



## **MEETING OF COUNCIL**

Held in the Council Chambers  
Canada Bay Civic Centre  
1a Marlborough Street, Drummoyne  
on Tuesday, 17 November 2009, commencing at 6.05p.m.

## **MINUTES**

Present: Cr Tsirekas (Mayor)  
Cr O'Hara (Deputy Mayor)  
Cr Cestar  
Cr Fasanella  
Cr Kenzler (6.10p.m.)  
Cr McCaffrey  
Cr Megna  
Cr O'Connell  
Cr Tyrrell

In attendance: Mr Gary Sawyer (General Manager)  
Mr B Cook  
Mr V Conroy  
Mr T McNamara  
Mr J Osland  
Ms K Ford

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## Council Meeting 17 November 2009

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A prayer was given by Monsignor Vince Redden of St Marks Catholic Church, Drummoyne.

## **APOLOGIES**

Nil

## **DECLARATIONS OF PECUNIARY INTEREST**

Nil

## **CONFIRMATION OF MINUTES**

Council Meeting – 20 October 2009

**M- 2273            RESOLVED**  
(Crs O'Connell/Fasanella)

THAT the minutes of the Council Meeting of 20 October 2009 be confirmed.

Committee of the Whole Meeting of Council – 3 November 2009

**M- 2274            RESOLVED**  
(Crs Megna/Tyrrell)

THAT the minutes of the Committee of the Whole Meeting of Council be confirmed, subject to Condition No. 86 of Item 3 being amended to read:

### **86. Compliance with SEPP 55 - Contamination of Land**

The recommendations contained in the Geotechnical Investigation Report prepared by Brink and Associates Pty Ltd dated 24 July 2008, the Preliminary Environmental Site Assessment carried out by Aargus Pty Ltd dated March 2008, and the Acid Sulphate Soil Assessment report prepared by Aargus Pty Ltd dated June 2008 shall be complied with at all times during demolition and construction works.

A NSW Environment Protection Authority accredited auditor shall be engaged by the applicant to carry out and submit a Site Audit Statement to Council verifying that the recommendations contained in the abovementioned reports have been satisfied. This Site Audit Statement shall be submitted to Council following the demolition of all buildings on the site and prior to the commencement of any construction works.

**PUBLIC FORUM:**

The following person addressed the Council in relation to Item 2:

Mr. J. Chidiac of 16A Moore Street, Drummoyne

**MM-1                    MAYORAL MINUTE: AUSTRALIAN FIRST ALL  
ABILITIES PLAYGROUND, "LIVVI'S PLACE" AT  
TIMBRELL PARK**

**M- 2275                RESOLVED**

(Crs Tsirekas/Cestar)

1.     THAT Council write to Leightons Contractors recognising and thanking them for their contribution in providing Australia's first all abilities playground for our community.
2.     THAT Council write to John and Justine Perkins of the Touched By Olivia Foundation thanking them and giving them recognition for their foresight to orchestrate this project and their contribution in providing Australia's first all abilities playground for the use of all children in our community.
3.     THAT Council congratulate Ben Richards, Council's Landscape Architect for his efforts in the design and project management of Livvi's Place.
4.     THAT Council recognise the efforts of all the staff who were involved in the delivery of the project for their commitment and effort to ensure the timelines were met.

**MM-2                    MAYORAL MINUTE: COMMUNITY MEETING NO  
MARINA**

**M- 2276                RESOLVED**

(Crs Tsirekas/O'Hara)

1.     THAT Council continue to support the residents who live in and around Kendall Bay by opposing the proposed 177 berth commercial marina.
2.     THAT Council write to the Premier and relevant Ministers outlining the concerns of the Council and residents regarding the 177 berth commercial marina and request a meeting with resident representatives to discuss their objections

**ITEM-1            2008/09 ANNUAL FINANCIAL REPORT**

**M- 2277            RESOLVED**

(Crs O'Connell/Tyrrell)

1.     THAT Council receive and note the Auditors presentation and report.
2.     THAT the staff be thanked for their cooperation during the audit.
3.     THAT the General Manager prepares a report on cost shifting by the State Government which provides details of the costs borne by Council, together with a list of total services provided by the City of Canada Bay Council, which are State responsibilities.

**ITEM-2            MOORE STREET, DRUMMOYNE - PETITION RE  
TRAFFIC CONDITIONS**

**M- 2278            RESOLVED**

(Crs O'Connell/Kenzler)

1.     THAT the traffic volume and speed survey results, and the good accident record in Moore Street be noted and that no action be taken at this time, and that traffic conditions in Moore Street and surrounding streets be monitored as part of the Drummoyne local area traffic management study over coming months.
2.     THAT staff continue to work with the residents of Moore Street and surrounding streets on the issues that are affecting them.

**ITEM-3            PROVISION OF CRICKET PRACTICE NETS IN THE  
CITY OF CANADA BAY**

**M- 2279            RESOLVED**

(Crs Kenzler/Cestar)

1.     THAT maintenance funds be reallocated to provide synthetic turf to the cricket practice nets in Campbell Park.

2. THAT the provision cricket practice nets in the City be reviewed for future works programs.
3. THAT the State Member be approached with the aim of funding additional cricket practice nets.
4. THAT partnership options for possible funding be investigated with local Clubs.

**ITEM-4 SPORTING FIELD ALLOCATION POLICY**

**M- 2280 RESOLVED**  
(Crs Kenzler/McCaffrey)

THAT Council adopt the policy for Sports Field Allocation.

**ITEM-5 CUSTOMER SERVICE QUARTERLY REPORT - JULY  
2009 TO SEPTEMBER 2009**

**M- 2281 RESOLVED**  
(Crs Kenzler/O'Connell)

THAT the report be received and noted.

**ITEM-6 COMMUNITY HARMONY STRATEGY**

**M- 2282 RESOLVED**  
(Crs Kenzler/O'Connell)

1. THAT Council endorse the Draft Community Harmony Strategy and place on public exhibition for a period of six weeks.
2. THAT a further report be presented to Council following the exhibition period.

**ITEM-7 GRANT, AWARDS AND SPONSORSHIP UPDATE**

**M- 2283 RESOLVED**

(Crs Kenzler/O'Connell)

THAT the report be received and noted.

**ITEM-8 PAYMENT OF EXPENSES AND THE PROVISION OF FACILITIES TO COUNCILLORS POLICY**

**M- 2284 RESOLVED**

(Crs Kenzler/O'Connell)

THAT Council adopt the Draft Payment of Expenses and Provision of Facilities to Councillors Policy and forward a copy to the Division of Local Government for their record.

**ITEM-9 2009/10 BUDGET AND OPERATIONAL PLAN - FIRST QUARTER REVIEW**

**M- 2285 RESOLVED**

(Crs Kenzler/O'Connell)

THAT the First Quarter Review of the Operational Plan 2009/10, including the first quarter budget variations for 2009/10, as identified in the review of the Budget, be adopted.

**ITEM-10 FINANCE REPORTS OCTOBER 2009**

**M- 2286 RESOLVED**

(Crs Kenzler/O'Connell)

THAT the Financial Reports for October 2009 be received and noted.

**ITEM-11 NOTICE OF MOTION - CR. TYRRELL - PROVISION FOR AFFORDABLE HOUSING AS PART OF THE RHODES WEST MASTERPLAN 2009**

**M- 2287 RESOLVED**  
(Crs Tyrrell/Kenzler)

THAT in line with Council's Futures Plan 20 target that 5% of new housing stock is affordable housing, the General Manager endeavour to gain a minimum of 5% of affordable housing as part of the new Rhodes West Masterplan 2009.

**M- 2288 RESOLVED**  
(Crs Fasanella/Tyrrell)

THAT the Council consider the balance of this Agenda in Closed Session with the public and press excluded in accordance with Section 10A(2)(b) of the Local Government Act 1993.

At 7.29p.m., the meeting went into Closed Session.

**COUNCIL IN CLOSED SESSION**

**ITEM-12 WRITE-OFF OF SUNDRY DEBTORS**

**M- 2289 RESOLVED**  
(Crs Megna/O'Connell)

- (A). THAT Council accepts the \$5,000 lump sum payment offer from Mr Christopher.
- (B) THAT in accordance with the provisions of Clause 213 of the Local Government Regulations 2005, Council resolves to write off the following amounts:
  - 1. THAT Council write-off the balance of the account relating to Mr. Christopher's unpaid legal costs in the amount of \$10,350.
  - 2. THAT Council write off unpaid rental, owed by Leisure Co Pty Limited for the Five Dock Leisure Centre in the amount of \$32,822.58.

3. THAT Council write off the debt, owed by Drummoyne Sports Club in the amount of \$8,100.
4. THAT Council write off the debt, owed by Balmain Australian Rules Football Club in the amount of \$2,700.
5. THAT Council write off the debt, owed by Link Constructions Group Pty Ltd in the amount of \$26,447.52.

**M- 2290            RESOLVED**  
(Crs Megna/Tyrrell)

THAT the Council revert back to Open Session.

At 7.35p.m., the Council in Closed Session returned to Open Session.

**M- 2291            RESOLVED**  
(Crs Kenzler/Cestar)

THAT the item discussed in Closed Session be endorsed.

THE MEETING CLOSED AT 7.35P.M.

CHAIRMAN