

LEICHHARDT MUNICIPAL COUNCIL

MINUTES of ORDINARY MEETING of Leichhardt Municipal Council held in the Council Chambers Leichhardt Town Hall, Norton Street, Leichhardt on **27 June 2006**.

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

Staff Present : General Manager, Director Corporate & Information Services, Director Environmental & Community Management, Director Infrastructure & Service Delivery, Manager Employee Services, Manager Financial Services, Media and Public Affairs Officer, Manager Administration Services and Administration Officer.

Meeting Commenced: 7.07pm

BUSINESS:

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CONFIRMATION AND/OR CORRECTIONS OF MINUTES ORDINARY AND SPECIAL MEETING

(a) BUILDING & DEVELOPMENT COMMITTEE MEETING

C184 /06 RESOLVED HAMILTON/WEBB

That the Minutes of the Building & Development Committee Meeting held 9 May 2006 be confirmed as a true and accurate record of the meeting.

(b) BUILDING & DEVELOPMENT COUNCIL

C185/06 RESOLVED HAMILTON/WEBB

That the Minutes of the Building & Development Council Meeting held 16 May 2006 be confirmed as a true and accurate record of the meeting.

(c) ORDINARY MEETING

C186 /06 RESOLVED HAMILTON/WEBB

That the Minutes of the Ordinary Meeting held 23 May 2006 be confirmed as a true and accurate record of the meeting.

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**** APOLOGIES AND/OR CONDOLENCES**

Nil

**** DECLARATION OF PECUNIARY INTEREST**

Nil

**** MAYORAL MINUTES**

1. Nil

SUSPENSION OF STANDING ORDERS

RESOLVED PARKER/COBLEY-FINCH

That Standing Orders be suspended and Items 13, 15A, 31 and 25A be brought forward and dealt with now.

13. MINUTES OF THE PLANNING COMMITTEE

C187 /06 RESOLVED ALLEN/COBLEY-FINCH

That Council adopt the minutes of the Planning Committee held on 8 June 2006 with the accompanying recommendations as contained in the report, including the officer's recommendation on page 46 of the Business Paper pertaining to Item 7 of the meeting with the inclusion of the following:

That Item 7 of the meeting be referred to the Planning Committee for further discussion.

CARRIED UNANIMOUSLY

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15A. 31 CAMERON STREET BIRCHGROVE (THE SIR WILLIAM WALLACE HOTEL)

C188 /06 RESOLVED ALLEN/COBLEY-FINCH

1. Council delegates power to approve the application to the Mayor and General Manager in consultation with Councillors and senior staff on satisfactory receipt of matters currently listed in the report as deferred commencement conditions with the inclusion of the following additional conditions:
 1. No patrons to be permitted on the verandah whatsoever;
 2. A patron management plan be prepared and submitted to Council.
2. Prior to approval that Council investigate the need for Condition D.1.(d).

The Vote for and against the above Resolution was;

	FOR	AGAINST
Vera-Ann Hannaford	x	
Nick Dyer	x	
Rochelle Porteous		x
Jamie Parker		x
Kate Hamilton		x
Michele McKenzie		x
Alice Murphy	x	
Maire Sheehan	x	
Carolyn Allen	x	
Damian Cobley-Finch	x	
Robert Webb	x	
Chris Windsor	x	

31. CALLAN PARK CITY FARM PROPOSAL

Introduction

This proposal argues that a city farm and community centre integrated within a wider overall plan for Callan Park and run by the Callan Park Trust committee would provide a good solution to the pressing question of the abandoned space and buildings in the park.

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The city farm proposal incorporates the use of space on the site to grow food and graze animals and poultry, create habitat for native animals, a beautiful landscape for people to walk through, community facilities to congregate, learn, work and relax. A model for what is possible is CERES in inner city Melbourne.

The use of the facility would be for Inner West residents, hospital patients, school and university students, unemployed and aged pensioners, and parents groups. Work for the dole programmes would operate as well as education programmes with school and university and TAFE students. Suitable hospital patients, working together with the local community, could use the site for rehabilitation and skills learning.

Previous studies over the last 15 years have suggested ideas which can be best realised through such a complex. For example, in 1986, Rebekah Powel suggested "an adventure playground could be established offering a unique facility to the region's young children...The grounds and historic buildings also provide a venue for cultural events such as the Leichhardt Carnivale, festivals, outdoor theatre and exhibitions." (p.248) The 1991 plan entitled *Rozelle Hospital Open Space Management* suggests "the widest spectrum of public use of site open space" and to "incorporate opportunities for social recreational or educational developments". (p.1) Leichhardt Council's 2001 *Community Vision* suggests uses such as "café/restaurant, library/museum, car parking, active recreational facilities, community centre, educational facilities, youth activity centre, biodiversity corridor/habitat, artists' studios, community/sensory gardens, environmental organizations, outdoor classrooms".

The need for a city farm stems from a rising need to increase ecological literacy within the urban environment and build community networks. The move toward 'sustainable development' requires the grassroots population to have the maturity and ecological attitude to adequately deal with the future issues we face. Furthermore, the potential of the site to strengthen community bonds and deal with social issues such as unemployment, disaffected youth, parenthood, the aged and loneliness, not to mention mental illness, is high. Reconciliation can also be at the forefront of the centre's aims as well as multiculturalism.

David Orr argues in *Pedagogy of the Earth* that ecological literacy is fundamental to a sustainable society. However, he suggests that "ecological literacy is becoming more difficult...because there is less opportunity for the direct experience of it. Fewer people grow up on farms or in rural areas where access is easy and where it is easy to learn a degree of competence and self-confidence toward the natural world...A sense of place requires more direct contact with the natural aspects of a place, with soils, landscape and wildlife...If we must live in an increasingly urban world, let's make it one of well designed compact green cities that include trees, river parks, meandering greenbelts, and urban farms where people can see, touch, and experience nature in a variety of ways. In fact, no other cities will be sustainable in a greenhouse world." (pp.57-8)

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I'd like to also add to this argument the important notion of "Re-Enchantment". Freya Mathews, a leading ecological philosopher from Melbourne argues in 'Community, and the Ecological Self' that "community with nature...is eminently realisable in cities. There are numerous ways we can cultivate a sense of community with the natural world in urban neighbourhoods...include[ing] acquainting ourselves with the natural and indigenous history of our own area; greening streets and vacant land; restoring rivers and creeks; establishing neighbourhood gardens and permaculture projects; initiating alternative technology projects, compost and sewerage systems. Particularly important, I think, is the establishment of 'mixed communities' of humans and animals, via urban and backyard 'farms' and sanctuaries, where these would provide opportunities for us to share our life world with non-human beings, and thereby discover for ourselves their complexity and individuality, their intelligence and capacity for responsiveness. Through efforts such as these, urban eco-communities can eventually come to emanate a 'magic', and command passionate loyalty, that even their rural counterparts cannot match, precisely because of their significance as beacons of hope and 're-enchantment' in a spoiled and uncaring world." (pp.80-81)

Existing Models and Network

CERES (Melbourne)
Collingwood Children's Farm (Melbourne)
Northey Street City Farm (Brisbane)
Perth City Farm
UNSW Ecoliving Centre
London City Farm
New York City Farm

Suggested Projects and Functions

Permaculture Farm

- Community Gardens
- Animals & Livestock – eg. chickens, ducks, geese, turkeys, horses, ponies, goats, sheep
- Aquaculture – fish, frogs, plants
- Orchards
- Market Gardens
- Sensory gardens
- Nursery & Seed Saving
- Bush foods
- Bees
- Bush Regeneration
- Care for the land
- Recycling and Composting depot

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- Sculptures throughout

Community Centre

- Meeting space - Hall
- Arts and Crafts facilities
- Bakery & Cooking
- Yoga & Meditation

Multicultural Centre

- Space for cultural groups within the area to meet
- Aboriginal Centre – Including Arts and Crafts, Music and Dance, performance, history, storytelling
- Museum and Library
 - History of the Park and the Asylum
 - gardening, permaculture & environmental studies library

Education

- Horticulture, Agriculture, Permaculture, Environmental Studies
- Arts and Crafts
- Possible to work in conjunction with Universities and TAFE and Community Colleges
- High School and Primary School programmes about sustainability, environmental education, ecology, gardening, permaculture, science

Suggested Location

- Glover Street Oval
- Northern and Western sides of the Central Slopes
- Balmain Road cricket oval

Psychiatric Care Integration Potential

Many projects on the site are suitable for psychiatric patients as part of their rehabilitation and care. The site's own history supports this as farming and landscape gardening were done by the patients.

Patients can work on bush regeneration, gardening and looking after the animals, working in the nursery, working in the café, making arts and crafts, amateur theatre etc.

Patients will be working together with the wider community and thereby breaking down the barriers between the two communities.

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As with people in the wider community such as the unemployed and students, the centre/farm can provide skills to psychiatric patients that can possibly lead to employment opportunities or further education and careers.

Building bridges within and between communities strengthens the local area and increases the safety and wellbeing for all residents. It also starts to address some of the causes of mental illness such as fear and isolation, lack of opportunity and jobs, thereby actively working to reduce the burden on hospitals and the police force.

Funding Possibilities

Callan Park Trust

Council & Government Grants

Corporate Sponsorship

Membership

Donations

Enterprises

- Café
- Shop
- Education
- Markets (Stall fees)
- Sale of Produce
- Pony Rides
- Hiring of facilities (Birthday parties, Weddings)
- Nursery
- Consultancy
- Festivals
- T-Shirts and merchandise

Other Possible Enterprises within Callan Park but not within the city farm –

- Sport and Leisure Centre
- Hotel, Restaurant, Convention Centre
- Artists' Studios
- Art Gallery, Museum
- Car Park

Access

The current situation does not lend the site easy access to the public. A ferry stop at the end of Wharf Road would greatly improve the situation. Car parking facilities off Wharf Road just behind Glover Oval could be installed. Increased buses to Balmain Rd and the site are possible. Better cycle ways to the site would also increase its accessibility.

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Some Possible Objections and Problems

One immediate objection to the proposal is “Will anyone actually use the site?”

Given that we live in an increasingly fast paced society, who has time for working on a farm? In answer to this question, it can be argued that there are still a significant amount of retired people, young parents housebound looking after children, students, unemployed, and interested residents in the area who would be interested in being a part of the centre and giving up some spare time to work in it.

Furthermore, there is a significant number of people in Sydney who would dearly love to see an inner-city farm emerge and would want to help to make it happen. A number of paid staff looking after the place would be necessary (In CERES, 110 people are employed) thus creating employment. Also, schools and universities can organise working projects for their students to work and learn in the centre.

Integration with the hospital

Noise may be a problem – suitable levels of noise and activity would have to be determined and the participants educated on this issue.

Some patients may offend or scare children. Well, maybe it is good for children to be exposed to people’s differences and not hide things from them or society.

Furthermore, patients and those in the community with psychiatric problems would be under supervision by trained staff. As well, children would have either parental care or trained supervision as well.

Ongoing dialogue between hospital management and the centre’s management would provide corrective feedback. The Trust committee could be a forum for these discussions, as well as with all groups using the site.

Community Objection

If the surrounding community don’t want the project well, the project won’t happen. Only if it is wanted and supported by the local people will it work.

Permaculture systems and farm animals may be too messy for manicured and ‘ordered’ city open spaces.

The ‘order’ of the picturesque park design most people are used to in city space is quite different to a more ‘natural’ permaculture designed system. However, it has a beauty and aesthetic of its own quality and people may even like it. They do in Melbourne and Brisbane!

It’ll be too much responsibility for the community.

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2. That David Fonteyn be invited to the next Environment Committee meeting to present his proposal.

CARRIED UNANIMOUSLY

9.20pm Cr Windsor retired from the meeting.

25A. MANAGEMENT PLAN 2006-2009

C190 /06 RESOLVED DYER/SHEEHAN

- 2.1 That Council adopt the draft Management Plan for 2006/2009 including the schedule of fees and charges, subject to the changes in Section 3.6 of the report and the following additional amendments;

A) It is recommended that the following amendment be made to page 156 of the 2006-2009 draft Management Plan;

1. In the "unit measure" column under "Building Inspection" the words "per inspection" be deleted and replaced with "per mandatory inspection/per unit".

2. In the "Inclusive amount" column under "Building Inspection" the amount should all be replaced with \$175.

3. The "GST" column and "exclusive amount" column should be adjusted accordingly.

B) It is recommended that the following amendment be made to page 158 of the 2006-2009 draft Management Plan;

1. The GST position of the food shop inspection fee, temporary food premises inspection fee (annual) and temporary food premises inspection fee (daily) is amended from "Exempt" to "Taxable".

2. The GST inclusive amount of these fees is changed to \$130, \$190 and \$90 respectively.

3. The "GST" column and "exclusive amount" column should be adjusted accordingly.

C) That Council fund a total of twenty-one hours per week for Council's Aboriginal Officer (currently 14 hours per week funded in draft Budget).

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That Council also approach the Indigenous Coordination Centre of the Department of Employment and Workplace Relations in relation to funding.

D) That the promotional money paid to the Chambers of Commerce be increased from \$50,000 to \$65,000 with the exception of the Leichhardt Chamber not to receive the additional funds this year in lieu of Council's provision of the hire of the large screen to show the Australia vs. Italy World Cup soccer match on 26 June 2006.

E) That \$70,000 be allocated within the Environmental and Community Management budget to provide traineeships in statutory planning for existing and/or new staff. That a report to be submitted to the July meeting on the confirmed cost of this initiative including available training subsidies from the State and Federal Governments.

2.2 That Council make the following rates:

Residential 0.259 cents in \$1
Business 1.110 cents in \$1
Minimum rate \$476.00

The vote for & against the above Resolution was;

	FOR	AGAINST
Vera-Ann Hannaford	X	
Nick Dyer	X	
Rochelle Porteous		X
Jamie Parker		X
Kate Hamilton		X
Michele McKenzie		X
Alice Murphy	X	
Maire Sheehan	X	
Carolyn Allen	X	
Damian Cobley-Finch	X	
Robert Webb	X	

The above Resolution was carried after an Amendment by Councillors Parker/Porteous was put and lost.

The LOST AMENDMENT was as per the above Resolution with the addition of the following changes to the Draft Management Plan.

(i) *That there be no increase in rates or parking meter charges.*

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- (ii) *That the stormwater levy be limited to raising \$150,000 to cover the flood stormwater study and water reuse/harvesting study.*
- (iii) *That within the quarantined monies for the 16% rate increase be included in the infrastructure backlog of \$2.2 million per year and that this be addressed in the capital works as essential infrastructure to be carried out.*

The vote for the above LOST AMENDMENT was;

	FOR	AGAINST
Vera-Ann Hannaford		X
Nick Dyer		X
Rochelle Porteous	X	
Jamie Parker	X	
Kate Hamilton	X	
Michele McKenzie	X	
Alice Murphy		X
Maire Sheehan		X
Carolyn Allen		X
Damian Cobley-Finch		X
Robert Webb		X

SUSPENSION OF STANDING ORDERS

C191/06 RESOLVED

PARKER/HAMILTON

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

Items 7,12, 14, 20,21,27,28,29,30 & 17

7. YOUR RIGHTS AT WORK

C192 /06 RESOLVED

MCKENZIE/MURPHY

- 2.1 That Council receives and notes the report.
- 2.2 That Council continues the ad in the Council column, on a monthly rather than weekly basis, opposing the Howard Government's Industrial relations changes with the wording reviewed on a monthly basis contemporaneous with the Unions NSW Anti-WorkChoices campaign.
- 2.3 That Council continues to display the "Your Rights at Work"

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banner on Leichhardt Town Hall and place advertisements in local papers when required.

The vote for and against the above Resolution was as follows;

	FOR	AGAINST
Vera-Ann Hannaford		X
Nick Dyer		X
Rochelle Porteous	X	
Jamie Parker	X	
Kate Hamilton	X	
Michele McKenzie	X	
Alice Murphy	X	
Maire Sheehan	X	
Carolyn Allen	X	
Damian Copley-Finch	X	
Robert Webb	X	

12. MINUTES OF M4 EAST TASKFORCE MEETING

C193 /06 RESOLVED PORTEOUS/HAMILTON

That Council adopt the minutes of the M4 East Taskforce meeting held on 25 May 2006.

CARRIED UNANIMOUSLY

THE ABOVE RESOLUTION WAS CARRIED AFTER AN ORIGINAL MOTION WAS LOST. THE LOST MOTION (DYER/HANNAFORD) WAS;

“That Council adopt the minutes of the M4 East Taskforce meeting held on 25 May 2006 with the following change to Item 5 of the Minutes;

Item 5 Budget

“That \$10,000 not be allocated to the M4 East Taskforce”.

The vote for and against the above LOST MOTION was as follows;

	FOR	AGAINST
Vera-Ann Hannaford	X	
Nick Dyer	X	
Rochelle Porteous		X
Jamie Parker		X
Kate Hamilton		X
Michele McKenzie		X

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Alice Murphy		X
Maire Sheehan	X	
Carolyn Allen		X
Damian Cobley-Finch		X
Robert Webb		X

14. TELSTRA PHONE TOWER – NORTON PLAZA

C194 /06 RESOLVED PORTEOUS/WEBB

1. That Council write to Telstra opposing the installation of the additional antennas.
2. Council advise that the maximum voltage per metre from the telecommunication base station at 55 Norton Street should at no time exceed 1 volt per metre.
3. That Council seek legal advice as to possible legal redress or sanctions on Telstra for the clearly misleading and inaccurate October 2005 EMR report submitted to Council and the community.
4. The following motion be submitted to the Local Government Association Conference on this matter;

“Numerous Councils throughout NSW have challenged the installation of telecommunication base stations within their Municipality because of community concerns of these installations and their perceived and real health risks.

While it is acknowledged in the federal legislation that the precautionary principle should be applied in the sensitive siting of telecommunication base stations, Councils in NSW have not been able to successfully challenge on the grounds of perceived or real risks to health .

In order to challenge the current interpretation of the legislation, it is recommended that the Local Government Association take legal advice on the viability of a class action arguing the precautionary principle on the grounds of perceived or real risks to health. Should the advice be to proceed with such a case, that the Local Government Association Executive call on all its members to jointly fund it”.

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20. MINUTES TRAFFIC COMMITTEE MEETING – 26 MAY 2006

C195 /06 RESOLVED ALLEN/WEBB

That Council adopt the minutes of the Traffic Committee held on 26 May 2006 with the accompanying recommendations as contained in the report subject to the following change;

Item 5.3 – Relocation and amendment of ‘Disabled Parking’ zone – Trivetts Lane, Balmain

The recommendation be amended to read;

The Traffic Manager meet on site with the applicant for the disabled parking zone prior to the installation of the signage.

CARRIED UNANIMOUSLY

21. SUMMARY OF CORPORATE AND INFORMATION SERVICES RESOLUTIONS FROM

C196 /06 RESOLVED WEBB/MCKENZIE

That the information be received and noted.

CARRIED UNANIMOUSLY

27. GENERAL AGREEMENT ON TRADE IN SERVICES (GATS) FOR LOCAL COUNCILS

Background

The current negotiations on the General Agreement on Trade in Services (GATS) being conducted by the Australian Government in the World Trade Organisation (WTO) could have serious repercussions for the regulatory and administrative powers of Australian local governments.

The GATS agreement aims to remove barriers to trade in services. It potentially covers all service sectors, including essential service sectors and some services provided by Local Councils. Once a service is listed in GATS, a government cannot give better treatment to local companies than to foreign companies.

GATS rules are binding on all levels of government, including local government. We understand that there has been little consultation with local government about the GATS negotiations and their implications.

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In 2003, the Australian Local Government Associations identified areas of local government services and regulation, which could be affected by the GATS negotiations (see ALGA submission to the Department of Foreign Affairs and Trade, 26 February 2003 at www.alga.asn.au/submissions/2003/gatsSub.php). The key services identified included:

- Water and sewerage services
- Waste management
- Road building and other building controls
- Land use planning and permits
- Library services.

In the current negotiations, governments are being asked to increase the range of services they each include in GATS. Australia has joined with other governments to request that commitments be increased in a range of service sectors, including environmental services. Environmental services include services provided by local governments, such as natural resource management, wastewater management and environmental protection.

GATS has some rules that recognise the right of governments to regulate services and to provide and fund public services. However, there are now proposals to change these rules.

There are negotiations to change GATS rules on regulation of services. These changes could mean that local councils could face complaints about their regulation through the WTO complaints system. Governments can complain about the laws or regulations of other governments to a panel of trade law experts. The winner can ask that laws or regulations be changed and can ban or tax the exports of the loser.

There are also proposals in the negotiations to change GATS rules to reduce the right of governments to regulate by declaring that regulations in areas like licensing must be "least trade restrictive." This would mean that licensing decisions made by local councils on the basis of agreed community standards could potentially be challenged as being more trade restrictive than necessary. There are also proposals to define funding of government services in GATS rules as "subsidies" to which transnational corporations should have access, which could hasten privatisation of government services. These rules would apply across the board, whether a service has been listed or not.

C197 /06

RESOLVED

ALLEN/COBLEY-FINCH

That Council:

1. Believes public policy regarding the regulation, funding and provision of essential services should be made democratically by governments at the national, state and local level;
2. Calls on the Federal Government to fully consult with state and

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local government about the implications of the GATS negotiations for local government services and regulation;

3. Calls on the Federal Government to make public any specific requests it has made to other governments in this round of GATS negotiations;
4. Calls on the Federal Government to make public its specific responses to requests from other governments in this round of GATS negotiations;
5. Calls on the Federal Government to support the clear exclusion of public services from the GATS, including local government community services and all water-related services;
6. Calls on the Federal Government to oppose any proposals that would reduce the right of local government to regulate services, including the application of a "least trade restrictive" test to regulation;
7. Calls on the Federal Government to oppose any proposals that would open up the funding of such public services to privatisation;
8. Writes to the Minister for Trade concerning the above; and
9. Submits the above motions for adoption by the Local Government Association of New South Wales at its 2006 Annual Conference.
10. The letter attached to the Motion be sent to The Hon. Mark Vale, Minister for Trade in relation to this issue.

CARRIED UNANIMOUSLY

28. MAYORS FOR PEACE – MELBOURNE CONFERENCE

Consistent with the Motion passed by Council joining the Mayors for Peace and with the delegation to the Peace Conference in Melbourne we the Council:

1. Express concern at the increasing militarisation of the whole world, particularly the build-up of foreign troops in the Middle East, Asia and Oceania, the consequences for these regions and the wider international community.
2. Support for the removal of foreign military bases from all regions, and an end to foreign military interventions, including the withdrawal of Australian, American and other foreign military forces from Iraq and Afghanistan.

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3. Assert that conflicts should be solved in a just and peaceful manner, with the participation and support of all nations and peoples in the region, having regard for the Universal Declaration of Human Rights, international law and the rights of all peoples to self-determination.
4. Robustly state opposition to racism and the racist stereotyping of any part of the Australian community, and support for the right to express views without fear of prejudice, intimidation or reprisal. The rise of Islamophobic views is unwelcome and must be opposed.
5. Express opposition to the attack on civil rights by the anti-terror legislation, which threatens freedom of political expression and the civil liberties of all Australians. We call for the repeal of the anti-terror legislation. We call for the closure of Guantanamo Bay.
6. As supporters of peace and sustainability reaffirm our opposition to the nuclear cycle in all its forms, including uranium mining, the sale of uranium for the purposes of making weapons and the disposal of uranium waste in a cavalier, commercial fashion.
7. Recognise that peace campaigns work to bring together diverse organisations in pursuit of these principles; not limited to but including political and education campaigns, public events and rallies. Such campaigns seek to represent the concerns of a wide range of Australian people and respect the diverse approaches of all organisations.

Regarding Iraq and Iran:

1. We are extremely concerned at plans by the United States for an attack on Iran, including the possible use of nuclear weapons. Any such attack would be, like the attack on Iraq in 2003, an unwarranted and illegal aggression based on deception that would lead to vast human misery.
2. Any US attack on Iran will almost certainly make use of signals intelligence provided by the Pine Gap Joint Defence Facility at Alice Springs in Central Australia and Australian naval forces in the Persian Gulf may also be involved.
3. We call on the Australian Government to rule out any military or political support for an attack on Iran including the use of Pine Gap and Australian military forces.
4. An attack on Iran would be a terrible injustice. It would lead to thousands of deaths in Iran and increase conflict across the Middle East, including within Iraq. It would set back the democracy movement in Iran.

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5. The peace movement has been proven correct in its arguments against the invasion of Iraq in 2003. We call for justice in Iraq, which involves not just the withdrawal of foreign troops, and an end to human rights abuses, including the torture of prisoners, including women.
6. The use of nuclear weapons against Iran (or any other country) would create a new and infinitely more dangerous world. Such an attack would be a disaster because it would escalate the risk that nuclear weapons could be used in international conflicts.
8. If the nuclear weapons powers are serious about nuclear non-proliferation they should lead the way by taking genuine measures towards complete and full disarmament.
9. Support and respect for international law, including UN resolutions on disarmament and human rights, can be based only on their equal and impartial application, including those concerning the Israel/Palestine conflict.

C198 /06

RESOLVED

HAMILTON/COBLEY-FINCH

That the Mayor for Peace of LMC write to the PM John Howard immediately expressing all the concerns and statements contained above and in particular LMC's traditional opposition to the use of nuclear energy for power generation and weapons and that the Mayor report back on the action at the next Ordinary meeting of Council in July 2006.

The vote for and against the above resolution was as follows;

	FOR	AGAINST
Vera-Ann Hannaford		X
Nick Dyer		X
Rochelle Porteous	X	
Jamie Parker	X	
Kate Hamilton	X	
Michele McKenzie	X	
Alice Murphy	X	
Maire Sheehan	X	
Carolyn Allen	X	
Damian Cobley-Finch	X	
Robert Webb	X	

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29. PARRAMATTA ROAD PROJECT

Background:

Leichhardt Council is implacably opposed to the M4 East, and has passed motions repeatedly indicating its position to the Government. We have indicated to the Government and other participating Councils that we do not support the Parramatta Road project if it consists of express bus lanes, massive overdevelopment and an M4 East motorway.

In December 2005 we agreed to write to the Government seeking a retraction of remarks in the Metropolitan Strategy that implied that we endorsed the adjoining Councils sector plans. In this motion we noted that Council has not yet considered the proposals of all eight Councils, and indeed, that we were aware that some Councils in the group supported proposals that are dependent upon the M4 East going ahead.

To date our statements appear to have gone unheeded. Nevertheless some Councillors have argued that in participating in the project we were influencing the other participants, and hoped to improve the likely outcomes for our community.

Today (19 June 2006), it became clear that despite our best efforts Leichhardt Council is simply lending its name to a project that is being used to legitimise the construction of the M4 East. Councillor David Weiley of Burwood Council stated on ABC morning radio that the Parramatta Road Project was contingent upon M4 East. He said

“A number of other things have to be done beforehand...The underlying project of course is the construction of the [M4 East] tunnel ...because a lot of the work that we are proposing along the Parramatta Road Project is actually dependent upon the construction of that tunnel.”

He also indicated that 5-6 storey residential and commercial developments and attendant traffic congestion were part of his Council's Parramatta Road plans.

There is now a very serious risk that if the Parramatta Road Project were to proceed the Planning Minister would impose plans for the corridor compatible with Burwood's preferred approach – i.e. based on the M4 East going ahead.

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C199/ 06 RESOLVED PORTEOUS/MCKENZIE

That Council;

1. Notes that Burwood Council's plans for the corridor are in direct conflict with those of Leichhardt Council and that the project cannot proceed without one Council giving way on the issue of the M4 East.
2. Resolves to write to the Planning Minister calling for sector plans from all Councils to be made available to us before agreeing to further work on the project.
3. That Council write to the Planning Minister asking for a response to Council's previous letter. Council also to write to the Mayors of the Councils in the Parramatta Road Taskforce reiterating Leichhardt Council's opposition to the M4 East.

The vote for and against the above Resolution was;

	FOR	AGAINST
Vera-Ann Hannaford		X
Nick Dyer		X
Rochelle Porteous	X	
Jamie Parker	X	
Kate Hamilton	X	
Michele McKenzie	X	
Alice Murphy	X	
Maire Sheehan	X	
Carolyn Allen	X	
Damian Cobby-Finch	X	
Robert Webb	X	

THE ABOVE RESOLUTION WAS CARRIED AFTER AN ORIGINAL MOTION WAS LOST. THE LOST MOTION (PORTEOUS/MCKENZIE) WAS;

"Council notes that we cannot in good faith participate in the Parramatta Road project if a stated pre-requisite is to inflict a motorway on this community".

The vote for and against the above LOST MOTION was as follows;

	FOR	AGAINST
Vera-Ann Hannaford		X
Nick Dyer		X
Rochelle Porteous	X	
Jamie Parker	X	

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Kate Hamilton	X	
Michele McKenzie	X	
Alice Murphy		X
Maire Sheehan		X
Carolyn Allen		X
Damian Cobley-Finch		X
Robert Webb		X

30. OPPOSTION TO NUCLEAR POWER

Background

Leichhardt Council has supported renewable energy and measures to reduce greenhouse gas emissions for some years. It now restates its position and affirms its opposition to nuclear energy, waste and other industries in light of the rekindling of the nuclear 'debate' by the Prime Minister in the context of global warming.

The present debate posits that nuclear power is a greenhouse-beneficial energy source, but this ignores:

- a. The urgent need to phase out coal mining
- b. The long leadtime needed to plan, site and build a nuclear power plant
- c. The high financial and energy costs of construction
- d. The risks associated running such a the plant
- e. The energy intensive nature of uranium mining and enrichment
- f. The intractable problems of transporting and disposing of nuclear waste
- g. The as yet, uncosted and untried means of decommissioning nuclear plants
- h. The finite uranium reserves, and particularly limited reserves of high-grade ores
- i. The need for energy intense enrichment if lower grade ores are to be used, and
- j. The urgent need to move from coal fired power stations to renewable energy sources.

Additionally, a nuclear industry would bring threats of mining on Aboriginal land and in National Parks and the likelihood of more draconian laws to override local opposition to nuclear reactors and to deal with terrorist risks.

Nuclear energy, at least 20 years away, is not a stop-gap measure to ameliorate the immediate threats of global warming. There are other, greenhouse-friendly, safer, cleaner and job-generating alternatives such as demand management, energy efficiency, renewables and low emission fossil fuel technologies awaiting implementation. These can all be deployed much more rapidly than nuclear power.

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C200 /06 RESOLVED PORTEOUS/MCKENZIE

That Council confirms its opposition to the development of nuclear power and associated facilities, nuclear waste dumps and uranium mining in Australia and resolves:

1. That the Mayor write to the Prime Minister, John Howard, expressing Council's distress and exasperation at the Federal Government's:
 - a. Withdrawal of support for research and development of renewable energy sources
 - b. Failure to adopt the Kyoto protocol, and
 - c. Establishment of a sham inquiry into the nuclear industry in Australia.

2. Finally, that Council writes to the Premier of NSW, Morris Iemma, congratulating him on his decisive and categorical rejection of nuclear power for NSW.

The vote for and against the above Resolution was as follows;

	FOR	AGAINST
Vera-Ann Hannaford		X
Nick Dyer		X
Rochelle Porteous	X	
Jamie Parker	X	
Kate Hamilton	X	
Michele McKenzie	X	
Alice Murphy	X	
Maire Sheehan	X	
Carolyn Allen		X
Damian Copley-Finch	X	
Robert Webb	X	

**17. BRENAN ST COMMUNITY GARDEN AND THE PROPOSED
RELOCATION OF THE ROZELLE BAY COMMUNITY NATIVE
NURSERY TO THE NISSAN HUT SITE**

C201 /06 RESOLVED SHEEHAN/PARKER

1. That Council approve the re-exhibition of the Whites Creek Valley Park plan of management to reflect the use of the Nissan Hut site as a location for the relocation of the Rozelle Bay Community Native Nursery (RBCNN).

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2. That Council request DIPNR to carry out demolition of the Nissan Hut as soon as possible to stop the incidence of vandalism and anti-social behaviour currently occurring in this building.
3. That should Council approve the use of the Nissan Hut site for the relocation of the RBCNN then due to the on-going issues with SHFA and Railcorp on contamination, rezoning and lease matters, consult with the community on the proposal not to pursue the community garden at Brenan St and if the community garden at Brenan St does not proceed, that Council write to the consent authority on how they are going to manage the weeds on the site so that they do not contaminate surrounding community plantings and Council parks.

CARRIED UNANIMOUSLY

RESUMPTION OF STANDING ORDERS

C202/06 RESOLVED PARKER/COBLEY-FINCH

1. That Standing Orders be resumed.
2. That the remaining Items in the Open Council section of the Business Paper (as listed below) be dealt with concurrently and the recommendations contained in each of those reports be adopted;

Items 2,3,4,5,6,8,9,10,11,15,16,18,19,22,23,24,25 and 26

2. SUMMARY OF MAYORAL MINUTE RESOLUTIONS FROM MAY 2006

C203 /06 RESOLVED PARKER/COBLEY-FINCH

That the information be received and noted.

CARRIED UNANIMOUSLY

**** PRECIS OF CORRESPONDENCE**

3. SUMMARY OF PRECIS OF CORRESPONDENCE RESOLUTIONS MAY 2006

C204 /06 RESOLVED PARKER/COBLEY-FINCH

That the information be received and noted.

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CARRIED UNANIMOUSLY

4. FATHER JOHN TERRY CATHOLIC PRIMARY SCHOOL

C205 /06 RESOLVED PARKER/COBLEY-FINCH

1. The Father John Terry Catholic Primary School be charged \$100 per day for the use of the Leichhardt Town Hall on 18,19 & 20 September 2006.
2. The standard \$500 refundable bond be charged.

CARRIED UNANIMOUSLY

5. BLUEGRASS & TRADITIONAL COUNTRY MUSIC SOCIETY

C206 /06 RESOLVED PARKER/COBLEY-FINCH

The Bluegrass & Traditional Country Music Society be charged the reduced rate of \$73.50 per session for the use of the Annandale Neighbourhood Centre back hall on the first Saturday of the month, for the next 12 months & the fee to be reviewed after that time.

CARRIED UNANIMOUSLY

**** GENERAL MANAGER**

6. SUMMARY OF GENERAL MANAGER RESOLUTIONS FROM MAY 2006

C207 /06 RESOLVED PARKER/COBLEY-FINCH

That the information be received and noted.

CARRIED UNANIMOUSLY

8. INSURANCE RENEWALS 2006/2007

C208 /06 RESOLVED PARKER/COBLEY-FINCH

That Council receive and note the report.

CARRIED UNANIMOUSLY

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**** ENVIRONMENTAL AND COMMUNITY MANAGEMENT**

9. SUMMARY OF ENVIRONMENTAL AND COMMUNITY MANAGEMENT RESOLUTIONS FROM MAY 2006

C209 /06 RESOLVED PARKER/COBLEY-FINCH

That the information be received and noted.

CARRIED UNANIMOUSLY

10. MINUTES OF THE COMMUNITY SERVICES, SAFETY & FACILITIES COMMITTEE MEETING

C 210/06 RESOLVED PARKER/COBLEY-FINCH

That Council adopt the minutes of the Community Services, Safety & Facilities Committee held on 1 June 2006 with the accompanying recommendations as contained in the report.

CARRIED UNANIMOUSLY

11. MINUTES OF THE ENVIRONMENT AND RECREATION COMMITTEE MEETING

C211 /06 RESOLVED PARKER/COBLEY-FINCH

That Council adopt the minutes of the Environment and Recreation Committee held on 6 June 2006 with the accompanying recommendations as contained in the report.

CARRIED UNANIMOUSLY

15. WATER SAVINGS ACTION PLAN

C212 /06 RESOLVED PARKER/COBLEY-FINCH

That:

2.1 Council adopt the Water Savings Action Plan and submit to DEUS by 30 June 2006.

2.2 Council provide annual progress reports to DEUS.

CARRIED UNANIMOUSLY

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**** INFRASTRUCTURE AND SERVICE DELIVERY**

16. SUMMARY OF INFRASTRUCTURE AND SERVICE DELIVERY RESOLUTIONS FROM MAY 2006

C213 /06 RESOLVED PARKER/COBLEY-FINCH

That the information be received and noted.

CARRIED UNANIMOUSLY

18. GRANT FUNDING FOR MORT BAY PARK PATHWAYS AND BALL COURT

C214 /06 RESOLVED PARKER/COBLEY-FINCH

1. That Council allocate \$71,363 from the 2006/07 Balmain Foreshore works funding provided in the Open Space & Recreation Developer Contributions Plan (2005), to match the Metropolitan Greenspace Programme grant funding of \$62,050 and complete the construction of the pathway system in Mort Bay Park at a cost of \$133,413
2. That Council allocate \$49,900 from the Community Facilities and Services Developers Contributions Plan (1996) to match the \$12,500 Department of Sport & Recreation Capital Improvements grant to construct the ball court in Mort Bay Park Site C at a cost of \$62,400.

CARRIED UNANIMOUSLY

19. DIVISION OF PARKS & OPEN SPACE MAINTENANCE RESPONSIBILITIES AT BALMAIN SHORES, ROZELLE

C215 /06 RESOLVED PARKER/COBLEY-FINCH

1. That Council's day labour undertake the specified maintenance of the open space at Balmain Shores as outlined in Schedule 1b in this report, for the care and maintenance of open space from 1st August 2006.
2. That Council consents to Balmain Shore's Owners Corporation to maintain all garden beds and other areas in the public open space as detailed in figure 1 of this report to the existing higher standards and to the satisfaction of the Director of Infrastructure and Service Delivery.

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CARRIED UNANIMOUSLY

**** CORPORATE AND INFORMATION SERVICES**

22. STATEMENT OF INVESTMENT BALANCES AS AT 31 MAY 2006

C216 /06 RESOLVED PARKER/COBLEY-FINCH

That the Statement of Investment Balances as at the 31 May 2006 be received and noted.

CARRIED UNANIMOUSLY

23. DETERMINATION OF THE LOCAL GOVERNMENT REMUNERATION TRIBUNAL – COUNCILLOR FEES

C217 /06 RESOLVED PARKER/COBLEY-FINCH

The fees to be paid to the Mayor and Councillors for the period 1 July 2006 to 30 June 2007 be as follows;

- Mayoral allowance – (additional to Mayor’s Councillor fee) (\$30,520 being \$22,410 for Mayor & \$8,110 for Deputy Mayor)
- Deputy Mayor’s allowance – (to be paid out of the additional fee determined for the Mayor) - \$8,110
- Councillor’s allowance – \$13,980

CARRIED UNANIMOUSLY

24. LOCAL GOVERNMENT PECUNIARY INTEREST AND DISCIPLINARY TRIBUNAL –PROCEDURE MANUAL

C218 /06 RESOLVED PARKER/COBLEY-FINCH

That Council receive and note the information.

CARRIED UNANIMOUSLY

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25. INDEPENDENT INQUIRY INTO THE FINANCIAL SUSTAINABILITY OF NSW LOCAL GOVERNMENT

C219 /06 RESOLVED PARKER/COBLEY-FINCH

- 2.1 That the report be received and noted.
- 2.2 That Council commit to support the LGSA in an ongoing effort to rebuild and strengthen the financial sustainability of NSW Local Government.
- 2.3 That Council endorse the LGSA recommendation to establish an implementation framework and process to consult with councils and other stakeholders.
- 2.4 That Council endorse the LGSA recommendation to call on the NSW Government to establish an "Independent Commission consisting of equal representation from the LGSA and the state to assess the gravity of the problems facing Local Government, to recommend urgent action to be undertaken, to help implement such changes in cooperation with Local Government and to monitor progress in achieving agreed outcomes" (recommendation 49, *Final Report*).
- 2.5 That Council approve the request from the LGSA for a contribution to the cost of the Inquiry by Leichhardt Council of \$2,356

CARRIED UNANIMOUSLY

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

26. SUMMARY OF NOTICE OF MOTIONS FROM MAY 2006

C220 /06 RESOLVED PARKER/COBLEY-FINCH

That the information be received and noted.

CARRIED UNANIMOUSLY

**** QUESTIONS WITHOUT NOTICE**

NIL

The following items are listed for consideration by Council in Committee of the Whole with the press and public excluded, in accordance with the

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provisions of Section 10A 2 (a) & (d) of the Local Government Act, 1993.

Council resolved to meet in the Committee of the Whole at 11.15 pm with the press and public excluded after a MOTION (PARKER/PORTEOUS) to that effect was CARRIED.

COMMITTEE OF THE WHOLE

1. TENDER FOR STREETScape WORKS, NORTON STREET, LEICHAHRDT

CW5 /06 RECOMMENDATION HANNAFORD/PORTEOUS

1. That Council accept the tender from Landscape 2000 as the preferred contract for a lump sum price of \$1,400,423.50 (excluding GST).
2. That Council accept the quotation from Energy Australia for the undergrounding of the powerlines in the two nominated blocks from Marlborough St to Bar Italia for a total cost of \$280,000.

2. SENIOR STAFF CONTRACTS

CW6 /06 RECOMMENDATION PARKER/COBLEY-FINCH

That Council endorse the performance based contractual conditions of Council's senior staff as required in accordance with Section 339 of The Local Government Act.

**** RETURN TO OPEN COUNCIL PARKER/WEBB**

Open Council resumed at 11.28pm after a MOTION (PARKER/WEBB) to that effect was CARRIED.

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

C221 /06 RESOLVED PARKER/WEBB

That the recommendations of the Committee of the Whole minute numbers CW5 /06 to CW 6 /06 be adopted by Council.

The meeting closed at 11:28pm

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