
Regular Council Minutes

Commenced 7.07 pm.

26 March 2007

Present: Cr Michael Kitmiridis (Mayor), Cr Nickolas Varvaris (Deputy Mayor), Cr Anne Field, Cr Nick Katris, Cr Michael Platt, Cr Adam Mazzaferro, Cr Kathryn Landsberry, Cr Judy Feeney, Cr Mark Coure and Cr John Mikelsons

In Attendance: Paul Woods (General Manager), Evan Hutchings (Director Governance and Support Services), Amit Chanan (Director Assets and Services), Rod Logan (Director Development and Health), Cathy Bush (Senior Governance Co-ordinator) and Cassandra McFarlane (Minute Secretary)

A. Apologies

An apology was received on behalf of Cr Annie Tang.

69/2007 *Resolved* (*Varvaris/Coure*)

That the apology be accepted and a leave of absence granted for Cr Col Ritchie.

Note: A leave of absence was granted to Cr Col Ritchie from 26/02/07 to 31/03/07 at the Council Meeting held 26 February 2007.

B. Disclosures of Interest

1. Item H2.6 – Confidential Report – Property Portfolio Review

Cr Nickolas Varvaris disclosed a non-pecuniary interest regarding this matter, submitting the following reason:

“One of the properties covered in the report at South Hurstville, adjoins a client’s premises. Therefore as a precautionary matter I will not vote.”

2. Item H2.6 – Confidential Report – Property Portfolio Review

Cr Adam Mazzaferro disclosed a non-pecuniary interest regarding this matter, submitting the following reason:

“A client of the firm that I was previously employed by occupies premises that was referred in the property report. The property is situated in Kyle Bay. As a precautionary measure I will declare an interest and vacate the chamber.”

3. Item J3 – Review of Community Service Plans

Cr Anne Field disclosed a non-pecuniary interest regarding this matter, submitting the following reason:

“Kogarah Community Services consulted as part of Membership of Community Development and Access Working Party. I’m President of Management Committee.”

4. Item O2 – Confidential Report – Joint Waste Collection Contract

Cr Adam Mazzaferro disclosed a non-pecuniary interest regarding this matter, submitting the following reason:

“I am employed as a commercial/corporate lawyer with the legal firm that Council requested guidance from in regards to this matter, in particular industrial relations issues. For the record I had nothing to do with the advice from the legal firm or have any knowledge of the advice from the legal firm. Accordingly, I will declare an interest in this matter, vacate the chamber and not vote on the matter or partake in any discussions regarding the matter.”

C. Adjournment for Public Forum

There was no Public Forum.

D. Development Assessment Reports

There were no Development Assessment reports.

E. Meeting Adjournment for 5 minutes

There was no meeting adjournment.

F. Confirmation of Minutes

70/2006

Resolved (Coure/Varvaris)

That the minutes of the Regular Council Meeting held on 12 March 2007 be confirmed.

2. **Subject:** Oatley Library
- Author:** Alison Murphy - Manager Community & Library Services (DM)
- Reason for Report:** Council request for a report to be prepared that outlines options for Oatley Branch Library

72/2007 *Resolved* (Mikelsons/Coure)

- a) *That the additional services and activities provided at Oatley Library since implementation of the Review of the Kogarah Library Services in 2005 be noted.*
- b) *That consideration be given to funding the following projects in the draft 2007/08 budget:*
- *\$4000 to increase the number of Internet computers at Oatley Library*
 - *\$8000 to install an automatic door at Oatley Library to improve disability access*
 - *\$7000 to install an air-conditioner in the Hall at Oatley Library.*
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3. **Subject:** Kogarah Councillor
- Author:** Paul Woods - General Manager (AG)
- Reason for Report:** To seek Councillor feedback on the new Councillor information publication - the Kogarah Councillor

(Adopted Minute No. 71/2007)

That the report be received and noted.

4. **Subject:** Kogarah Council Events Calendar 2007/2008
- Author:** Paul Woods - General Manager (AG)
- Reason for Report:** To inform Council of the proposed Calendar of Events

(Adopted Minute No. 71/2007)

That the proposed Kogarah Council Calendar of Events for the 2007/2008 year be endorsed.

H2. Adoption of the Minutes of the Governance and Support Services Meeting of 19 March 2007

73/2007 *Resolved:* (Coure/Mikelsons)

That the Minutes of the Governance and Support Services Meeting of 19 March 2007 be adopted with the exception of items 2 and 6.

1. **Subject:** Monthly Budget review to 28 February 2007

Author: Evan Hutchings - Director Governance & Support Services (JM)

Reason for Report: To report to Council the findings of the budget review to 28 February 2007

(Adopted Minute No. 73/2007)

That the proposed budget variations described in the report be adopted with the variations decreasing restricted working funds by \$25,000.

2. **Subject:** Procurement Policy

Author: Evan Hutchings - Director of Governance and Support Services (JM)

Reason for Report: To consider the adoption of a policy for the procurement of goods and services

74/2007 *Resolved* (Mikelsons/Katris)

That the draft Procurement Policy attached to the report be adopted with the following amendments:

(i) *Clause 1.5 to include reference to Council's Statement of Business Ethics Policy.*

(ii) *Clause 3.2 to include reference to Council's Statement of Business Ethics Policy.*

(iii) *Inclusion of an additional Clause 3.13 to reflect the previous Council resolution of the same matter, titled "Employment Practices", as follows:*

3.13 *"Council commits itself to giving preference to service providers that respect fair employment practices, and that do not send jobs overseas."*

3. **Subject:** Issue of Business Credit Card
- Author:** Evan Hutchings - Director of Governance & Support Services (MG)
- Reason for Report:** To approve the issue of a business credit card for the Human Resources Manager

(Adopted Minute No. 73/2007)

That a business credit card with a limit of \$5000 be issued to the Human Resources Manager in accordance with Council's Credit Card Policy.

4. **Subject:** OKI Jubilee Oval - Licence Agreement Variation
- Author:** Evan Hutchings - Director Governance and Support Services (RN)
- Reason for Report:** To regularise the licence boundary area and permit the oval to be used for purposes ancillary to the operation of the rugby league football club

(Adopted Minute No. 73/2007)

- a) *That Council as Trustee of Kogarah Park and subject to the consent of the Minister for Lands agree to the licence boundary area for OKI Jubilee Oval being in accordance with the diagram attached to the report.*
- b) *That Council as Trustee of Kogarah Park and subject to the consent of the Minister for Lands agree to the licence agreement with St George Leagues Club Ltd for OKI Jubilee Oval being amended to allow for activities that are ancillary to the operation of the Rugby League Football Club.*
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5. **Subject:** Confidential Report - Staff Movements
- Author:** Paul Woods - General Manager (AH)
- Reason for Report:** To advise of staff movements

(Adopted Minute No. 73/2007)

That the report be received and noted.

6. **Subject:** Confidential Report - Property Portfolio Review
- Author:** Evan Hutchings - Director Governance and Support Services (RN)
- Reason for Report:** To seek endorsement from Council for the actions proposed by the workshop in respect of the property portfolio review
- Note:** Cr Adam Mazzaferro and Cr Nickolas Varvaris (Deputy Mayor) having disclosed a non-pecuniary interest left the Chamber at 7.17pm.

75/2007 *Resolved* (Katris/Coure)

That the proposed course of action in respect of the property portfolio review as detailed in the report be endorsed.

Note: Cr Adam Mazzaferro and Cr Nickolas Varvaris (Deputy Mayor) returned to the Chamber at 7.18pm.

I. Notices of Motions of Rescission

There were no Motions of Rescission.

J. Reports from Officers

1. **Subject:** Petitions Received
- Author:** Evan Hutchings – Director Governance and Support Services (AR)
- Reason for Report:** Council has adopted a Policy that a schedule of petitions received be submitted to each Council Meeting

76/2007 *Resolved* (Mikelsons/Varvaris)

That the schedule of petitions received since the last Council Meeting be received and noted.

2. **Subject:** Southern Sydney Regional Organisation of Councils - Update

Author: Evan Hutchings - Director Governance and Support Services (KW)

Reason for Report: To provide Councillors with information on recent activities of the Southern Sydney Regional Organisation of Councils (SSROC)

77/2007 *Resolved* (Varvaris/Katris)

That the information on recent activities of the Southern Sydney Regional Organisation of Councils (SSROC) be received and noted.

3. **Subject:** Review of Community Service Plans

Author: Paul Woods - General Manager (AM)

Reason for Report: Council resolution for the preparation of a report that reviews community service plans

78/2007 *Resolved* (Mikelsons/Platt)

That the increase in activities for the Community Services unit listed in this report be included for consideration in the 2007/08 Draft Management Plan.

4. **Subject:** Flood Management Authorities Membership

Author: Amit Chanan- Director Assets and Services (IG)

Reason for Report: To seek Council's approval to join the Flood Management Authorities

79/2007 *Resolved* (Katris/Landsberry)

(a) *That Council join the Flood Management Authorities (FMA) at a cost of \$870 (exc. GST) to be charged against Catchment and Waterways - Memberships.*

(b) *That Cr Katris and Cr Mikelsons be nominated to represent Council on the FMA.*

5. **Subject:** Engineering Skills Shortage
Author: Amit Chanan - Director Assets & Services (FT)
Reason for Report: To report on the impact of the Engineering Skills Shortage on Kogarah Council

80/2007 *Resolved* (Platt/Mikelsons)

That the proposed "Kogarah Council Engineering Cadetship and Training Program" be endorsed.

K. Motions of which Notice Has Been Given

1. **Subject:** Notice Of Motion - Safety At Oatley Memorial Gardens

Author: Cr Mark Coure

81/2007 *Resolved* (Coure/Mikelsons)

That Council investigate the options available to ensure safety of young children using the play area at Oatley Memorial Gardens from accidentally running into traffic on Oatley Avenue and Oatley Parade and that the preferred option be included in Council's draft capital works program for 2007/08 for implementation.

2. **Subject:** Notice Of Motion - International Womens Day 2008

Author: Cr Anne Field

82/2007 *Resolved* (Field/Coure)

That Council investigate and report to the Governance and Support Working Party on establishing a Committee to produce a booklet on people who have contributed significantly to Kogarah, past and present. This will include people who have worked inside the Municipality, however may live outside the boundaries, and include costings.

L. Reports from Council Delegates

There were no Reports from Council Delegates.

M. Councillor Questions

Cr Kathryn Landsberry asked if the Director of Assets and Services was aware of the issue with the Anzac Day March traffic, particularly along Connells Point Road and around South Hurstville RSL Club?

Amit Chanan (Director of Assets and Services) advised that Council is working with the Traffic Committee and the Police to provide as much support as possible to help organise the march.

Cr Nick Katris asked the Director of Assets and Services whether the project of water sewerage mining of Beverly Park Golf Course is running on time, has there been a delay / break and has there been water mining in the past?

Amit Chanan (Director of Assets and Services) advised that the actual plan would be implemented in September 2007, which is on schedule. A pilot plan was active for three months but now has ceased. The water mined from the pilot plan was used for irrigation of the golf course and construction activities.

N. General Business

Cr Mark Coure requested that the Mayor write to the Oatley Lions Club congratulating them on their 30th Anniversary and to thank the Club for their continuous support to the local community through their fund raising activities, particularly, Music in the Park Festival and the annual Oatley Festival.

Cr Mark Coure advised that Mr Rick Clissold (Principle) at Oatley Primary Public School was leaving after 5 years and wished to thank Mr Rick Clissold for his great contribution to the school and to congratulate him on the fund raising success of the Oatley Fine Wine and Food Festival. Cr Coure wished Mr Rick Clissold well on his new appointment to Forster-Tuncurry Primary School.

Cr Kathryn Landsberry advised that tomorrow is the National Day of Action on Cigarette Butts "small butt big impact" campaign and would like everyone to make an effort to be more considerate when disposing of their cigarette butts.

Cr Kathryn Landsberry advised that Ray & Julie Loft of Carss Park Butchery are retiring after 33 years. Cr Landsberry requested that Council write to Ray and Julie Loft thanking them for their generous contribution to community events and to wish them well in their retirement.

O. Closed Session

1. **Subject:** Closed Session
Author: Paul Woods - General Manager

83/2007 *Resolved* (Platt/Varvaris)

That Council resolve into Closed Session in accordance with the requirements of Section 10 of the Local Government Act 1993 as addressed below to consider the following report:

1. *Confidential Report – Joint Waste Collection Contract*

Reason:

1. *Section 10A(2)(c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.*

Public Interest:

1. *It is considered that discussion of this matter in open meeting would be contrary to public interest as it would prejudice Council's ability to ensure that the tender process is compliant and delivers the optimum contractual outcome.*
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2. **Subject:** Confidential Report - Joint Waste Collection Contract

Author: Rod Logan - Director Development and Health (FS)

Note: Cr Adam Mazzaferro having disclosed a non-pecuniary interest left the Chamber at 7.45pm.

84/2007 *Resolved* (Mikelsons/Katris)

That consideration of this matter be deferred for a further report to be submitted to the next Development & Health Working Party addressing, in particular, the Industrial Relations issues and the review of collection starting times relating to the proposed contract.

The meeting finished at 8.37 pm.

Confirmed on _____ 2007

Councillor Michael Kitmiridis
Mayor

Paul Woods
General Manager