

## LEICHHARDT MUNICIPAL COUNCIL

**MINUTES of ORDINARY MEETING** of Leichhardt Municipal Council held in the Council Chambers Leichhardt Town Hall, Norton Street, Leichhardt on **22 FEBRUARY 2005.**

Present at the commencement of the meeting; Her Worship the Mayor, A. Murphy in the chair, Councillors C. Allen, D. Cobley-Finch, N. Dyer, K. Hamilton, V. Hannaford, M. McKenzie, J. Parker, M. Sheehan and R. Webb

Staff Present : General Manager, Director Corporate & Information Services, Acting Director Environmental & Community Management, Director Infrastructure & Service Delivery, Manager Property & Commercial Services, Manager Administration Services and Administration Officer.

Meeting Commenced: 7.08pm

### **BUSINESS:**

*Before proceeding with the meeting, the Mayor thanked and expressed acknowledgement of the Eora people for taking care of the land, being the traditional owners of the town hall site.*

### **\*\* PRESENTATION**

#### **A: TSUNAMI COMMEMORATION CEREMONY**

Representatives from the main religious denominations were invited to lead the Council with a 1 minute multi-denominational prayer or reflection.

Those who addressed Council were;

- Revd. Tim Foster – All Saints Anglican Church (Anglican)
- Fr Gary Devery – St Fiacre's Church (Roman Catholic)
- Revd Les Van Vorst – Leichhardt Congregational Church (Congregational)
- Revd Helen Edgerton – Lucan Care (Uniting)
- Revd Peter Dunstan – Hunter Baillie Memorial Church (Presbyterian)
- Mr Nasim Oweiss – Arab Youth Network (Muslim)
- Revd Stephen Ratcliffe – Leichhardt Uniting Church

A minutes silence was held to remember those who died, were injured and made homeless as a result of the Tsunami disaster on 26 December 2004.

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**\*\* CONFIRMATION AND/OR CORRECTIONS OF MINUTES ORDINARY AND SPECIAL MEETING**

**(a) BUILDING & DEVELOPMENT COUNCIL MEETING**

**C1/05 RESOLVED COBLEY-FINCH/WEBB**

That the Minutes of the Building & Development Council Meeting held **7 December 2004** be confirmed as a true and accurate record of the meeting.

**(b) ORDINARY MEETING**

**C2/05 RESOLVED COBLEY-FINCH/WEBB**

That the Minutes of the Ordinary Meeting held **14 December 2004** be confirmed as a true and accurate record of the meeting.

**(c) BUILDING & DEVELOPMENT COMMITTEE**

**C3/05 RESOLVED COBLEY-FINCH/WEBB**

That the Minutes of the Building & Development Committee Meeting held **8 February 2005** be confirmed as a true and accurate record of the meeting.

**\*\* APOLOGIES AND/OR CONDOLENCES**

**C4/05 RESOLVED SHEEHAN/COBLEY-FINCH**

That apologies be given for the absence of Councillors Porteous and Windsor.

**\*\* DECLARATION OF PECUNIARY INTEREST**

**NIL**

**\*\* MAYORAL MINUTES**

**1A: TSUNAMI RELIEF EFFORT**

Councillors and residents would be well aware of the massive devastation caused by the Tsunami on 26 December 2004 throughout the Asia Pacific region.

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What happened was an unprecedented, global tragedy that has changed the world forever. It has caused the death or disappearance of well over 290,000 people, has injured over 500,000 people and has displaced millions of people throughout the Asia Pacific region. This disaster has also resulted in the biggest international relief effort that the world has ever seen and the UN has been called on to coordinate.

So far the response to calls for donations has been fantastic with close to US\$1 Billion being pledged by first world countries mainly unaffected by the disaster.

On 11 January 2005, a media release was issued by Council outlining the strategies that will be put in place to assist in the aid relief effort. These strategies are designed to ensure that a more sustained approach to the relief effort is taken so that aid does not fall short for the long term. These include:

- Councillors and Staff donating money directly to the relief effort Staff through a payroll deduction facility – there will be an individual choice for once off or on going throughout the year;
- Leichhardt Council matching the staff and councillor contributions dollar for dollar with a minimum of \$10,000 from Council;
- Public donations of any size being accepted at Council collection points such as the Customer Service Centre, All Libraries, Leichhardt Park Aquatic Centre and Dawn Fraser baths;
- Donations of food, clothing or sanitary supplies being accepted and passed on to organisations established to co-ordinate the air-lifting of supplies to needy areas;
- A link being established on Leichhardt Council website which will direct people to all official aid agencies and other sites so that they can donate or volunteer to assist with the relief effort; and
- Making our community facilities available to any established and official community organisations involved in the relief effort;

In addition, Council will work closely with the *Australian Local Government Association* and the *NSW Local Government and Shires Association* to ensure that donations of money, food or clothing reach its target as soon as possible and to assist in the long term reconstruction of tsunami affected areas in South East Asia.

At its meeting on 3 February 2005, IMROC recommended the following motion to its member councils:

- That IMROC notes the City of Canada Bay's recent establishment of a sister city arrangement with the Municipality of Galle, Sri Lanka.
- That IMROC Councils show support for the relief effort of the Municipality of Galle through the donation of any surplus building materials, machinery and tools to aid them in their public infrastructure replacement;

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- That IMROC Councils public libraries package up any surplus books and resources for the local schools and public libraries in Galle; and
- That all donations from Councils be provided to the City of Canada Bay who will arrange for the transfer of these materials to the Municipality of Galle.

**C5 /05**

**RESOLVED**

**MURPHY/WEBB**

That Council offers its deepest condolences to the families and loved ones of those who have died as a result of the Tsunami disaster. Council also extends its sympathies to those people who have been injured or displaced by the devastation.

That Council endorse the strategies announced by the Mayor in the media release on Tuesday, 11 January 2005 particularly that Council match the contributions by staff and Councillors dollar for dollar to double the initial donation.

That Council works closely with the *Australian Local Government Association* and the *NSW Local Government and Shires Association* for coordinated relief efforts to ensure that donations of money, food or clothing reach its target as soon as possible.

That Council endorse the IMROC recommendations that the City of Canada Bay donate to the Municipality of Galle, Sri Lanka any building materials, machinery, tools, books and other resources no longer being used and surplus to our needs.

Council also look at developing a Sister City Relationship with a city in Indonesia and investigate what assistance can be provided to schools.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**1B: CALLAN PARK**

In recent weeks, Council notes that concerns over the future of Callan Park have re-surfaced in media reports and rumours that the State Government has plans to turn the entire Callan Park site into a training facility for essential services such as the NSW Fire Brigade, NSW Ambulance, Corrective Services and NSW Police.

Although Council has not been formally notified about this proposal, deep concerns have been expressed about the nature of this proposal and also the leaking of this proposal at a crucial time in the negotiations over the future of the site.

Callan Park is an integral part of life in the Leichhardt Local Government Area. The site is rich in history in regards to pioneering mental health treatment, its landscape and remnant bushland, its indigenous heritage and its habitat.

## LEICHHARDT MUNICIPAL COUNCIL

Over the years, Council has maintained its position on Callan Park that the site should remain first and foremost a health care facility and that the integrity of the landscape and heritage building surroundings be preserved for future generations.

Council continues to applaud the strong commitment of thousands of local residents who have campaigned over the years to save Callan Park.

Council has assisted and attended many rallies and meetings over the closure of Rozelle Hospital in Callan Park.

The Friends of Callan Park has organised a rally on Tuesday, 30 March 2005 at Balmain Town Hall to re-affirm its opposition to the transfer of mental health care provision from the site and its support to maintain the site in public hands.

Council should support this rally and provide assistance in publicising the event to ensure that the meeting is well attended.

**C6/05**

**RESOLVED**

**MURPHY/COBLEY-FINCH**

That Leichhardt Council re-affirms its position that Callan Park remain as a specialised mental health facility.

That Council provides support to the Friends of Callan Park Rally on 30<sup>th</sup> March 2005 at Balmain Town Hall and send a request to the Balmain Town Hall Committee to waive the fees for this meeting.

That Council provides assistance to the Friends of Callan Park in publicising the rally to ensure it is well attended.

That Council writes to the Minister for Infrastructure, Planning and Natural Resources to clarify this issue of the proposal to use the site as a training facility for essential services such as the NSW Fire Brigade, NSW Ambulance, Corrective Services and NSW Police.

That the Mayor seek a meeting with the Minister regarding the establishment of a Trust and the on going management of Callan Park.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

### **1C: GAY & LESBIAN MARDI GRAS 2005**

The Mardi Gras parade has become an integral part of Sydney life over the past 27 years.

Borne out of violence and hatred towards the gay and lesbian community, it has become one of the world's biggest demonstrations in support of civil rights staged by the gay, lesbian, bisexual, transgender and queer communities.

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## LEICHHARDT MUNICIPAL COUNCIL

This year's Mardi Gras Parade will be on the evening of Saturday the 5th March.

The Mardi Gras parade has also become a very important event on the tourism calendar attracting tens of thousands of travellers from all around the world. It promotes Sydney as a tolerant inclusive community willing to celebrate all of its colour and vitality.

Council recognises the Gay, Lesbian, Bisexual, Transgender and queer members of our community and will continue to work to maintain Council as an inclusive community organisation.

A key component of the Mardi Gras Parade is fundraising for the Bobby Goldsmith Foundation. The Bobby Goldsmith Foundation was established to raise funds to address the needs of people living with HIV and AIDS by promoting independent living and community participation.

**C7/05**

**RESOLVED**

**MURPHY/COBLEY-FINCH**

That Leichhardt Council supports the annual Gay & Lesbian Mardi Gras taking place on Saturday 5 March 2005;

That Councillors and staff of Council are encouraged to participate in the parade, that all union members are particularly encouraged to participate in the float organised by Unions NSW.

That Council investigates how it can provide more assistance to the Gay & Lesbian Mardi Gras next year.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**1D.**

**MANGROVES IN BICENTENNIAL PARK**

On Friday 11 February 2005, Cr Chris Windsor and I met with the Lord Mayor of Sydney Cr Clover Moore and Cr Robyn Kemmis regarding Leichhardt Council's opposition to the proposed Mangroves in Bicentennial Park.

Cr Moore indicated that she was listening to the Community's concerns and attempting to come up with a satisfactory resolution to the concerns of Annandale. One possible compromise for the community is to move the mangroves back to the waterways land in the shallow water at the head of the bay.

The Save Rozelle Bay Association has been provided with a copy of Cr Moore's submission to waterways and agree that the proposal would be a satisfactory resolution to their concerns.

The Association still has concerns about the safety of residents regarding the proposed beach and have requested that Council inform the city of our continued opposition to the proposed beach.

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**LEICHHARDT MUNICIPAL COUNCIL**

**C8/05                    RESOLVED                    MURPHY/HANNAFORD**

That the Mayor on behalf of Council write to the Honourable John Watkins Minister for Transport supporting the submission as proposed in the letter dated 10 February 2005 from the city regarding the Creation of Mangrove Habitat in Rozelle Bay.

That the Mayor on behalf of Council send a similar letter of support to the Lord Mayor – with the addition of the objection to the proposed beach.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**2.                    SUMMARY OF MAYORAL MINUTE RESOLUTIONS FROM  
DECEMBER 2004**

**C9/05                    RESOLVED                    MCKENZIE/HAMILTON**

That the information be received and noted.

**\*\*                    MATTER ARISING FROM ABOVE ITEM –MASS TRANSIT  
NETWORK**

That any interested Councillor be invited to participate in the working group to implement the inner Sydney light rail network.

**\*\*                    SUSPENSION OF STANDING ORDERS**

**C10/05                    RESOLVED                    PARKER/SHEEHAN**

That Standing Orders be suspended and the following items be brought forward and dealt with now;

Items 27B, 9,18,19,21, 25,27A, 30,32, 43C and 43D.

**27B                    55 NORTON STREET LEICHHARDT**

**C11/05                    RESOLVED                    SHEEHAN/COBLEY-FINCH**

That Council as the consent authority pursuant to s80 of the Environmental Planning & Assessment Act 1979 and pursuant to s68 of the Local Government Act 1993 grant consent to Development Application No: D/2005/4/731 for an extension of trading hours and use as a place of public entertainment and grant consent for a Place of Public Entertainment Licence at the “Universale” Hotel at 55 Norton Street, Leichhardt subject to the following conditions contained in the report.

**LEICHHARDT MUNICIPAL COUNCIL**

**COUNCILLORS WHO VOTED FOR THE ABOVE RESOLUTION WERE;**

**Councillors, Hannaford, Murphy, Dyer, Sheehan, Allen, Cobley-Finch & Webb**

**COUNCILLOR WHO VOTED AGAINST THE ABOVE RESOLUTION WERE;**

**Councillors Parker, Hamilton and McKenzie.**

**8pm Councillor Sheehan retired from the meeting.**

**9. FUNDING REQUEST –ITAL-AUSTRALIAN FILM FESTIVAL**

**C12/05 RESOLVED COBLEY-FINCH/PARKER**

In lieu of the Opera in the Park event, that Council donate \$5000 from the community events budget towards the Ital-Australian Film Festival in May 2005, with event expenses to be fully reconciled and forwarded to Council, and the request for a waiver of the hall hire fee be referred to the Balmain Town Hall Management Committee for report back to the Community Services Committee

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**18. M4 EAST TUNNEL**

**C13/05 RESOLVED PARKER/MCKENZIE**

That Council:

- 1) Receive and note the report;
- 2) Continue pursuing additional M4 East media liaison in house;
- 3) Organise a further meeting of the M4 East Taskforce to coincide with the release of the EIS in order to confirm or refine existing strategy to deal with the release of the Environmental Impact Statement;
- 4) follow up on the request made to adjoining Councils for financial assistance;

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**LEICHHARDT MUNICIPAL COUNCIL**

- 5) Council hold a public meeting and invite Ashfield and Canada Bay Councils to participate.

**COUNCILLORS WHO VOTED FOR THE ABOVE RESOLUTION WERE;**

**Councillors Dyer, Parker, Hamilton, McKenzie, Murphy, Allen, Copley-Finch & Webb**

**COUNCILLOR WHO VOTED AGAINST THE ABOVE RESOLUTION WAS;**

**Councillor Hannaford**

**19. MARKETING AND PROMOTIONS CAMPAIGNS FOR THE BUSINESS CENTRES**

**C14/05 RESOLVED COBLEY-FINCH/HANNAFORD**

- 2.1 That Council receive and note the progress report on implementation of marketing and promotions campaigns for the Leichhardt, Annandale and Balmain/Rozelle business centres.
- 2.2 That a committee of interested Councillors and the Leichhardt business centre working group be convened in late March/early April to discuss and review the Leichhardt business centre study progress and the 1<sup>st</sup> draft master plan.
- 2.3 That a similar committee of interested Councillors and Balmain/Rozelle business representatives meet to discuss and review campaign progress and direction once a marketing/promotions consultant for this business centre has been engaged.
- 2.4 That consideration be given in the forthcoming draft 2005/2008 Management Plan and Budget to allocating \$50,000 to each of the Leichhardt, Annandale and Balmain/Rozelle business centres for an ongoing marketing and promotions campaign in line with final campaign master plans.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**LEICHHARDT MUNICIPAL COUNCIL**

**21. DRAFT LEICHHARDT LOCAL ENVIRONMENTAL PLAN 2000  
(AMENDMENT NO12) BALLAST POINT**

**C15/05 RESOLVED PARKER/COBLEY-FINCH**

That Council:

- 2.1 Adopt Draft *Leichhardt Environmental Plan 2000 (Amendment No 12) -Ballast Point* for gazettal by the Minister in accordance with section 70 of the *Environmental Planning and Assessment Act 1979*;
- 2.2 Include the site as a heritage item of state significance pending concurrence from the NSW Heritage Office in the absence of which the site be listed as a heritage item of local significance;
- 2.3 Delegate to the General Manager to forward Council's section 69 report and request for gazettal of the draft Plan upon receipt of advice from the NSW Heritage Office and make any changes pursuant to item 2.2 arising from this advice; and
- 2.4 Note in its section 69 report that Council does not support any amendments to the draft LEP that may be necessary as a consequence of changes to the draft Master Plan since its exhibition that would have the effect of:
  - (a) *Reducing the quantum of open space,*
  - (b) *Expanding any marine refuelling facilities and sewerage pump-out systems on the site,*
  - (c) *Permitting refreshment rooms,*
  - (d) *Reducing the number of heritage items on the site.*
- 2.5 Resolve to advertise the gazettal of the *Leichhardt Environmental Plan 2000 Amendment No 12 - Ballast Point* (pending the Minister's gazettal) in Council's administration centre, Council's libraries and the Inner Western Suburbs Courier.

**THE ABOVE RSOLUTION WAS CARRIED UNANIMOUSLY**

**25. MINUTES OF PLANNING COMMITTEE**

**C16/05 RESOLVED PARKER/HAMILTON**

That Council adopt the minutes of the Planning Committee held on 10 February 2005 with the accompanying recommendations.

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**THE ABOVE RSOLUTION WAS CARRIED UNANIMOUSLY**

**27A. CALLAN PARK TASKFORCE**

**C17/05 RESOLVED PARKER/COBLEY-FINCH**

- 2.1 That a further meeting of the Callan Park Taskforce be convened in March/April 2005.
- 2.2 That the draft Trust Model be circulated to Taskforce members and that the Taskforce finalise and make recommendations to Council on how to progress the draft Trust Model.
- 2.3 That correspondence be forwarded to the Minister for Infrastructure Planning and Natural Resources and Director General of the Department of Infrastructure Planning and Natural Resources seeking funds to undertake a detailed site analysis that will include the following:
  - Preparation of asset condition assessments, immediate necessary upgrade costs, annual renewal and maintenance expenditure for all site infrastructure including buildings, sea walls, open space, roads, paths, stormwater systems, lighting, fencing, retaining walls, site remediation etc
  - Preparation of a management / business plan to determine the resourcing needs and costs of servicing the entire site together with current and potential future revenue sources.
  - A heritage and urban design analysis for all buildings and site improvements.
  - The preparation of a subsequent plan of management, master plan and draft statutory documents to reflect the above outcomes.
- 2.4 That Council allocate up to \$4,300 from its Callan Park budget for the Friends of Callan Park to undertake a public meeting at the Balmain Town Hall on 30 March 2005.
- 2.5 That the contents of any advertising/promotional material to be funded by Council pursuant to item 2.4 be authorised by the General Manager prior to its display/publication.

**THE ABOVE RSOLUTION WAS CARRIED UNANIMOUSLY**

**LEICHHARDT MUNICIPAL COUNCIL**

**30. MINUTES OF LOCAL TRAFFIC COMMITTEE**

**C18/05 RESOLVED WEBB/ALLEN**

That the Minutes from the Local Traffic Committee meeting dated 28 January 2005 be received and the accompanying recommendations adopted.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**32. COST OF STREET LIGHTING SERVICES FROM ENERGY AUSTRALIA**

**C19/05 RESOLVED ALLEN/PARKER**

1. The submission to IPART by Energy Australia proposing increases in the charge to provide public lighting be noted.
2. A reply be sent to Energy Australia objecting to the proposed price increases in the terms set out by the Street Lighting Improvement Program contained in the body of the report.
3. Council continues to support the Street Lighting Improvement Program and its initiative to improve public lighting.
4. Council continues to endorse the Street Lighting Improvement Program's submission to IPART objecting to Energy Australia's proposed cost increases in public lighting services.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**43C. LANE OFF MOORE STREET LEICHHARDT**

**C20/05 RESOLVED PARKER/ALLEN**

- 1 That under section 16 of the Roads Act, 1993, after giving the required notice under section 17, Council publish a notice in the Government Gazette to dedicate as public road the lane which runs off Moore Street (between 111 and 119 Moore Street), Leichhardt.
- 2 That authority is delegated to the General Manager to sign, on behalf of Council, the required notice under s.17 and the Gazette Notice under s.16 of the Roads Act, 1993 and all other documents necessary or desirable to implement the above resolution.

**LEICHHARDT MUNICIPAL COUNCIL**

- 3 That if at any time Council undertakes construction or paving of any kerbing or guttering or footway along the lane, Council will require a contribution from adjoining land owners under s. 217 of the Roads Act, 1993.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**43D. DRAINAGE RESERVE, PIPER LANE ANNANDALE –PROPOSED DEDICATION AS PUBLIC ROAD**

**C21/05 RESOLVED DYER/HANNAFORD**

1. That Council dedicate lot 1 DP 724317 as public road under section 10 of the Roads Act, 1993.
2. That authority is delegated to the General Manager to execute on behalf of Council all documents required to implement resolution 1.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**\*\* RESUMPTION OF STANDING ORDERS**

**C22/05 RESOLVED PARKER/HAMILTON**

That Standing Orders be resumed.

**9.12pm The meeting was adjourned.**

**9.21pm The meeting resumed with the same Councillors present.**

**\*\* SUSPENSION OF STANDING ORDERS**

**C23/05 RESOLVED COBLEY-FINCH/ALLEN**

That Standing Orders be suspended and the following items be dealt with concurrently and the recommendations contained in the reports be adopted;

Items 3,5,6,7,8,10,11,12,13,14,17,20, 28,29, 31, 33A, 34,35,36,37A,43,43A & 43B

**LEICHHARDT MUNICIPAL COUNCIL**

**\*\* PRECIS OF CORRESPONDENCE**

**3. SUMMARY OF PRECIS OF CORRESPONDENCE RESOLUTIONS FROM DECEMBER 2004**

**C24/05 RESOLVED COBLEY-FINCH/ALLEN**

That the information be received and noted.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**5. 5<sup>TH</sup> ASIA PACIFIC CITIES SUMMIT - CHINA**

**C25/05 RESOLVED COBLEY-FINCH/ALLEN**

The information be received and noted.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**6. INTERNATIONAL COUNCIL FOR LOCAL ENVIRONMENTAL INITIATIVES**

**C26/05 RESOLVED COBLEY-FINCH/ALLEN**

That Council nominate the Mayor as contact for the International Council for Local Environmental Initiatives for 2005.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**7. CIRCLES OF LIGHT ASSOCIATION – HALL HIRE**

**C27/05 RESOLVED COBLEY-FINCH/ALLEN**

1. The Circles of Light Association be granted the community rate for their use of the Lilyfield Community Centre fortnightly on Wednesdays throughout 2005.
2. The Circles of Light Association be granted a full fee waiver for their use of the Lilyfield Community Centre on 3 January 2005.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**LEICHHARDT MUNICIPAL COUNCIL**

**8. 2005 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION CONFERENCE**

**C28/05 RESOLVED COBLEY-FINCH/ALLEN**

That Council consider nominating delegate/s to attend the 2005 Annual Conference of the Australian Local Government Women's Association in Albury in March 2005.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**10. WOMEN IN BUSINESS LUNCH –SPONSORSHIP REQUEST**

**C29/05 RESOLVED COBLEY-FINCH/ALLEN**

That Council provides an Ad Booster sponsorship of \$750 from Council's Events Budget towards the Village Voice Women in Business Seminar and Networking Lunch on Tuesday 5<sup>th</sup> April 2005, in line with the level of sponsorship provided in 2004.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**11. MARITIME BOUNDARY NEGOTIATIONS BETWEEN AUSTRALIA & EAST TIMOR**

**C30/05 RESOLVED COBLEY-FINCH/ALLEN**

The information be received and noted.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**12. DEVELOPMENT OF FRIENDSHIP ARRANGEMENTS WITH EAST TIMOR COMMUNITIES**

**C31/05 RESOLVED COBLEY-FINCH/ALLEN**

That Council advise the Local Government Association of it's ongoing support for the Friendship City relationship with East Timor, in particular with Maliana and also support the request for a donation of \$500 towards the establishment of a Friendship City Liaison position in East Timor.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**LEICHHARDT MUNICIPAL COUNCIL**

**13. LEICHHARDT MARRICKVILLE HOUSING FORUM**

**C32/05 RESOLVED COBLEY-FINCH/ALLEN**

That \$2000 be allocated from the 04-05 Community Development Aged & Disability Program budget to the Leichhardt Marrickville Housing Forum to assist with the costs associated with running the Affordable and Sustainable Housing Expo.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**14. LIFE EDUCATION NSW REQUEST FOR FINANCIAL ASSISTANCE**

**C33/05 RESOLVED COBLEY-FINCH/ALLEN**

That \$750 be allocated from the Youth Events and Training budget to Life Education being for the education program within the Leichhardt Council region.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**17. LEAVE OF ABSENCE – COUNCILLOR MURPHY**

**C34/05 RESOLVED COBLEY-FINCH/ALLEN**

2.1 That Council note that the Mayor, Cr Alice Murphy, will be taking leave of absence from 28 February 2005 to 20 March 2005

2.2 That Council note that the Deputy Mayor, Cr Carolyn Allen, may exercise any function of the Mayor during this period of absence in accordance with Section 231(3) of the Local Government Act (1993).

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**20. SUMMARY OF ENVIRONMENTAL AND COMMUNITY MANAGEMENT RESOLUTIONS FROM DECEMBER 2004**

**C35/05 RESOLVED COBLEY-FINCH/ALLEN**

That the information be received and noted.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**



**LEICHHARDT MUNICIPAL COUNCIL**

**28. SUMMARY OF INFRASTRUCTURE AND SERVICE DELIVERY RESOLUTIONS FROM DECEMBER 2004**

**C36/05 RESOLVED COBLEY-FINCH/ALLEN**

That the information be received and noted.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**29. COMPOSTING OF PUTRESCIBLE WASTE**

**C37/05 RESOLVED COBLEY-FINCH/ALLEN**

That Council commences discussions with other Council's of the Inner Sydney Waste Managers Group and the Department of Environment and Conservation for a joint regional contract for the receipt and processing of garden and food organics for composting and the investigations be listed as a priority in the draft 2005/08 management plan.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**31. 2<sup>ND</sup> QUARTER 2004/05 INFRASTRUCTURE PROGRAM UPDATE**

**C38/05 RESOLVED COBLEY-FINCH/ALLEN**

That the progress of the infrastructure works program for the 2<sup>nd</sup> quarter of the 2004/2005 financial year be noted.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**33A FLOODPLAIN MANAGEMENT**

**C39/05 RESOLVED COBLEY-FINCH/ALLEN**

1. That Council prepare controls to form the basis of a draft DCP for floodplain management.
2. That the draft DCP be referred to the Planning Committee.
3. That legal advice be obtained for the inclusion of an advisory notation on all Section 149 certificates, advising of the need to check for potential flood affectation.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**LEICHHARDT MUNICIPAL COUNCIL**

**34. SUMMARY OF CORPORATE AND INFORMATION SERVICES RESOLUTIONS FROM DECEMBER 2004**

**C40/05 RESOLVED COBLEY-FINCH/ALLEN**

That the information be received and noted.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**35. STATEMENT OF INVESTMENT BALANCES AS AT 31 JANUARY 2005**

**C41/05 RESOLVED COBLEY-FINCH/ALLEN**

That the Statement of Investment Balances as at the 31 January 2005 be received and noted.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**36. MANAGEMENT PLAN PREPARATION TIMETABLE & PROCESS 2005/08**

**C42/05 RESOLVED COBLEY-FINCH/ALLEN**

That Council endorse the Management Plan timetable and process.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**37A. BUDGET REVIEW – QUARTER 2 2004/05**

**C43/05 RESOLVED COBLEY-FINCH/ALLEN**

That Council adopt decreased net expenditure of \$417,262 and decreased net revenue of \$236,856 and the revised budget surplus for 2004/05 of \$2,841 as detailed in this report.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**43. USAGE OF THE LEICHHARDT TOWN HALL**

**C44/05 RESOLVED COBLEY-FINCH/ALLEN**

The information be received and noted.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**LEICHHARDT MUNICIPAL COUNCIL**

**43A. PROPOSED ROAD CLOSURE – PART WHITES CREEK LANE ANNANDALE**

**C45/05 RESOLVED COBLEY-FINCH/ALLEN**

1. That Council apply to the Department of Lands for closure of that part of White's Creek Lane Annandale which has been fenced within 7 Clarke Street Annandale as indicated on the survey plan attached to the report.
2. That the closed part of the road be sold to the owner of 7 Clarke Street Annandale for market value in accordance with an independent valuation plus the costs of and in connection with the road closure and sale.
3. That authority be delegated to the General Manager to sign all applications, contracts for sale, transfers and other documents to give effect to the above resolutions.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**43B. INFORMATION CENTRE, LEICHHARDT MARKETPLACE – PROPOSED RELOCATION**

**C46/05 RESOLVED COBLEY-FINCH/ALLEN**

1. That Council agree to the relocation of its information centre within Leichhardt Marketplace, corner Flood and Marion Street Leichhardt, subject to terms and conditions acceptable to the General Manager.
2. Authority is delegated to the General Manager to negotiate and finalise the terms of any agreement for relocation and to execute all relevant documents on behalf of Council.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**\*\* RESUMPTION OF STANDING ORDERS**

**C47/05 RESOLVED PARKER/HAMILTON**

That Standing Orders be resumed & Council deal with the remaining items on the agenda in turn.

**LEICHHARDT MUNICIPAL COUNCIL**

**4. JAMES HARDIE – HEADS OF AGREEMENT**

**C48/05 RESOLVED HANNAFORD/MCKENZIE**

That the Leichhardt Council boycott of James Hardie products be reviewed after notification is received from the LGA that the legally binding agreement between all parties is signed.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**15. SUMMARY OF GENERAL MANAGER RESOLUTIONS FROM DECEMBER 2004**

**C49/05 RESOLVED ALLEN/HAMILTON**

That the information be received and noted.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**16. STANDARD ENTERPRISE AGREEMENT FOR BUILDING INDUSTRY**

**C50 /05 RESOLVED MCKENZIE/PARKER**

That Council, as a condition of development consent for all works except single dwelling construction, adopts a policy that precludes work, in addition to current work restrictions, on Saturdays aligned with Public Holiday periods and fixed industry rostered days off as scheduled by the CFMEU and the Master Builders Association of NSW and as contained in the EBA Enterprise Agreement.

**COUNCILLOR WHO VOTED FOR THE ABOVE RESOLUTION WERE;**

**Councillors Hannaford, Parker, Hamilton, McKenzie, Murphy, Allen, Cobley-Finch & Webb**

**COUNCILLOR WHO VOTED AGAINST THE ABOVE RESOLUTION WAS;**

**Councillor Dyer**

**LEICHHARDT MUNICIPAL COUNCIL**

**22. MINUTES OF THE ENVIRONMENT AND RECREATION COMMITTEE**

**C51/05 RESOLVED ALLEN/PARKER**

That Council adopt the minutes of the Environment and Recreation Committee held on 1<sup>st</sup> February with the accompanying recommendations subject to the following change;

Item 3 – Committee Structure & Operations

The recommendation (ERC03/05) for this item be amended to read;

That Council endorse the following recommendations of the committee;

1. adopt the terms of reference recognising that the list of policy items in the terms of reference is not definitive and may include areas where policy is reviewed rather than developed.
2. include the 'policy list' as a standing item on the committees agenda until such time that the committee and Council are confident that this list is a complete and accurate listing of the brief of the Environment and Recreation Committee.
3. adopt the modified operational guidelines agreed by the committee –specifically that 'Senior Environment Officer and Senior Recreational Planner' be added to point 6 Councillor and staff attendance.
4. further clarification on the status of committee decision if there are not 3 Councillors present at the meeting after 30 minutes.
5. each meeting agenda to include the following standing items
  - a) policy development and review items
  - b) priority project(s) for consultation with the committee
  - c) works programs for information
6. a policy folder containing all the council policies relevant to the committee's terms of reference be available at each meeting for reference purposes.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**LEICHHARDT MUNICIPAL COUNCIL**

**23. DRAFT LEICHHARDT LOCAL ENVIRONMENTAL PLAN 2000  
(AMENDMENT NOX) REFRESHMENT ROOMS IN THE  
RESIDENTIAL ZONE**

**C52/05 RESOLVED PARKER/WEBB**

That Council rescind resolution C490/04 from the December 2004 Ordinary Meeting concerning this matter and:

- 2.1 Resolve to adopt *Leichhardt Environmental Plan 2000 (Amendment No X) – Refreshment Rooms in the Residential Zone* for gazettal by the Minister in accordance with section 70 of the *Environmental Planning and Assessment Act 1979*, pending receipt of advice from the Parliamentary Counsel's Office;
- 2.2 Delegate to the General Manager to forward Council's section 69 report and request for gazettal of the draft plan upon receipt of advice from the Parliamentary Counsel's Office and to make any minor changes to the drafting of the draft Plan arising from this advice; and
- 2.3 Resolve to advertise the gazettal of *Leichhardt Environmental Plan 2000 (Amendment No X) – Refreshment Rooms in the Residential Zone* (pending the Minister's determination) in Council's administration centre, Council's libraries and the Inner Western Suburbs Courier.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**24. FREEDOM OF INFORMATION REQUEST – LEASE  
ARRANGEMENTS BETWEEN NSW MARITIME AND ROZELLE BAY  
PTY LTD AND SYDNEY SLIPWAYS PTY LTD**

**C53/05 RESOLVED MCKENZIE/PARKER**

1. That the FOI application be pursued.
2. That Council ask the agency Director General to review the decision to refuse access.
3. That Council ask the City of Sydney to join Leichhardt Council in this action and contribute towards costs.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

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This is page 22 of the Minutes of the Ordinary Meeting of Council held on the day of 22 February 2005 and presented for confirmation this day 22 March 2005.

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CHAIR

**LEICHHARDT MUNICIPAL COUNCIL**

**26. 31 WHITE STREET OUTCOME OF FACILITATION WORKSHOP**

**C54/05 RESOLVED HANNAFORD/COBLEY-FINCH**

That:

- 2.1 Council endorse the vision for 31 White Street Annandale reached at the Project Vision Workshop on 30 October 2004, being that: "The land at 31 White Street will be a functioning Environmental Centre, primarily for the education of the local community, and showcasing local community environmental, social and economic sustainability."
- 2.2 Within the context of resolution 1, Council reaffirm its resolution C1999/04 of 22 June 2004 and continues to carry out the following steps:
- Review options for the future of the site,
  - Review funding options and the ongoing financial viability of the facility,
  - Resolve issues raised in submissions,
  - Refine the concept plans consistent with proposed future uses,
  - Consider the environmental sustainability of the building and demonstration options,
  - Consider models for the management of the facility and associated park components
- 2.3 Council call for expressions of interest to advise on the financial feasibility, and development of a business plan, for a functional Environmental Centre at 31 White Street Annandale.
- 2.4 The estimated cost of this project is \$20,000 to be funded from the s94 Community Facilities Fund.
- 2.5 That the findings of the feasibility study and business plan be reported to Council once completed.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**27. MINUTES OF THE COMMUNITY SERVICES, SAFETY AND FACILITIES COMMITTEE**

**C55/05 RESOLVED HANNAFORD/WEBB**

That Council adopt the minutes of the Community Services, Safety and Facilities Committee held on 2 February 2005 with the accompanying

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recommendations contained in the report.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**33. CAR SHARING**

**C56/05 RESOLVED PARKER/ALLEN**

1. That Council continues negotiations with the Roads and Traffic Authority for the provision of car share parking guidelines.
2. That a letter from the Mayor be sent to the local MP, the Minister for Roads and the CEO of the Roads and Traffic Authority impressing the benefits of supporting the car sharing concept and the urgency for the timely preparation and adoption of car share parking guidelines
3. Council staff to investigate the allocation of dedicated car parking spaces for car sharing at the Waterloo Street, carpark as an alternative option

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**37. 2<sup>ND</sup> QUARTERLY REVIEW 2004/05 MANAGEMENT PLAN**

**C57/05 RESOLVED ALLEN/PARKER**

That Council receive and note the report.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**38. LOCAL GOVERNMENT ASSOCIATION PURCHASING CONTRACTS**

**C58/05 RESOLVED ALLEN/MURPHY**

1. Council receive and note the information regarding the Bill Payment Project.
2. Council receive and note the information regarding the Microsoft NAMS Agreement.
3. Leichhardt Council join the Local Government Buy Recycle Alliance.
4. Council receive and note the information regarding the Sydney Morning Herald Advertising Tender.

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CHAIR



**LEICHHARDT MUNICIPAL COUNCIL**

5. That the Mayor write to the President of the Local Government Association advising her of Council's findings in relation to the Bill Payment Project, the Microsoft NAMS Agreement and the Sydney Morning Herald advertising tender.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**39. COUNCIL TENDERING REQUIREMENTS**

**C59/05 RESOLVED PARKER/HAMILTON**

That Council receive and note.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY  
40. HALL HIRE WAIVERS/REDUCTION FOR QUARTER ENDING  
31/12/04**

**C60/05 RESOLVED PARKER/DYER**

The information be received and noted.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**41. CODE OF MEETING PRACTICE**

**C61/05 RESOLVED PARKER/HAMILTON**

Council adopt the Code of Meeting Practice.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**42. MICROPHONE SYSTEM IN COUNCIL CHAMBERS**

**C62/05 RESOLVED PARKER/HAMILTON**

Council trial the Option 1 system referred to in the report and make a decision on whether to purchase the system after the trial.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**LEICHHARDT MUNICIPAL COUNCIL**

**43E. INVESTMENT IN GREEN FUND**

**C63/05 RESOLVED PARKER/COBLEY-FINCH**

That \$2,000,000 of Council's investment portfolio be invested in the Grange Ethical Entity Note (GREEN) 'AA' floating rate security as outlined in the report.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**\*\* MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN**

**44. SUMMARY OF MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN RESOLUTIONS FROM DECEMBER 2004**

**C64/05 RESOLVED PARKER/COBLEY-FINCH**

That the information be received and noted.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**45. REGIONAL ABORIGINAL LAND COUNCIL SUPPORT**

**C65/05 RESOLVED ALLEN/WEBB**

That Council write to the NSW Minister for Aboriginal Affairs seeking to ensure that in future years there can be full participation of Regional Aboriginal Land Council delegates at the Local Government Association (LGA) conference through financial support from the NSW Aboriginal Land Council.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**46. BOYCOTTING OF JAMES HARDIE**

**C66/05 RESOLVED MCKENZIE/HAMILTON**

That Leichhardt council defer consideration of the lifting of its prohibition on the use of James Hardie products until all parties have executed the legally binding Principal Agreement.

**\*\* QUESTIONS WITHOUT NOTICE**

NIL

**\*\* COMMITTEE OF THE WHOLE**

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CHAIR

## LEICHHARDT MUNICIPAL COUNCIL

*The following items are listed for consideration by Council in Committee of the Whole with the press and public excluded, in accordance with the provisions of Section 10A(2)(d) of the Local Government Act, 1993.*

*Council resolved to meet in the Committee of the Whole at 10.10pm with the press and public excluded after a MOTION (PARKER/COBLEY-FINCH) to that effect was CARRIED.*

**1. TENDER FOR MORT BAY PARK SITE C – REPAIRS TO RETAINING WALLS**

**CW 1/05 RECOMMENDATION PARKER/DYER**

That the tender submitted by Bentham Investments Pty Ltd for \$106,000 (plus GST) be awarded.

**2. TENDER FOR COLLECTION OF DRY RECYCABLES**

**CW 2/05 RECOMMENDATION PARKER/DYER**

That Council award the tender submission from United Resources Management Pty Ltd for the sum of \$1,324,958.96 per annum excluding GST for the collection of dry recyclables from residential properties.

**3. TENDER FOR MANUFACTURE, SUPPLY AND DELIVERY OF MOBILE GARBAGE BINS AND CRATES**

**CW 3/05 RECOMMENDATION COBLEY-FINCH/WEBB**

That Council accept and award the tender submission from:

2.1 Nylex Corporation Pty Ltd for the manufacture and supply of MGB's and crates at the tendered rates.

2.2 Nylex Corporation Pty Ltd for the assembly of MGB's and delivery of both MGB's and crates to nominated residential properties at the tendered rates.

**\*\* SPECIAL THANKS TO STAFF**

**CW 4/05 RECOMMENDATION COBLEY-FINCH/WEBB**

That Council especially thank Cheryl Walker, Allan Willding & Ian McCann for their work throughout the process in relation to the tender

**LEICHHARDT MUNICIPAL COUNCIL**

for the collection of dry recyclables and tender for manufacture, supply and delivery of mobile garbage bins and crates.

**\*\* RETURN TO OPEN COUNCIL**

Open Council resumed at 10.14pm after a MOTION (PARKER/COBLEY-FINCH) to that effect was CARRIED.

**\*\* REPORT OF THE COMMITTEE OF THE WHOLE**

**C67/04 RESOLVED PARKER/COBLEY-FINCH**

That the recommendations of the Committee of the Whole minute numbers CW1/05 to CW4/05 be adopted by Council.

**THE ABOVE RESOLUTION WAS CARRIED UNANIMOUSLY**

**The meeting closed at 10.15pm.**