

Council Meeting

MINUTES OF MEETING 10/07 – 20 November 2007

Meeting Commenced at 6.40 pm.

PRESENT

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

ALSO PRESENT

General Manager, Director Corporate Services, Director Development & Environmental Services, Director Technical Services, Director Community Services, Executive Manager, Major Projects, A/g Manager Administrative Services 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

Nil

BUSINESS

DISCLOSURE OF INTERESTS

File Ref: 4084

The following Councillors indicated the following matters in the Business Paper where they have a Conflict of Interest, and the nature of those interests is as follows:

<u>Item No</u>	<u>Councillor</u>	<u>Nature of Interest</u>	<u>Pecuniary/ Non Pecuniary</u>
ES 44	Councillor D Thanos	Member of Dulwich Hill Main Street Committee and Member of Chamber of Commerce	Non Pecuniary Will speak and vote
GM 122	Councillor S Byrne	Son attends the school	Non Pecuniary Will speak and vote
ES 45	Councillor M Hanna	Owens property nearby	Non Pecuniary Will leave Chamber

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CONFIRMATION OF MINUTES

File Ref: 4322

- 5784** **RESOLVED:** On the Motion of Councillor Thanos, seconded by Councillor Hesse, **THAT** the Minutes of the Council Meeting 09/07, held on Monday, 5 November 2007, which was rescheduled from 16 October 2007 and Minutes of the CDM Meeting 10/07, held on Tuesday, 6 November 2007, as circularised, be **CONFIRMED**.

For Motion: Unanimous

SUSPENSION OF STANDING ORDERS
OPEN COMMITTEE OF THE WHOLE

- 5785** **RESOLVED:** On the Motion of Councillor Thanos, 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:

PR 34 Ms Roula Christodoulides
GM 121 Mr Scott MacArthur
GM 122 Mr Steve Salmon
GM 123 Mr Michael Carney, SES
NM 44 Mr Walter Slamer

For Motion: Unanimous

- 5786** **RESOLVED:** On the Motion of Councillor Thanos, seconded by Councillor Olive, **THAT** the matters be dealt with in the order stated.

For Motion: Unanimous

TECHNICAL SERVICES

PARKS & RESERVES MATTERS

- PR 34** **HENSON PARK – CONTRIBUTION TO IMPROVEMENT WORKS**
BY AFL (NSW/ACT)

File Ref: 10281-03

Ms Roula Christodoulides addressed the Council.

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A **MOTION** was moved by Councillor Thanos, seconded by Councillor Cotter, **THAT** the Recommendation of the Technical Services Committee as appearing on the Business Paper be **ADOPTED** with an amendment to include a new point 2 and renumber point 2 as point 3 to read as follows:

1. the General Manager be authorised to enter into negotiations with AFL (NSW/ACT) to clarify the amount of any contribution towards improvement works at Henson Park and any associated conditions;
2. AFL (NSW/ACT) be advised that Council will not consider any arrangement which includes exclusive use of Mahoney Reserve; and
3. a further report be provided to Council on the outcomes of those negotiations.

An **AMENDMENT** was moved by Councillor Khan, seconded by Councillor Olive, **THAT** the Motion be **ADOPTED** with an amendment of point 2 to state “*winter*” use rather than “*exclusive*” use.

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

For Motion: Councillors Khan and Olive

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

5787 The **MOTION** was put to the vote and was **CARRIED**.

For Motion: Unanimous

GENERAL MANAGER'S REPORTS

GM 121 MAJOR PROJECTS – DETERMINATION OF A PREFERRED PROGRAM OF ACTIONS TO ADVANCE COUNCIL'S NEW LIBRARY/CIVIC CENTRE REDEVELOPMENT PROPOSAL ON THE FORMER MARRICKVILLE HOSPITAL SITE

File Ref: 1974

Mr Scott MacArthur addressed the Council.

A **MOTION** was moved by Councillor Thanos, seconded by Councillor Cotter, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED** with an amendment to delete Option 1 in point 2(a) and to provide in point 3 that further reports be presented on both Option 2 and Option 3, with an inclusion to examine options for affordable housing on the site.

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An **AMENDMENT** was moved by Councillor Macri, seconded by Councillor Hanna, **THAT** the **MOTION** be **ADOPTED** with an amendment to delete point 2 and replace with the following:

2. that Council defer consideration of future development options for the Marrickville Hospital site until it receives a further report on the maximum development potential of the site, unconstrained by existing improvements on the site, and includes affordable housing outcomes.

Councillor Sharpe temporarily left the meeting at 7.15pm and returned at 7.16pm.

A **FORESHADOWED AMENDMENT** was moved by Councillor Olive, seconded by Councillor F Byrne, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED** with the deletion in point 2 of Options 1 and 2; and progress Option 3 with an inclusion to examine alternative options for adaptive re-use of the old Hospital building for a library, with increased height on the boiler room site and to delete the words "*relating to the height of the Council buildings*".

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

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

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

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

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

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

5788 The **AMENDMENT** became the **MOTION** and was put to the vote and was **CARRIED**.

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

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

Councillor Hanna temporarily left the meeting at 8.10pm.

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GM 122 MAJOR PROJECTS – PROPOSAL TO ADVANCE A COUNCIL OPERATED OUT OF SCHOOL HOURS SERVICE AT THE MARRICKVILLE WEST PUBLIC SCHOOL

File Ref: 1968

Mr Steve Salmon addressed the Council

Councillor Hanna returned to the meeting at 8.15pm.

5789 RESOLVED: On the **MOTION** of Councillor Thanos, seconded by Councillor Khan, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED** with an amendment to point 2, as follows:

2. endorse the lodgement of a development application for a new, Council operated, Out of School Hours (OOSH) service, in conjunction with the existing Connect Marrickville operations at the Marrickville West Public School (MWPS).

For Motion: Unanimous

Councillor Sharpe temporarily left the meeting at 8.28pm.

Councillor Hesse temporarily left the meeting at 8.28pm.

GM 123 MAJOR PROJECTS – UPDATE ON THE ACTIONS TO ADVANCE THE RE-LOCATION OF THE EXISTING MARRICKVILLE STATE EMERGENCY SERVICE (SES) OPERATIONS

File Ref: 1980

Mr Michael Carney addressed the Council.

Councillor Sharpe returned to the meeting at 8.30pm.

A **MOTION** was moved by Councillor Thanos, seconded by Councillor Sharpe, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED** with the amendment of point 3 to provide that the revised property boundary be located:

- parallel to the existing property boundary; and
- approximately half way between the previous proposed revised boundary and the proposed boundary outlined in the report, which was intended to be located approximately 1 metre behind the rear elevation of the protruding toilet structures of the existing SES building;

with the revised boundary measuring 16 metres from the existing boundary that currently bisects the existing playground and between 8 to 10 metres from the rear elevation of the main building envelope of the existing SES Building (exclusive of the rear toilet structures).

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Councillor Hesse returned to the meeting at 8.32pm

An **AMENDMENT** was moved by Councillor Olive, seconded by Councillor Hesse, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

Councillor Iskandar temporarily left the meeting at 8.35pm and returned at 8.36pm.
Councillor F Byrne temporarily left the meeting at 8.35pm and returned at 8.37pm.

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

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

5790 The **MOTION** was put to the vote and was **CARRIED**.

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

NOTICE OF MOTION

NM 44 **DEATH PENALTY**
File Ref: 4578-01

Councillors Cotter, Sharpe, Macri, Iskandar and Owen left the Chamber as they indicated that it was inappropriate for the matter to be considered by Council because of the tragic impact of the actions of the Bali bombers on the families of the Marrickville community.

Mr Walter Slamer addressed the Council.

A **MOTION** was moved by Councillor Hesse, seconded by Councillor S Byrne, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED** with an amendment to delete the word "*alleged*" in paragraph 2 of point 1.

An **AMENDMENT** was moved by Councillor Khan, seconded by Councillor Thanos, **THAT** the Motion be **ADOPTED** with an amendment that Council write only to the Australian Government and the Leader of the Opposition asking them to take up the position with the Government of Indonesia.

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

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

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5791 The **MOTION** was put the vote and was **CARRIED**.

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

Against Motion: Councillors Olive, Hanna and Thanos

Councillors Cotter, Sharpe, Macri, Iskandar and Owen returned to the meeting at 9.26pm.

RESUMPTION OF STANDING ORDERS

5792 **RESOLVED:** On the Motion of Councillor Thanos, seconded by Councillor Khan, **THAT** Standing Orders and the Ordinary Meeting be resumed in Open Council.

For Motion: Unanimous

Councillor Cotter temporarily left the meeting at 9.26pm.

COMMUNITY SERVICES

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

5793 **IT WAS RESOLVED BY THE COUNCIL, ON THE MOTION OF COUNCILLOR THANOS, SECONDED BY COUNCILLOR SHARPE, TO ADOPT THE RECOMMENDATIONS OF THE COMMUNITY SERVICES COMMITTEE AS APPEARING ON THE BUSINESS PAPER FOR THE FOLLOWING ITEMS:**

CD 44 **MARRICKVILLE COUNCIL MULTICULTURAL COMMITTEE -
TERMS OF REFERENCE**

File Ref: 2577

CD 45 **SENIORS REFERENCE GROUP AND MARRICKVILLE AGED
SERVICES TERMS OF REFERENCE REVIEW**

File Ref: 3036-01

CC 23 **BALI MEMORIAL 2007**

File Ref: 1146

CC 24 **CORPORATE GIFT PROCEDURE**

File Ref: 2797

CF 6 **SPORT-A-MONTH RECREATION PROGRAM**

File Ref: 890

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CS 23 ADDITIONAL OUT OF SCHOOL HOURS CARE PLACES IN 2008 FOR FERNCOURT AND STANMORE CENTRES

File Ref: 1111

For Motion: Unanimous
Absent: Councillor Cotter

TECHNICAL SERVICES

BUSINESS UNITS AND ENGINEERING MATTERS

5794 IT WAS RESOLVED BY THE COUNCIL, ON THE MOTION OF COUNCILLOR THANOS, SECONDED BY COUNCILLOR HESSE, TO ADOPT THE RECOMMENDATIONS OF THE TECHNICAL SERVICES COMMITTEE AS APPEARING ON THE BUSINESS PAPER FOR THE FOLLOWING ITEMS:

BU 12 SUPPLY AND COMMISSIONING OF TWO GARBAGE COMPACTORS

File Ref: 2580-01

ES 40 ENGINEERING SERVICES PERFORMANCE REPORT FOR OCTOBER 2007

File Ref: 4572-04

ES 43 PARKING AND ACCESS IN THE NEWTOWN ENTERTAINMENT PRECINCT

File Ref: 13254-01

For Motion: Unanimous
Absent: Councillor Cotter

ES 44 CLOSURE OF SEAVIEW STREET, DULWICH HILL AT MARRICKVILLE ROAD TO CREATE A PLAZA

File Ref: S4320-02

5795 RESOLVED: On the **MOTION of Councillor Thanos, seconded by Councillor Khan, **THAT** the Recommendation of the Technical Services Committee as appearing on the Business Paper be **ADOPTED**.**

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

Councillor Hanna temporarily left the meeting at 9.29pm as he had declared an interest in Item ES 45.

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Councillor Hesse temporarily left the meeting at 9.29pm

**ES 45 PROPOSED SUBSTATION FOR MARRICKVILLE ROAD
BUSINESS CENTRE**

File Ref: P3213.504-02

5796 RESOLVED: On the Motion of Councillor Thanos, seconded by Councillor Iskandar, **THAT** the Recommendation of the Technical Services Committee as appearing on the Business Paper be **ADOPTED**.

For Motion: Unanimous

Absent: Councillors Cotter, Hesse and Hanna

PARKS & RESERVES MATTERS

5797 IT WAS RESOLVED BY THE COUNCIL, ON THE MOTION OF COUNCILLOR THANOS, SECONDED BY COUNCILLOR SHARPE, TO ADOPT THE RECOMMENDATIONS OF THE TECHNICAL SERVICES COMMITTEE AS APPEARING ON THE BUSINESS PAPER FOR THE FOLLOWING ITEMS:

**PR 32 PARKS AND RESERVES PERFORMANCE REPORT FOR
OCTOBER 2007**

File Ref: 4572-04

**PR 33 MACKEY PARK – TEMPORARY LICENCES FOR CONCORDIA
CLUB AND CROQUET NSW**

File Ref: 690-01

For Motion: Unanimous

Absent: Councillors Cotter, Hesse and Hanna

Councillor Hesse returned to the meeting at 9.31pm.

MAYORAL MINUTE

MM 16 INNER CITY MAYORS FORUM

File Ref: 4577-03

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

Councillor Hanna returned to the meeting at 9.32pm.

5798 The MOTION was put to the vote and was CARRIED.

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For Motion: Unanimous
Absent: Councillor Cotter

MM 17 **CREATION OF PUBLIC SPACE IN FRONT OF LIBRARY AT SEAVIEW STREET, DULWICH HILL**
File Ref: 4577-03

5799 **RESOLVED:** On the Motion of Councillor Thanos, seconded by Councillor Macri, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

For Motion: Unanimous
Absent: Councillor Cotter

Councillor Cotter returned to the meeting at 9.32pm.

GENERAL MANAGER'S REPORTS

GM 111 **MAJOR PROJECTS – PROPOSED RE-LOCATION OF THE TECHNICAL SERVICES DIVISION TO BUILDING A OF COUNCIL'S UNWINS BRIDGE ROAD DEPOT**
File Ref: 1974

5800 **RESOLVED:** On the Motion of Councillor Thanos, seconded by Councillor Olive, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

For Motion: Unanimous

GM 115 **CHANGES TO DECEMBER 2007 MEETING CYCLE**
File Ref: 952

5801 **RESOLVED:** On the Motion of Councillor Thanos, seconded by Councillor Hesse, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED** with an amendment that the date of the meeting is Tuesday, 11 December 2007.

For Motion: Unanimous

5802 **IT WAS RESOLVED BY THE COUNCIL, ON THE MOTION OF COUNCILLOR THANOS, SECONDED BY COUNCILLOR HESSE, TO ADOPT THE RECOMMENDATIONS AS APPEARING ON THE BUSINESS PAPER FOR THE FOLLOWING ITEMS:**

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GM 116 LOCAL EMERGENCY MANAGEMENT COMMITTEE – APPOINTMENT OF CHAIRPERSON/LOCAL EMERGENCY MANAGEMENT OFFICER

File Ref: 5400-02

GM 117 BUDGET REVIEW FOR OCTOBER 2007

File Ref: 328

GM 118 COUNCILLORS' ACCESS TO INFORMATION

File Ref: 4015-04

GM119 PETITIONS RECEIVED

File Ref: 4577-03

GM 120 DISCLOSURES OF INTEREST BY STAFF

File Ref: 4325-02

For Motion: Unanimous

5803

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

GM 124 OUTSTANDING CONFERENCES AND REPORTS REQUESTED BY COUNCILLORS AND IMPLEMENTATION OF NOTICES OF MOTION

File Ref: 4577-03

GM 125 FINANCIAL REPORTS FOR THE YEAR ENDED 30 JUNE 2007

File Ref: 1908

GM 126 FUNDING OF MAJOR PROJECTS

File Ref: 1877

For Motion: Unanimous

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GM 127 MAJOR PROJECTS – UPDATE ON BUDGET REVIEW FOR ENMORE POOL AQUATICS FACILITIES REDEVELOPMENT PROPOSAL

File Ref: 1493

A **MOTION** was moved by Councillor Thanos, seconded by Councillor Olive, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED** with the following amendment that:

1. Council advance the New Enmore Pool redevelopment by proceeding with Suturs Prior Cheney's "Planning Option 05 – 14 December 2007", based on a revised cost estimate of \$14,101,317;
2. seating be included in the project at an additional cost of \$175,000; and
3. Council approve a Budget adjustment of \$1,189,317 for the adopted option from the Property Reserve.

Councillor Sharpe temporarily left the meeting at 10.02pm and returned at 10.03pm.
Councillor Cotter temporarily left the meeting at 10.10pm and returned at 10.11pm.
Councillor Cotter temporarily left the meeting at 10.20pm and returned at 10.21pm.
Councillor Cotter temporarily left the meeting at 10.24pm and returned at 10.25pm.

An **AMENDMENT** was moved by Councillor Hanna, seconded by Councillor Macri, **THAT** Council delay the decision until Council receives the proper design and correct costing and information on how much it will cost to run it.

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

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

The Chair exercised his Casting Vote and the **MOTION** was **LOST**.

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

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

5804 The Chair exercised his Casting Vote and the **MOTION** was **CARRIED**.

Councillor Hesse temporarily left the meeting at 10.43pm.
Councillor Iskandar temporarily left the meeting at 10.43pm.

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NOTICE OF MOTION

NM 45 ARTWORK ON RTA SIGNAL BOXES IN MARRICKVILLE LGA
File Ref: 4578-01

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

Councillor Iskandar returned to the meeting at 10.45pm
Councillor Hesse returned to the meeting at 10.47pm.

5805 The **MOTION** was put to the vote and was **CARRIED**.

For Motion: Unanimous

The Meeting closed at 10.52pm.

CHAIRPERSON