



ORDINARY MEETING

SUPPLEMENTARY REPORTS  
ITEMS 23A, 23B, 23C, 23D & 23E

**22 MAY 2007**

**LEICHHARDT MUNICIPAL COUNCIL**

**ORDINARY MEETING OF COUNCIL**

NOTICE IS HEREBY GIVEN OF THE FOLLOWING **SUPPLEMENTARY ITEMS** FOR THE **ORDINARY MEETING** OF THE LEICHHARDT MUNICIPAL COUNCIL TO BE HELD IN THE COUNCIL CHAMBERS, LEICHHARDT TOWN HALL, 107 NORTON STREET, LEICHHARDT, ON **TUESDAY, 22 MAY 2007**.

Peter Head  
GENERAL MANAGER

**17 MAY 2007**

**BUSINESS :**

<b>ITEM 23A</b>	<b>'SMOKING TERRACES' FOR LICENSED PREMISES</b>	<b>PAGE 3</b>
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## LEICHHARDT MUNICIPAL COUNCIL

# NOTICE OF MOTION

<b>DIVISION:</b>	MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN
<b>SUBJECT:</b>	ITEM 23A "SMOKING TERRACES" FOR LICENSED PREMISES
<b>FILE REF:</b>	F97/00517 &
<b>DATE:</b>	3 August 2018
<b>WORD PROCESSING REF:</b>	G:\bplreports\220507\SMOKING TERRACES FOR LICENSED PREMISES.DOC

### **Councillor Porteous & Councillor Hamilton**

The NSW Smoke –free Environment Amendment Act 2004 introduced transitional phases in the lead up to the now complete ban on indoor smoking for all licensed premises from July 2nd 2007.

Many of the clubs and hotels in the Leichhardt Municipality have late-night opening hours and some are 24 hour venues. While "Beer Gardens", "Dining Courtyards" and existing outside terraces at these establishments have always been subject to earlier closing hours than the venues themselves in order to protect local residents' amenity, the more recent applications for development of "smoking terraces" are not being assessed in the same manner and we have seen some recent approvals by Council of outside smoking terraces open the same or similar hours as the licensed premises – so until 2am or 3am in the morning for example. In addition there is a need to consider the patron capacity and regulations on the consumption of alcohol on these terraces.

### **Recommendation:**

Leichhardt Council bring a report to the June Ordinary Council meeting which makes recommendations for the assessment, required controls and recommended hours of operation of "smoking terraces" so that the Council is fully and properly protecting the amenity of nearby local residents while still allowing the development of "smoking terraces for licensed premises where appropriate. This report should also look at how other councils are approaching this issue and what industry guidelines have been provided.

## LEICHHARDT MUNICIPAL COUNCIL

# NOTICE OF MOTION

<b>DIVISION:</b>	MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN
<b>SUBJECT:</b>	ITEM 23B ALLOCATION OF FUNDING TO THE ASYLUM SEEKER CO-ORDINATOR PROJECT
<b>FILE REF:</b>	F97/00517 &
<b>DATE:</b>	3 August 2018
<b>WORD PROCESSING REF:</b>	G:\bplreports\220507\ ALLOCATION OF FUNDING TO THE ASYLUM SEEKER CO-ORDINATOR PROJECT.DOC

### **Councillor Porteous & Councillor Cobley-Finch**

The Asylum Seeker Co-ordinator Project is a very successful Refugee support project initiated by Leichhardt Council in 2004. Joint funding for the project was, at that time, provided by the City of Sydney and since 2005 we have seen 10 more councils join with Leichhardt and City of Sydney in financially supporting this project. The project is run out of the offices of Balmain Uniting Church with Leichhardt Council, City of Sydney Council, Balmain for Refugees and Bridge for Asylum Seekers Foundation (BASF) on its Management Committee. The work of the Co-ordinator has become central in enabling BASF to fundraise and attract funding for its on-going support of over 100 Asylum seekers living in Sydney who rely almost entirely on BASF for their survival. The project also performs a strong advocacy and outreach role in the community and thanks to the excellent and committed work of the Co-ordinator and the Committee it has significantly raised awareness of refugee issues throughout Sydney.

The project, however, is currently in urgent need of on-going funding and risks running out of funding for overheads and wages in June if there is not a firm commitment from the funding councils.

### **Recommendation:**

Leichhardt Council make an immediate firm commitment to funding of up to \$15,000 in the 2007/2008 budget. The source of this funding not to come from a reallocation of resources in the Community Services budget but rather to be sourced from within the general budget.

That the Mayor of Leichhardt urgently approach the Mayor of City of Sydney and request that, as in 2004, the City of Sydney match Leichhardt's funding commitment with a further \$15,000.

Further that the Mayor urgently write to all participating councils requesting that they confirm their funding commitment to the project.

That a general letter requesting a commitment of funding be sent to all other Sydney councils.

That should sufficient funds be forthcoming for the project from other councils that Leichhardt council reallocate any unspent funding allocation for the project on Council agreed social justice projects

## LEICHHARDT MUNICIPAL COUNCIL

# NOTICE OF MOTION

<b>DIVISION:</b>	MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN
<b>SUBJECT:</b>	ITEM 23C INDEPENDENT OPINION POLL FOR CALLAN PARK
<b>FILE REF:</b>	F97/00517 &
<b>DATE:</b>	3 August 2018
<b>WORD PROCESSING REF:</b>	G:\bpl\reports\220507\ INDEPENDENT OPINION POLL FOR CALLAN PARK.DOC

### **Councillor McKenzie & Councillor Porteous**

Leichhardt Council is committed to:

- Saving Rozelle Psychiatric Hospital
- A Masterplan for Callan Park
- A Callan Park Trust
- Support for the Callan Park Act 2002 in full

In order to achieve these goals Council works consultatively through the Callan Park Taskforce to:

- Campaign strongly for the hospital's retention
- Develop the framework required for the Callan Park Trust
- Lobby for the Callan Park Masterplan.

The retention of Rozelle Hospital is central to the Masterplan for Callan Park and this position has been consistently upheld in council resolutions. The State Government, on the other hand, will not entertain the development of a Masterplan until they have closed down the hospital. This is an untenable position for Leichhardt Council.

Leichhardt Council has therefore resolved to consult with the community using a survey and a Citizen's Jury. The Citizen's Jury will need to have available data which is current, relevant and independent from the political direction of council. In 2002 the council, along with producing and distributing a Vision for Callan Park survey to the LGA, commissioned a telephone Opinion Poll which provided compelling and unfettered evidence of the community's position on Callan Park, this helped considerably in the campaign to save Callan Park.

Note: that after the Survey is completed there will be \$3, 000 left in the Callan Park budget plus \$5,000 set aside for the Callan Park campaign.

**Recommendation:**

This resolution be put to the Callan Park Task Force to consider and to recommend sources of funding if approved:

- Leichhardt Council engage a reputable Opinion Poll organisation to conduct a poll similar to the one conducted in 2002.
- That the questions in the poll be prepared by the company and given to the Taskforce and council to consider.
- That the results of the poll be used as a foundation tool for the Citizen's Jury.

**LEICHHARDT MUNICIPAL COUNCIL**

**NOTICE OF MOTION**

<b>DIVISION:</b>	MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN
<b>SUBJECT:</b>	ITEM 23D MIXED DEVELOPMENTS WITH NO RETAIL PARKING
<b>FILE REF:</b>	F97/00517 &
<b>DATE:</b>	3 August 2018
<b>WORD PROCESSING REF:</b>	G:\bplreports\220507\ MIXED DEVELOPMENTS WITH NO RETAIL PARKING MOTION.DOC

**Councillor McKenzie**

Based on the commercial success of certain mixed commercial residential developments with very limited retail parking, the City of Sydney is proposing to develop a council site with a multi million dollar mixed development, with no provision for retail parking.

**Recommendation:**

That the Director of Environmental and Community Management initiate a report that assesses the success of of mixed commercial residential development such as the Icon development in Potts Point and the St. Margarets development, with particular attention given to the lack of provision of retail parking.



## LEICHHARDT MUNICIPAL COUNCIL

# NOTICE OF MOTION

<b>DIVISION:</b>	MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN
<b>SUBJECT:</b>	ITEM 23E BARRY HEMSWORTH – SACKED AFTER 40 YEARS SERVICE
<b>FILE REF:</b>	F97/00517 &
<b>DATE:</b>	3 August 2018
<b>WORD PROCESSING REF:</b>	G:\bpl\reports\220507\ BARRY HEMSWORTH.DOC

### **Councillor McKenzie**

Union delegate, Barry Hemsworth, was sacked on Wednesday September 6th after 40 years experience in the mobile crane industry in Sydney. Barry is the latest victim of the Howard Government's attack on workers rights.

Barry had been the elected union delegate at the yard of Botany Cranes for the last ten years. Barry is a highly respected crane driver, union member and community activist. He has been a community activist for many years in the Rockdale City Council area.

Since late 2005, Barry has been in dispute with his company over a management decision to force individual employees to complete and sign off on job risk analysis declarations. The Union and Barry consider this is in breach of the company's OH&S responsibilities and places the onus on employees to assess risk. Many of the employees in the yard have not been provided with adequate training to complete these job risk analysis and related documentation.

After 40 years experience in the industry, Barry had seen too many accidents. He was determined that company employees be properly trained. Barry was finally sacked for 'insubordination'. He was advised he could only attend a safety meeting in regards to this issue if he agreed not to argue his point of view.

Employees of the yard have condemned the sacking of their delegate but face fines of \$22,000.00 each if they attend a union meeting to discuss the sacking. These new laws and this type of intimidation by the Howard Government is un-Australian.

Barry has no protection from unfair dismissal because the Howard Government abolished unfair dismissal laws. However, Barry has made a decision to protest

outside his factory gate to highlight this injustice and campaign against these unfair laws.

**Recommendation:**

That Leichhardt Council write to Barry Hemsworth acknowledging his situation and supporting his campaign for workers' safety.

That Council write a paragraph about Barry Hemsworth's action and acknowledge their support for his campaign in the council column.

That Council write to Botany Cranes stating their support for Mr. Hemsworth's campaign.