

*Council Meeting*

**MINUTES OF MEETING 04/08 – 20 May 2008**

Meeting Commenced at 6.45 pm.

**PRESENT** The Mayor, Councillor D Thanos, who occupied the Chair, the Deputy Mayor, Councillor Peter Olive, and Councillors S Byrne, F Byrne, V Macri, B Cotter, C Hesse, M Hanna OAM, S Iskandar and P Sharpe

**ALSO PRESENT** General Manager, Director Corporate Services, A/g Director Development & Environmental Services, Director Technical Services, Director Community Services, A/g Manager Administrative Services, Executive Manager Major Projects, Manager Corporate Development, Manager Parks & Reserves, Manager Planning Projects and Communications Co-ordinator

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**ACKNOWLEDGEMENT OF COUNTRY BY CHAIRPERSON**

*We meet today on the traditional land of the Cadigal Wangal People of the Eora Nation. I acknowledge their care of the land over many generations. I celebrate their ongoing achievements in today's society and acknowledge the terrible wrongs that have been committed against the Aboriginal peoples of Australia.*

**PERIOD OF SILENCE FOR PRAYER, PLEDGE OR CONTEMPLATION**

**BUSINESS**

**DISCLOSURES OF INTERESTS**

File Ref: 4084

Nil

**APOLOGIES**

It was noted that Councillor F Byrne was attending the meeting and would arrive shortly.

**5996** **RESOLVED:** On the Motion of Councillor Thanos, seconded by Councillor Olive, **THAT** the apologies extended for Councillor Owen, who is ill and Councillor Khan, who is away, be accepted and leave of absence be **GRANTED**.

**For Motion:** Unanimous  
**Absent:** Councillor F Byrne

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**CONFIRMATION OF MINUTES**

File Ref: 4322

**5997** **RESOLVED:** On the Motion of Councillor Thanos, seconded by Councillor Hesse, **THAT** the Minutes of the Council Meeting 03/08, held on Tuesday, 15 April 2008 and Minutes of the CDM Meeting 04/08 held on Tuesday, 6 May 2008, as circulated, be **CONFIRMED**.

**For Motion:** Unanimous  
**Absent:** Councillor F Byrne

**SUSPENSION OF STANDING ORDERS**  
**OPEN COMMITTEE OF THE WHOLE**

**5998** **RESOLVED:** On the Motion of Councillor Thanos, seconded by Councillor Olive, **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 15 Mr Julio El-Akl*  
*NM 9 Ms Samantha Faithfull*

2. Standing Orders be resumed at the completion of the addresses to allow Council to consider the particular item.

**For Motion:** Unanimous  
**Absent:** Councillor F Byrne

**PR 15** **CAMPERDOWN PARK - TENNIS COURTS - REQUEST FOR TENDER**

File Ref: 4572-04

Mr Julio El-Akl addressed the meeting.

A **MOTION** was moved by Councillor Thanos, seconded by Councillor Macri, **THAT** the Officer's Recommendation of the Technical Services Committee as appearing on the Business Paper be **ADOPTED**, with an amendment that the issues raised by Council particularly relating to ensuring that community outcomes are achieved, not just commercial returns, be taken into account in preparation of the selection criteria for the tender; and a further report be submitted to Council in accordance with the Committee Recommendation and the report also include information about lease arrangements in relation to other Council tennis court leases.

Councillor F Byrne arrived at the meeting at 6.55 pm.

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Councillor Macri temporarily left the meeting at 7.00 pm and returned at 7.01 pm.

**5999** The **MOTION** was put to the vote and was **CARRIED**.

**For Motion:** Unanimous

**NOTICE OF MOTION**

**NM 9** **INDEPENDENT REVIEW OF FINDINGS OF CONSERVATION  
MANAGEMENT STRATEGY FOR ENMORE PARK IN RESPECT  
OF NEW ENMORE POOL REDEVELOPMENT PROPOSAL**

File Ref: 1493

Ms Samantha Faithfull addressed the meeting.

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

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

**For Motion:** Councillors Cotter, Sharpe, Iskandar, Hanna and Macri

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

The Chairperson exercised his casting vote and the **MOTION** was **LOST**.

**CORPORATE SERVICES**

**FINANCE MATTERS**

**6000** **IT WAS RESOLVED BY THE COUNCIL, ON THE MOTION OF COUNCILLOR THANOS, SECONDED BY COUNCILLOR S BYRNE, TO ADOPT THE RECOMMENDATIONS OF THE CORPORATE SERVICES COMMITTEE AS APPEARING ON THE BUSINESS PAPER FOR THE FOLLOWING ITEMS:**

**FS 9** **QUARTERLY DEBTORS REPORT 31 MARCH 2008**

File Ref: 475

**FS 10** **COUNCIL PAYMENT OPTIONS**

File Ref: 1976-01

**For Motion:** Unanimous

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**FS 11      CHARGES TO BE WRITTEN OFF**

File Ref: 475

**6001      RESOLVED:** On the Motion of Councillor Thanos, seconded by Councillor Hesse, **THAT** the Recommendation of the Corporate Services Committee as appearing on the Business Paper be **ADOPTED** with an amendment that Council write to the Local Government and Shires Associations seeking their support in rectifying the anomaly caused by the definition.

**For Motion:** Unanimous

**COMMUNITY SERVICES**

**COMMUNICATION & CULTURAL SERVICES**

**CC 10      DRAFT SISTER CITIES STRATEGIC PLAN 2008-2010**

File Ref: 190

**6002      RESOLVED:** On the Motion of Councillor Hesse, seconded by Councillor F Byrne, **THAT** the Recommendation of the Community Services Committee as appearing on the Business Paper be **ADOPTED**.

**For Motion:** Councillors Olive, S Byrne, F Byrne, Cotter, Iskandar, Sharpe, Macri, Hesse and Hanna

**Against Motion:** Councillor Thanos

**CC 11      SISTER CITIES UPDATE – CURRENT INVITATIONS TO VISIT SISTER CITIES**

File Ref: 4550, 4552, 4549-02

**6003      RESOLVED:** On the Motion of Councillor Thanos, seconded by Councillor Iskandar, **THAT** the Recommendation of the Community Services Committee as appearing on the Business Paper be **ADOPTED** with an amendment that Council write thanking the Sister Cities for their invitations, noting that the timing is close to Council elections and the invitations will be passed on to the incoming Council.

**For Motion:** Unanimous

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**COMMUNICATION & CULTURAL AND  
CHILDREN & FAMILY SERVICES MATTERS**

6004 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:

CC 12 **MAIN STREET PROGRAM REVIEW UPDATE – A NEW MODEL FOR MARRICKVILLE COUNCIL’S MAIN STREET PROGRAM**

File Ref: 2595

CS 5 **SIX MONTHLY REPORT ON FEE SUBSIDY PAYMENTS TO FAMILIES USING COUNCIL’S LONG DAY CARE CENTRES**

File Ref: 39-01

**For Motion:** Unanimous

**CHILDREN & FAMILY SERVICES MATTERS**

CS 6 **FEE RELIEF HARDSHIP GUIDELINES**

File Ref: 1968

The Chairperson noted that the Committee Recommendation should have read:

**“THAT:**

1. *Council approves the Fee Relief Hardship Guidelines, as outlined in this report, to give effect to its previous resolution (Item GM 8) adopted at its meeting 02/08 of 19 February 2008;*
2. *in adopting the 2008/09 Fees and Charges for 2008/2009 at Council’s June meeting, an amendment be made to the 2008/09 Fees and Charges Schedule to include a note that these Fee Relief Hardship Guidelines are in place for the period to 23 December 2008;*
3. *the proposed amendment to the Draft 2008/09 Fees and Charges Schedule to change the basis of being eligible for the ongoing Council child care fee subsidy from receipt of 100% of child care benefit to receipt of either the Pensioner Concession Card or the Commonwealth automatic or low income Health Care Card (as outlined in Guideline 4) be adopted by Council and advertised for the required 28 day public notice period;*

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4. *if no submissions opposing the amendment are received, the Draft 2008/09 Fees and Charges Schedule be amended to reflect that change, effective 1 July 2008; and*
5. *if submissions are received opposing that amendment, a further report be submitted to the July Council Meeting for Council's consideration".*

A **MOTION** was moved by Councillor Thanos, seconded by Councillor Iskandar, **THAT** the Recommendation of the Community Services Committee as noted above be **ADOPTED** with an amendment that evidence be provided by parents that they are eligible for the daily fee subsidy and they are then taken to be eligible until December 28, with a requirement to advise Council if their circumstances change.

Councillor Macri temporarily left the meeting at 8.15 pm.

**6005** The **MOTION** was put to the vote and was **CARRIED**.

**For Motion:** Unanimous  
**Absent:** Councillor Macri

Councillor Sharpe temporarily left the meeting at 8.16 pm.

**COMMUNITY FACILITIES MATTERS**

**TECHNICAL SERVICES**

**ENGINEERING AND PARKS & RESERVES MATTERS**

**6006** **IT WAS RESOLVED BY THE COUNCIL, ON THE MOTION OF COUNCILLOR THANOS, SECONDED BY COUNCILLOR F BYRNE, TO ADOPT THE RECOMMENDATIONS OF THE COMMUNITY SERVICES AND TECHNICAL SERVICES COMMITTEES AS APPEARING ON THE BUSINESS PAPER FOR THE FOLLOWING ITEMS:**

**CF 4** **EXPRESSIONS OF INTEREST FOR VACANT COMMUNITY FACILITIES – 100A SILVER STREET**

File Ref: 1256

**CF 5** **MARRICKVILLE RECREATION ADVISORY COMMITTEE UPDATE**

File Ref: 890

**ES 14** **ENGINEERING PERFORMANCE REPORT**

File Ref: 4572-04

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**PR 13      PARKS & RESERVES PERFORMANCE REPORT**

File Ref: 4572-04

**For Motion:** Unanimous  
**Absent:** Councillors Macri and Sharpe

**PR 14      OUTCOMES OF COUNCILLOR CONFERENCE AND PROPOSED SPORTSGROUNDS ALLOCATION PROCESS**

File Ref: 4572-04

A **MOTION** 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**.

Councillor Sharpe returned to the meeting at 8.18 pm.

An **AMENDMENT** was moved by Councillor Thanos, seconded by Councillor Sharpe, **THAT** the Officer's Recommendation as appearing on the Business Paper be **ADOPTED**.

Councillor Iskandar temporarily left the meeting at 8.20 pm.  
Councillor Macri returned to the meeting at 8.20 pm.

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

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

**6007** The **MOTION** was put to the vote and was **CARRIED**.

**For Motion:** Unanimous  
**Absent:** Councillor Iskandar

**PROPERTY SERVICES MATTERS**

**6008** **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:**

**PW 11      PROPERTY SERVICES PERFORMANCE REPORT**

File Ref: 4572-04

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**PW 12     REPORT BACK TO COUNCIL ON PUBLIC EXHIBITION OF DRAFT  
RESOURCE RECOVERY STRATEGY**

File Ref: 2686

**PW 13     STORAGE OF MOBILE GARBAGE BINS**

File Ref: 342

**For Motion:** Unanimous  
**Absent:** Councillor Iskandar

**MAYORAL MINUTE**

**MM 7     MYANMAR (BURMA) CYCLONE APPEAL**

File Ref:

The Chairperson noted that the report should refer to “Burma” rather than “Myanmar”.

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

Councillor Hanna temporarily left the meeting at 8.25 pm and returned at 8.28 pm.  
Councillor Iskandar returned to the meeting at 8.28 pm.

**6009** The **MOTION** was put to the vote and was **CARRIED**.

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

**GENERAL MANAGER'S REPORTS**

**GM 39     MAJOR PROJECTS – UPDATE ON MAY MURRAY CHILDREN'S  
CENTRE UPGRADE PROPOSAL**

File Ref: 1968

**6010** **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



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**GM 40**     **FIXING OF ANNUAL FEES FOR 2008/2009 FOR COUNCILLORS AND THE MAYOR AND A FEE FOR THE DEPUTY MAYOR**  
File Ref: 4014-04

**6011**     **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 41**     **GOODS AND SERVICES TAX CERTIFICATE**  
File Ref: 328

**6012**     **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 42**     **PETITIONS RECEIVED**  
File Ref: 4577-03

**6013**     **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 43**     **COUNCILLORS' ACCESS TO INFORMATION**  
File Ref: 4015-04

**6014**     **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 44**     **FURTHER REPORT ON REVIEW OF COUNCIL POLICY AS13 – PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO COUNCILLORS**  
File Ref: 679

**6015**     **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

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**GM 45     QUESTIONS ON NOTICE – COUNCIL STAFF AND CONSULTANTS EXPENDITURE ON THE NEW ENMORE POOL AND NEW LIBRARY/CIVIC CENTRE MAJOR PROJECTS**

File Ref: 1493

The Chairperson noted that Questions on Notice are to be listed at the end of the Agenda and that the Item is not a GM report.

**GM 46     BUDGET REVIEW FOR APRIL 2008**

File Ref: 329

**6016     RESOLVED:** On the Motion of Councillor Thanos, seconded by Councillor Hesse, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

**For Motion:**             Unanimous

**GM 47     TENDER FOR CONSULTANTS TO PREPARE MARRICKVILLE VILLAGE CENTRES STUDY**

File Ref: 2888

**6017     RESOLVED:** On the Motion of Councillor Thanos, seconded by Councillor Sharpe, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

**For Motion:**             Unanimous

**GM 48     MARRICKVILLE SOUTH INTERAGENCY – MIDNIGHT BASKETBALL MARRICKVILLE SOUTH LEAGUE**

File Ref: 4311.02

**6018     RESOLVED:** On the Motion of Councillor Thanos, seconded by Councillor F Byrne, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

**For Motion:**             Unanimous

**GM 49     2007/2008 LOAN PROGRAM**

File Ref: 2167

**6019     RESOLVED:** On the Motion of Councillor Thanos, seconded by Councillor Hesse, **THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.

**For Motion:**             Unanimous

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**GM 50      OUTSTANDING CONFERENCES AND REPORTS REQUESTED  
BY COUNCILLORS AND IMPLEMENTATION OF NOTICES OF  
MOTION**

File Ref: 4577-03

**6020      RESOLVED: On the Motion of Councillor Thanos, seconded by Councillor F Byrne,  
**THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.**

**For Motion:**                      Unanimous

**GM 51      2008 ASCA CONFERENCE**

File Ref: 190

**6021      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 Councillors advise staff if they wish to attend.**

**For Motion:**                      Unanimous

**NOTICES OF MOTION**

**NM 10      MEDICARE LEVY SURCHARGE**

File Ref: 4056-03

**6022      RESOLVED: On the Motion of Councillor Olive, seconded by Councillor Hesse,  
**THAT** the Recommendation as appearing on the Business Paper be **ADOPTED**.**

**For Motion:**                      Unanimous

The meeting closed at 8.50pm

**CHAIRPERSON**