVED:** On the Motion of Councillor Hanna, seconded by Councillor Khan, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

For Motion: Unanimous

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GM 64 **FINAL DETERMINATION OF CLASSIFICATION OF PROPERTY NOS 182, 184, AND 186 LIVINGSTONE ROAD, MARRICKVILLE AS “OPERATIONAL LAND” UNDER THE LOCAL GOVERNMENT ACT, 1993**

File Ref: 1974

5685 **RESOLVED:** On the Motion of Councillor Hanna, seconded by Councillor Khan, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

For Motion: Unanimous

GM 65 **ANNUAL REPORTING OF CONTRACTS FOR SENIOR STAFF**

File Ref: 4577-03

5686 **RESOLVED:** On the Motion of Councillor Hanna, seconded by Councillor Cotter, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

For Motion: Unanimous

GM 66 **GRAFFITI MANAGEMENT**

File Ref: 1978

5687 **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

Councillor Hesse temporarily left the meeting at 8.37pm.

GM 67 **SUSTAINABLE IRRIGATION SCHEME**

File Ref: 2249

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

An **AMENDMENT** was moved by Councillor Olive, seconded by Councillor S Byrne, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED** with points 8 and 9 amended as follows:

“8. *Council officers initiate detailed investigations into the scheme with an aim of proceeding to conceptual and detailed design that delivers sufficient flexibility to allow Council to locate the proposed water storage tanks in the least intrusive areas within the relevant parks;*

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9. *Council's negotiations with Discovery Point are to give special regard to expected energy use with regards to a recycled water plant and the reduction in greenhouse gas emissions that could be achieved over the life span of this contract".*

A **FORESHADOWED AMENDMENT** was moved by Councillor Cotter, seconded by Councillor Owen, **THAT** the **AMENDMENT** be **ADOPTED** with the following amendments:

- 2 (a) *Council write to the Water Savings Fund (WSF) indicating that the Sydenham Detention Basin/Fraser Park proposal upon full investigation has been found to be financially unviable. For this reason, Council cannot accept the grant if it is only for the current proposal;*
- (b) *Council, however, wishes to explore a project involving the Sydenham Detention Basin and seeks the support of the WSF to fund an alternative project to be jointly developed by Council and the WSF;*
- (c) *Council accordingly requests the WSF to extend the period for finalisation of the grant to allow discussion on an alternative program; and*
- (d) *Council write to the Member for Marrickville informing her of the above and seeking her support for an alternative program.*

Councillor Hesse returned to the meeting at 8.50pm.

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

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

The **AMENDMENT** became the **MOTION**.

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

For Motion: Unanimous

5688 The **AMENDMENT** became the **MOTION** and was put to the vote and was **CARRIED**.

For Motion: Unanimous

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GM 68 PROCUREMENT AND OPERATING LEASE FINANCE FOR THREE REAR LOADING GARBAGE COMPACTORS

File Ref: 2580-01

5689 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 69 LOCAL EMERGENCY MANAGEMENT COMMITTEE – APPOINTMENT OF CHAIRPERSON/LOCAL EMERGENCY MANAGEMENT OFFICER

File Ref: 5400-02

5690 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 70 CHILD CARE RATING REQUEST

File Ref: 1902

5691 RESOLVED: On the Motion of Councillor Hanna, seconded by Councillor Cotter, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

For Motion: Unanimous

GM 71 OUTSTANDING CONFERENCE AND REPORTS REQUESTED BY COUNCILLORS AND IMPLEMENTATION OF NOTICES OF MOTION

File Ref: 4577-03

5692 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

GM 72 DISCLOSURE OF INTEREST BY STAFF

File Ref: 4325-02

5693 RESOLVED: On the Motion of Councillor Hanna, seconded by Councillor Olive, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

For Motion: Unanimous

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GM 73 PETITIONS RECEIVED

File Ref: 4577-03

5694 **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

GM 74 FOURTH QUARTER (APRIL – JUNE 2007) MANAGEMENT REPORT

File Ref: 2130-01

5695 **RESOLVED:** On the Motion of Councillor Hanna, seconded by Councillor F Byrne, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

For Motion: Unanimous

GM 75 COUNCILLORS' ACCESS TO INFORMATION

File Ref: 4015-04

5696 **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 76 ANNUAL REVIEW OF COUNCILLORS' ACCESS TO INFORMATION

File Ref: 4015-04

5697 **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

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NOTICES OF MOTION

NM 28 CONTINUED OPPOSITION TO THE DEVELOPMENT OF NEW COAL MINES – ANVIL HILL COAL MINE IN THE HUNTER VALLEY

File Ref: 4577-03

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

An **AMENDMENT** was moved by Councillor Cotter, seconded by Councillor Owen, **THAT** points 1 and 4 of the Recommendation be deleted; the word “grave” be deleted in point 2; and points 2, 3 and 5 be renumbered as points 1, 2 and 3.

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

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

5698 The **AMENDMENT** became the **MOTION** and was put to the vote and was **CARRIED**.

For Motion: Unanimous

Meeting closed at 9.18 pm

CHAIRPERSON

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