

## LEICHHARDT MUNICIPAL COUNCIL

**MINUTES** of **ORDINARY MEETING** of Leichhardt Municipal Council held in the Council Chambers Leichhardt Town Hall, Norton Street, Leichhardt on 28 April 2009 at 7.00pm.

Present at the commencement of the meeting; His Worship the Mayor, Cr Parker in the chair, Councillors D. Byrne, A. Cinis, T. Costantino, L. Howison, D. Kogoy, M. McKenzie, C. Plate, R. Porteous, J. Stamolis & G. Weiss.

Staff Present : General Manager, Director Corporate & Information Services, Director Infrastructure & Service Delivery, Manager Assessments, Manager Environment & Urban Planning, Team Leader Strategic Planning, Media & Public Affairs Officer, Manager Administration Services, and Administration Officer.

Meeting Commenced: 7:06pm

### \*\* ACKNOWLEDGEMENT OF COUNTRY

I acknowledge the Gadigal and Wangal people of the Eora nation on whose Country we are meeting today, and their elders past and present.

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

**C121/09 RESOLVED MCKENZIE/COSTANTINO**

That apologies be accepted and leave of absence be granted for Cr Hannaford.

**CARRIED UNANIMOUSLY**

### \*\* DECLARATION OF PECUNIARY & NON-PECUNIARY INTERESTS

Cr Porteous declared a non-pecuniary (less than significant) interest in respect of Item 16 – 35 Nicholson Street, Balmain East, as she owns a property in the same street, but at the other end of the street so no impact on the property.

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This is page 1 of the Minutes of the Ordinary Meeting of Council held on the 28<sup>th</sup> day of April, 2009 and presented for confirmation this 26<sup>th</sup> day of May, 2009.

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CHAIR

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**\*\* PRESENTATION**

The Mayor presented cheques to various Out Of School Hours Centres throughout the Leichhardt Municipality.

**BUSINESS:**

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

**(a) BUILDING & DEVELOPMENT COUNCIL MEETING – 10 MARCH 2009**

**C122/09 RESOLVED HOWISON/WEISS**

That the Minutes of the Building & Development Council Meeting held on 10 March 2009 be confirmed as a true and accurate record of the meeting.

**(b) ORDINARY MEETING – 24 MARCH 2009**

**C123/09 RESOLVED HOWISON/WEISS**

That the Minutes of the Ordinary Meeting held on 24 March 2009 be confirmed as a true and accurate record of the meeting.

# LEICHHARDT MUNICIPAL COUNCIL

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## MAYORAL MINUTE

### ITEM 1 HOURS OF BALMAIN HOSPITAL CASUALTY DEPARTMENT

Balmain Hospital is a crucial part of the Leichhardt municipality and provides excellent care and support for residents. The full hospital service was downgraded in the 1990's and the service was 'replaced' with a 24 hour casualty service in order to blunt the concern of local residents.

Residents may have seen the report in the local newspaper about the rumour that the Balmain hospital 24 hour service was closing. Over the years we have heard this rumour and it has been refuted by Ministers and the Dept of Health and was refuted most recently by the former Premier.

Late last week I received an email requesting I attend Balmain Hospital for a meeting at 10am Monday morning. I agreed to attend but was not told of the purpose of the meeting despite asking. When I attended there were several local representatives from the Chamber of Commerce, Cr John Stamolis, Balmain Association, and Precincts amongst others. There was also a representative from the local GP network as well as staff from the Department of Health, Balmain hospital and RPA. They proceeded to tell us that they were 'expanding' the service and the service would now be open 7 days 8am to 10pm. In fact they are cutting the service.

The Area Health Service is proposing to use the money from the cut service to provide more of an existing service. All of the posters and brochures had already been made up none of which actually indicate the service would be cut

We were told letters were being sent that day to all local residents. No discussion - no respect for the community or Council.

This was particularly cynical as the local member has said in the local paper that if there was to be any changes there would be consultation before any announcements. Well guess what the announcement was made at 11am one hour after our 'consultation meeting'.

It is clear that even when this statement was being made to the local papers the decision had already been made. It takes several weeks to design and print posters and to process a full mailing to thousands of people. As our meeting went 'overtime' we left around 11am and ran into the local papers who were there for the announcement.

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So in a very cynical manner the community was indeed consulted before the announcement

**C124/09      RESOLVED                      PARKER/STAMOLIS**

Council writes to the Health Minister and Premier expressing our deep concern with the decision to reduce the opening hours of the Hospital and express our disappointment with the process.

That a meeting be sought with the Minister for Health with the Mayor and interested Councillors.

That Council also write to the Local Member seeking her support.

That Council convene a public meeting to discuss this matter and that the Local Member be invited.

**CARRIED UNANIMOUSLY**

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

**C125/08      RESOLVED                      CINIS/PORTEOUS**

That Standing Orders be suspended and Items 10, 16, 17, 18, 21, 8, 22B, 45, 29A, 32, 37, 38, 40, 41 & 44 be brought forward and dealt with now.

**CARRIED UNANIMOUSLY**

**ITEM 10      REQUEST FOR ASSISTANCE FOR NATIONAL CLIMATE EMERGENCY RALLY**

**C126/09      RESOLVED                      PARKER/MCKENZIE**

That Council provide a donation of \$500 for the National Climate Emergency Rally and offer in-kind support to help with the promotion of the event as outlined below;

- Erect a banner across local main streets detailing the Rally

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- Promote the Rally through the Leichhardt Council column and media releases in local papers.
- Display posters and flyers promoting the rally in all Council community venues
- That Councillors, staff and residents of Leichhardt be invited to walk at the rally under Leichhardt Council's banner.

### The Vote FOR and AGAINST the above Resolution was;

	FOR	AGAINST
Alan Cinis	X	
Cassi Plate	X	
Daniel Kogoy	X	
Darcy Byrne		X
Gordon Weiss		X
Jamie Parker	X	
John Stamolis	X	
Lyndal Howison		X
Michele McKenzie	X	
Rochelle Porteous	X	
Tony Costantino		X

***Prior to voting on the above Motion by Crs Parker and McKenzie, a Foreshadowed Motion was moved by Crs Byrne and Weiss, however, was not voted on as the Primary Motion (by Crs Parker and McKenzie) was put and carried. For the record, the Foreshadowed Motion was:***

### **BYRNE/WEISS**

*That Council:*

- *Erect a banner across local main streets detailing the Rally*
- *Promote the Rally through the Leichhardt Council column and media releases in local papers.*
- *Display posters and flyers promoting the rally in all Council community venues*
- *That Councillors, staff and residents of Leichhardt be invited to walk at the rally under Leichhardt Council's banner.*

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**ITEM 16 D/2008/574 – 35 NICHOLSON STREET, BALMAIN EAST**

*Cr Porteous declared a non-pecuniary (less than significant) interest in respect of Item 16 – 35 Nicholson Street, Balmain East, as she owns a property in the same street, but at the other end of the street so no impact on the property.*

**C127/09 RESOLVED MCKENZIE/KOGOY**

That Council as the consent authority pursuant to s80 of the Environmental Planning & Assessment Act 1979 grant consent to Development Application No: D/2008/574 for alterations and additions to existing dwelling at 35 Nicholson Street, BALMAIN EAST NSW 2041 subject to Council's standard conditions and the following specific conditions;

Amended plans are to be submitted incorporating the following amendments:

- (a) The four new windows indicated on the side wall of the existing house facing 37 Nicholson Street (at the front half of the site) are not approved, and are to be deleted from the construction certificate plans.
- (b) In order to mitigate overlooking to the approved dwellings at 37 Nicholson Street (facing Simmons Street) landscape planting is to be provided along the rear boundary, consisting of species native to the Greater Region, achieving a usual height at maturity of between 3 – 4m.

The amendments/details are to be provided prior to the issue of a Construction Certificate.

**CARRIED UNANIMOUSLY**

**ITEM 17 M/2008/276 – 90 JOHNSTON STREET, ANNANDALE**

**C128/09 RESOLVED PORTEOUS/MCKENZIE**

That the application M/2008/276 to modify D/2007/42 be approved, subject to the imposition of the following additional conditions:

- (a) The northern wall of the laundry is to be realigned, shaved, partly demolished or otherwise altered by a minimum of 0.035 of

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a metre to ensure there is no breach of the boundary. These works are to be carried out within 21 days of the issue of this modified consent.

- (b) The central courtyard area is to be planted with not less than two trees which will achieve a height at maturity of between 4m and 6m. These trees are to be species native to the Greater Sydney Region, are to be located on the northern and southern halves of the courtyard space respectively and are to be planted within 21 days of the issue of this modified consent.
- (c) The middle elevated balcony in the central building, facing west onto the courtyard, is to be fitted with an additional screen of a height and material to match the existing screens to ensure the privacy of neighbouring properties. These works are to be carried out within 21 days of the issue of this modified consent.
- (d) The amendment to the balconies be refused and that they be rectified so that they are brought back to what was approved in the original Development Application.
- (e) Delegate to the Manager Assessments the side setback for the laundry in accordance with the DCP and taking into account the private open space area for the development.

### **CARRIED UNANIMOUSLY**

**ITEM 18      D/2008/377 – 35 BOOTH STREET, ANNANDALE**

**C129/09      RESOLVED                      KOGOY/MCKENZIE**

That the recommendation of the original Council report be adopted and which reads:

That Council as the consent authority pursuant to s80 of the Environmental Planning & Assessment Act 1979 grant consent to Development Application No: D/2008/377 for alterations and additions to existing mixed use building including three storey addition to result in one (1) shop and three (3) residential units at 35 Booth Street, Annandale, subject to Council's standard conditions and the following specific conditions:

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- “2. *Amended plans are to be submitted incorporating the following amendments:*
- a) *A minimum of 3 under cover bicycle storage spaces shall be provided in the rear yard of the site and shall be readily accessible to future residents of each apartment.*
  - b) *Following careful part demolition of the side boundary wall facing Nelson Street, construction of the new section of the wall shall be undertaken by reusing the cleaned up bricks from the part demolition.*
  - c) *With respect to materials and finishes:*
    - i) *The walls of the proposed rear addition are to be constructed from common brick and are to match the existing bricks used in the rear of the building.*
    - ii) *Where window and door glazing sections are to be aluminium, powder-coated painted sections shall be provided.*
  - d) *To maintain amenity between residences, the proposed bathroom window that services the new first floor apartment and opens onto the existing balcony, shall be deleted and replaced by a roof light.*
  - e) *The eastern wall proposed for the ground floor, rear balcony is to be constructed from clear, fire rated glass blocks.*

The amendments are to be provided prior to the issue of a Construction Certificate.

**CARRIED UNANIMOUSLY**

**8:39pm Cr Cinis temporarily left the meeting**

**8:41pm Cr Cinis returned to the meeting**



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**ITEM 21 BAYS PRECINCT CYCLE/PEDESTRIAN NETWORK PROPOSAL**

**C130/09 RESOLVED PORTEOUS/KOGOY**

1. That Council investigate the practicability of accessing cycle/pedestrian paths along the proposed routes.
2. That Council consults with local residents, local Precincts and all stakeholders especially the Greenway project and Ecotransit regarding the proposed concept plan.
3. Council ensures that the final pedestrian/cycle concept network plan acknowledges and protects the light rail corridor.
4. That Council requests the CBD Metro in line with their commitment, to define the catchment area for cyclist and pedestrians and for CBD Metro to incorporate cycle and pedestrian paths in the planning and delivery of the project.
5. That Council note recent developments in planning provisions for improved cycle access, safety and connectivity and, subject to community consultation outcomes, amend the Leichhardt Bicycle

Strategy (2007) to include support for concept plans for promoting the implementation of cycling routes around and through:

- (a) the Bays Precinct area,
  - (b) along the Greenway corridor from Cooks River to Iron Cove and
  - (c) over the old Glebe Island Bridge to provide connectivity and safer routes that complement a regional cycle network to benefit Leichhardt and broader cycling community.
6. That, as a matter of urgency, on adopting the concept plan for the Bays Precinct cycle/pedestrian network, Council advises the bodies that own land and/or are developing land in the Bays Precinct, Rozelle railway lands such as CBD Metro, Department of Planning (SHFA), Sydney Ports, RailCorp etc. of its desire to provide a pedestrian/cycle route as per the concept plan.

**CARRIED UNANIMOUSLY**

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**ITEM 8 ITALIAN FORUM LIMITED – REQUEST FOR FINANCIAL ASSISTANCE FOR THE CULTURAL CENTRE**

**C131/09 RESOLVED HOWISON/PORTEOUS**

That Council provide an increased level of support to the Italian Forum Limited in applying to the State and Federal Government for financial assistance to complete the Cultural Centre.

That Council urgently convene a meeting with the Senior Management Team, interested Councillors and the Italian Forum Limited to explore funding options from State, Federal and Local Government and that a report be brought back to Council's May Ordinary Meeting.

That Council identifies the completion of the Italian Cultural Centre and the development of a strong strategic relationship with the Italian Forum as a core outcome for Leichhardt Council.

**CARRIED UNANIMOUSLY**

**9:35pm Cr Byrne temporarily left the meeting**

**9:41pm Cr Byrne returned to the meeting**

**ITEM 22B VICTORIA ROAD UPGRADE: PROJECT APPROVAL**

**C132/09 RESOLVED PORTEOUS/MCKENZIE**

1. That Council receive and note the report and endorse the actions taken by staff to date.
2. Informative signs relating to the negative consequences of the Iron Cove Duplication be erected on side streets near the site with the wording to be agreed to by the Mayor in consultation with Councillors.
3. Council brief Senior Counsel on legal strategies particularly following a public interest argument available to Council, if any, on the Government's Iron Cove Bridge Duplication proposal.

**CARRIED UNANIMOUSLY**

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**ITEM 45      CALL FOR FOIS ON M4 EAST AND VICTORIA ROAD / IRON COVE  
BRIDGE DOCUMENTS**

**C133/09      RESOLVED                      PORTEOUS/MCKENZIE**

1.      That Leichhardt Council immediately commence proceedings for the release of the following documents under FOI:
  - a.      From 2004 to 2009 all documents, including plans, relating to the M4 East extension or any further extensions, including any extensions to Port Botany, Sydney airport or towards the CBD,
  - b.      From 2004 to 2009 all documents, including plans, relating to the F6 (also known as the M6) corridor, including any extensions to Port Botany, Sydney airport or towards the CBD.
  - c.      From 2004 to 2009 all documents, including plans and correspondence, relating to the other new road projects within the Leichhardt Local Government Area
  - d.      The discussion paper on the extension to the M4 East motorway prepared for public consultation by the Office of the Coordinator-General in the Department of Premier and Cabinet and any correspondence, including letters, faxes and emails, that relate to the preparation and finalisation of this discussion paper, and any document which records or refers to the production of above documents.
  - e.      All documents, including all correspondence, relating to the planning work being undertaken jointly by the State and Federal governments on the underground metro to Parramatta, also referred to as the West Metro. All documents within the West Metro planning documents that make reference to the Government's preferred route for the M4 East and the impact this has on the West Metro. Also the November 2008 feasibility study on the West Metro.
  - f.      All documents, including all correspondence, relating to the planning work being undertaken for the Victoria Rd/Iron Cove Bridge project.
  - g.      All documents relating to the development of an Inner West Motorway dated from 2005 to 2009.

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- h. Any documents or drafts of former Premier lemma's "Connecting Sydney's Gateways" transport document which details the extent of the Government's preferred route for the M4 East.
2. That Councillors be immediately informed when any of the documents referred to in 1 a – h above are obtained by Council and briefings arranged on their contents where requested. If the documents are not received within 21 days of the FOI lodgement, Council to then appeal to the Administrative Decisions Tribunal.
3. That Council send the following questions to members of the Legislative Council and the Legislative Assembly requesting that they be raised as questions on notice in Parliament as Council has been unable to access this information under Freedom of Information:
  - Cost benefit analysis – key performance indicators
  - On what basis was the original project reduced from 3 general traffic lanes and a bus lane to 2 lanes and a bus lane?
  - Why and when was the provision of overtaking bus bays to allow limited stop services to overtake all stop services deleted?
  - The project was originally described as bridge and road building improvements as well as traffic management to improve bus and vehicle movement toward the CBD, when and why did this change come about?
  - Does the traffic modelling of the proposed improvements take any account of local traffic issues?
  - Does the traffic modelling project an increase in the number of single passenger vehicles induced onto the additional road width?
  - Is there a maintenance report stating the condition of the existing bridge including the clip-on and the reduced life of the bridge arising from the increased use and the additional weight of goods vehicles?

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- Has the impact of future major Victoria Road projects been factored into the modelling?
- Does the cost benefit analysis include local environmental impacts and the measures to minimise their impact (eg disturbance of contaminants, alienation of parkland, overshadowing of public land and facilities, loss of patron parking along Victoria Road)?
- Has the project been measured in accordance with the recommendations contained in the Parry Report *“All transport infrastructure projects must be compared and evaluated using rigorous cost benefit analysis which takes full account of economic, social and environmental costs and benefits.”?*
- How has the project addressed the health and safety issues identified by the Premier having a higher accident rate than the rest of the State if lane widths are to be reduced?
- What is the justification for accepting a project of less than 1 cost benefit ratio?
- Has the State Transit Authority been party to the investment decision?
- The history of the project is such that the project has changed from east side development to west side and 4 lanes to 3. What were the grounds for the changes and were the costs and benefits compared? Is a comparative study available?
- Have contributions to the ALP been received from any members of the alliance in the run up to this project? Have any developers ‘adjacent’ to the 3.5km of the proposed development made contributions to the ALP in the run up to this project – Birkenhead Point, Birkenhead Quays, Balmain Shores (Baulderstones, Australands, Multiplex, etc)?
- Did the Government state that there was going to be a bridge whether the community wanted it or not?
- The determination that a bridge is going to happen no matter what indicates other reasons for the bridge.
- What are the commercial arrangements of the alliance?

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- What is the relationship and advice provided by the STA to the RTA on this project?
- What is the relationship and influence of local MPs and Ministerial and Political Advisors to the RTA on the early development of the project, particularly in relation to a western versus eastern bridge versus cantilever solution and the Mike Morissey cantilever decks solution?
- Is there any evidence that a meaningful community consultation process has taken place?
- Does the Government have plans for a bus interchange at Rozelle? Will this generate another set of pinchpoints on the outward journey at Drummoyne given the proposed road narrowing?

### CARRIED UNANIMOUSLY

#### ITEM 29A J C DECAUX STREET FURNITURE CONTRACT

#### C134/09 RESOLVED PORTEOUS/PLATE

1. That Council recognise the loss in revenue from the contract of \$58,194 in the third quarter budget review and the draft 2009/2010 budget.
2. That Council inform J C Decaux to retrofit the bus shelter in Roberts Road to allow for the removal of the advertising panel.
3. That the issue of the need to encourage safe bicycle speeds be brought to the next Bicycle Committee meeting in the form of a written report.

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The Vote FOR and AGAINST the above Resolution was;

	FOR	AGAINST
Alan Cinis	X	
Cassi Plate	X	
Daniel Kogoy	X	
Darcy Byrne		X
Gordon Weiss		X
Jamie Parker	X	
John Stamolis	X	
Lyndal Howison		X
Michele McKenzie	X	
Rochelle Porteous	X	
Tony Costantino		X

***Prior to voting on the above motion by Crs Porteous and Plate, a Foreshadowed Motion was moved by Crs Howison and Byrne, however was not voted on as the Primary Motion (by Crs Porteous and Plate) was put and carried. For the record, the Foreshadowed Motion was;***

### HOWISON/BYRNE

- 1. That Council grant permission to allow the scrolling of selected advertising panels on telephone booths in the Leichhardt LGA, but not on J C Decaux bus shelters.*
- 2. That Council recognise the loss in revenue from the contract of \$58,194 in the third quarter budget review and the draft 2009/2010 budget.*
- 3. That Council inform J C Decaux to retrofit the bus shelter in Roberts Road to allow for the removal of the advertising panel.*
- 4. That the issue of the need to encourage safe bicycle speeds be brought to the next Bicycle Committee meeting in the form of a written report.*

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**ITEM 32 PROPOSED PURCHASE OF DISCUSSION SYSTEM WITH HEARING LOOP INTEGRATION FOR COUNCIL CHAMBERS**

**C135/09 RESOLVED BYRNE/PARKER**

That Council agree to the purchase and installation of the Bosch Discussion System as outlined in the report with hearing loop integration and external speakers for the gallery.

**CARRIED UNANIMOUSLY**

**10:21pm Cr Costantino temporarily left the meeting.**

**10:24pm Cr Costantino returned to the meeting.**

**10:30pm EXTENSION OF TIME TO CONTINUE MEETING**

**C136/09 RESOLVED PARKER/MCKENZIE**

That in accordance with Council's Code of Meeting Practice, an extension of time of 1 hour be granted to continue the meeting.

**CARRIED UNANIMOUSLY**

**10:35pm Cr Byrne temporarily left the meeting.**

**10:37pm Cr Byrne returned to the meeting.**

**ITEM 37 WHITE BAY – COMMUNITY REFERENCE PANEL**

**C137/09 RESOLVED STAMOLIS/PARKER**

1. Council will initiate and facilitate a community consultation process with local residents in respect to the promised new White Bay masterplan.



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2. Council will advise the Minister for Planning, the local member for Balmain Ms Verity Firth MP and CEO, Sydney Harbour Foreshores Authority and local residents that Council will be initiating and facilitating community consultation regarding the promised new masterplan for White Bay.
3. Council and interested Councillors to design a community consultation process in conjunction with key community representatives.
4. That a report be brought to the May Ordinary Council Meeting outlining the way forward.

### CARRIED UNANIMOUSLY

**10:42pm Crs McKenzie and Stamolis temporarily left the meeting.**

**10:44pm Cr Stamolis returned to the meeting.**

**10:45pm Cr McKenzie returned to the meeting.**

**10:46pm Cr Porteous temporarily left the meeting.**

**10:49pm Cr Porteous returned to the meeting.**

### **ITEM 38 LEICHHARDT DEVELOPMENT CONTROL PLANS AND SOLAR PANELS**

#### **C138/09 RESOLVED PLATE/KOGOY**

1. That the Council immediately waive all Development Applications fees for developments that are only for photovoltaic systems and/or solar hot water (including gas boosted) systems.
2. That the cost of photovoltaic systems and/or solar hot water (including gas boosted) systems not be included in the value of development for the basis of calculating development application lodgement fees or section 94A levies.

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3. That a further report be submitted to the Planning Committee regarding the interaction of SEPP (Infrastructure) 2007 and potential exempt and complying controls for photovoltaic systems and/or solar hot water (including gas boosted) systems within the Municipality.
4. That the reduction and waiver of fees be broadly notified to the public.
5. That Council write to the Minister for Planning to ensure solar access is maintained for installed solar panels and photovoltaic systems through the Planning Legislation.

**CARRIED UNANIMOUSLY**

**ITEM 40 ACOUSTICA FESTIVAL**

**C139/09 RESOLVED PLATE/PARKER**

1. That Councillors, staff and key stakeholders meet in early June to develop a strategy for future Council-run music/performance/cultural events which is informed by work on the Cultural and Community Plan and by a full debrief of Acoustica 2009.
2. That following this meeting a full report with recommendations for future Council-run music/performance/cultural events which includes a report on Acoustica 2009, be brought to the June Ordinary Meeting for inclusion in the Management Plan 2009/10.

**CARRIED UNANIMOUSLY**

**ITEM 41 EXTENSION OF FENCED-IN AREA, SHIELDS PLAYGROUND, DARLEY ROAD, LEICHHARDT**

**C140/09 RESOLVED PORTEOUS/CINIS**

A further site inspection of Shields Playground be held with residents, Councillors and staff to agree on the layout of the extension of the fence which is required to ensure that families are able to safely use the park.

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That Council seeks to prioritise the funding of this extension of existing fencing in the park as agreed at this site meeting within the current financial year.

**CARRIED UNANIMOUSLY**

**ITEM 44      WHITES CREEK ECO FESTIVAL**

**C141/09      RESOLVED                      KOGOY/HOWISON**

That Council investigates holding an environment/sustainability-focused festival at Whites Creek in 2010 as part of its events planning process.

That Council's investigations include consultation with local environment groups, environment/sustainability businesses and interested community members and Councillors along with the Environment and Recreation Committee.

That Council bring a report with recommendations for an environment/sustainability festival for 2009/10 to be held at Whites Creek to the June Ordinary meeting for discussion and inclusion in the Management Plan 09/10.

That Council expedite the completion of the community native nursery on the Nissen Hut site in Wisdom Street, Annandale prior to the Eco Festival in 2010.

**CARRIED UNANIMOUSLY**

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

**C142/09 RESOLVED PARKER/PORTEOUS**

1. That Standing Orders be suspended and Items 9, 13, 19, 25, 34, 28, 36, 39, 42 & 43 be brought forward and dealt with now.
2. That the remaining Items in the Open Council section of the Business Paper (being Items 2, 3, 4, 5, 6, 7, 10A, 11, 11A, 11B, 12, 14, 15, 20, 22, 22A, 22C, 23, 24, 26, 27, 29, 30, 31, 33 & 35) be dealt with concurrently, and the recommendations contained in the reports be adopted (see pages 30 - 51 of these minutes for these Items).

**CARRIED UNANIMOUSLY**

**ITEM 9 ITALIAN NATIONAL BALL 2009**

**C143/09 RESOLVED PORTEOUS/PARKER**

That Council receive and note the report and not purchase any tickets to the Ball.

**CARRIED UNANIMOUSLY**

**ITEM 13 COMMUNITY SERVICES, SAFETY & FACILITIES COMMITTEE MEETING MINUTES**

**C144/09 RESOLVED HOWISON/PLATE**

That Council adopt the minutes of the Community Services, Safety & Facilities Committee held on 2 April 2009 with the accompanying recommendations as listed below subject to the following change;

- CSSFC 29/09 – Point 2 of this resolution to be changed to read;

“That the community concerns regarding children’s safety on visiting the recently installed garden on site at Johnston Street

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and The Crescent, should be addressed directly to the Roads & Traffic Authority as the owner of the land, subject to the Manager Assessments clarifying the owner of the property.”

### Item 1 Apologies

**CSSFC 28/09**                      **Recommended**

That apologies be accepted for the non attendance of Cr Lyndal Howison, Cr Vera-Ann Hannaford and Carole Strong.

### Item 4 (*Bought Forward*) Community Safety Feedback

**CSSFC 29/09**                      **Recommended**

That Council notes the following items arising from community safety feedback:

1. That traffic safety on Darley Road and other locations would henceforth be referred to the Traffic Committee.
2. That community concerns regarding children’s safety on visiting the recently-installed garden on site at Johnston Street & Minogue Crescent, should be addressed directly to the Roads and Traffic Authority as the owner of land.

**NOTE: See above for the change made to Point 2 at the April Ordinary Meeting.**

3. That the Local Area Command requests that any matters regarding antisocial behaviour, traffic incidences or suspected drug dealing be reported directly to the police by the witnessing persons.
4. That residents concerned with safe needle disposal contact their local chemist for needle stick boxes and/or advice on processes and procedures, and access to appropriate disposal containers.
5. That Council Officers will advise on the follow-up to the tree roots on Taylor Street impacting the surface paving.

### Item 7                      (*Bought Forward*) Leichhardt Youth Council Minutes

**CSSFC 30/09**                      **Recommended**

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That the minutes of the Leichhardt Youth Council meeting held on 2 March 2009 be adopted.

### **Item 8 (Bought Forward)**

#### **Youth Week 2009**

**CSSFC 31/09 Recommended**

That Youth Week 2009 report be received and noted.

### **Item 9 (Bought Forward)**

#### **Insight Out Of Sight Art Project And Competition**

**CSSFC 32/09 Recommended**

That Council;

1. Note the completion of the current Insight Out of Sight Art Project and competition.
2. Conduct a third Insight Out of Sight Competition in 2010.
3. Notes that each box has been coated with an anti-graffiti product, and steps will be taken to respond to reports, and remove graffiti from painted boxes.

### **Item 2**

#### **Minutes Of The Previous Meeting: 5 March 2009**

**CSSFC 33/09 Recommended**

That Council adopt the minutes of the Community Services, Safety & Facilities Committee meeting held on **5 March 2009** with the accompanying recommendations.

### **Item 3**

#### **Summary Of Resolutions And Matters Arising**

**CSSFC 34/09 Recommended**

That the information in the summary of resolutions be received and noted, with the following recommendations:

1. Items in the Summary of Resolutions will be removed once actioned.

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2. That items regarding Parks and Open Space will henceforth be referred to the Environment and Recreation Committee.
3. That the Plan of Management for Pioneer Park has been prioritised in the forthcoming Draft Management Plan 2009-2012. The following items are to be addressed in the PoM:
  - a. Signage in the park regarding alcohol free zones
  - b. Safety by design principles
4. Infrastructure and Service Delivery Section be requested to investigate early morning cleanups in Pioneer Park on weekends to address the issue of broken glass in the parks.
5. Council will write to the Liquor Accord, seeking their support to encourage bottle shops and off-licence premises to observe responsible service of alcohol obligations.

### Item 5

#### Community And Cultural Assets Audit Update

**CSSFC 35/09**

**Recommended**

1. Council notes the evidence-based and best practice research approach to the Community and Cultural Assets Audit.
2. Council notes the use of the Community Engagement Framework to prioritise communication and consultation.
3. Council notes that the research and strategic analysis of community and cultural assets in Leichhardt municipality will be presented to a Councillor Briefing on 18 June 2009.
4. Council notes that Council Officers will distribute the survey electronically to CSSFC committee members with a request to circulate it to their networks.

### Item 6

#### International Women's Day

**CSSFC 36/09**

**Recommended**

1. That the report of the International Women's Day event be received.

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2. That Community Centres Co-ordinator Jennifer Dowling and Council Officers be congratulated and thanked for their co-ordination and presentation of a highly successful event in 2009.
3. That a discussion for the 2010 celebrations paper will be developed and to be submitted to the Committee at the May meeting, and time be allocated for discussion of options.

### **Item 10**

#### **Other Business**

#### **Seniors Week**

#### **CSSFC 37/09                      Recommended**

1. That the information in the report be received and noted.
2. That Community Development Officer Aged and Disability, Deborah Harvey, and Council Officers be thanked for their co-ordination of the successful Seniors Council launch.

#### **Balmain Town Hall Sound And Lighting**

The meeting discussed recent public functions conducted at the Balmain Town Hall, noting the difficulties experienced in relation to sound and lighting in the hall .

#### **CSSFC 38/09                      Recommended**

That in order to improve amenity and accessibility at Balmain Town Hall the following items be referred to the Balmain Town Hall Committee:

1. That the curtains be reinstalled on the windows of Balmain Town Hall to assist with the acoustics in the hall.
2. An investigation be undertaken of the existing lighting in the Balmain Town Hall with a view to improving the system to assist visionally impaired residents.

### **Item 11**

#### **Next Meeting – 7 May 2009**

**CARRIED UNANIMOUSLY**





**LEICHHARDT MUNICIPAL COUNCIL**

**ITEM 25 ANNANDALE MAINSTREET WORKS VILLAGE ART PROJECT**

**C146/09 RESOLVED PLATE/HOWISON**

That Council exhibit the landscape design for the Annandale Mainstreet works and that a report be bought back to Council with the results of the Expression of Interest for artists for the tiled mural.

The design be brought back to the Community Services, Safety & Facilities Committee meeting and that that form the community consultation group and the Precinct Committee be invited to the Committee meeting, in order for the recommendation for the design to be brought back to Council.

**CARRIED UNANIMOUSLY**

**ITEM 34 DRAFT MANAGEMENT PLAN AND BUDGET 2009/10 – 2012/13**

**C147/09 RESOLVED WEISS/PARKER**

2.1 That Council adopt the draft Management Plan for the purpose of exhibition subject to the following change;

That the Draft Management Plan be amended to reflect an increase in maternity leave benefits for Council staff from 14 weeks to 18 weeks. This change to be reflected in a Memorandum of Understanding with the USU, and staff report to the June meeting as to how this can be integrated into the budget.

2.2 That the draft Management Plan be exhibited and considered for adoption at the Ordinary Council Meeting in June 2009.

2.3 That the draft Management Plan be presented to a meeting of the Budget and Parking Management Taskforce during the exhibition period, with all members of the public invited to attend via the Council newspaper column, the Council budget newsletter, and the website.

**CARRIED UNANIMOUSLY**

**LEICHHARDT MUNICIPAL COUNCIL**

**ITEM 28 MEMBERSHIP OF SYDNEY FOOD FAIRNESS ALLIANCE AND ENDORSEMENT AND SPONSORSHIP OF FOOD SUMMIT OCTOBER 2009**

**C148/09 RESOLVED PORTEOUS/CINIS**

- 2.1 That Council become a member of the Sydney Food Fairness Alliance.
- 2.2 That Council endorse the Sydney Food Fairness Alliance Food Summit and sponsor the Summit as a 'contributing supporter' to the value of \$1,000.

**The Vote FOR and AGAINST the above Resolution was;**

	<b>FOR</b>	<b>AGAINST</b>
Alan Cinis	X	
Cassi Plate	X	
Daniel Kogoy	X	
Darcy Byrne	X	
Gordon Weiss		X
Jamie Parker	X	
John Stamolis	X	
Lyndal Howison	X	
Michele McKenzie	X	
Rochelle Porteous	X	
Tony Costantino		X

**ITEM 36 TELSTRA FOOTPATH MAINTENANCE RESPONSIBILITIES – CONCERNS (SECOND HEARING)**

**C149/09 RESOLVED STAMOLIS/PARKER**

- 1. If the repairs are not carried out within the next week, Council to arrange a meeting with executive staff from Telstra to discuss the recommendations passed at the March 2009 Ordinary Council Meeting.
- 2. Council to seek urgent action from Telstra to repair the Charles Street/Ewenton Street pit cover and footpath.

**CARRIED UNANIMOUSLY**

**LEICHHARDT MUNICIPAL COUNCIL**

**ITEM 39      CHILDCARE PROCESSES**

**C150/09      RESOLVED                      HOWISON/BYRNE**

That Council staff explore possibilities to use currently available technology to streamline Childcare processes and save staff time, as well as providing higher levels of service to residents, and report to the July Ordinary meeting.

**CARRIED UNANIMOUSLY**

**ITEM 42      FISHING ACTIVITY ON BALMAIN PENINSULA – LITTER, HYGIENE, SAFETY**

**C151/09      RESOLVED                      STAMOLIS/PARKER**

- Council to summarise policy on use of foreshore parks by persons involved in fishing activity.
- Council to find out and report on policy regarding use of ferry wharves by persons involved in fishing activity.
- Council to produce a brochure advising persons involved in fishing activity of the conditions of use of local parks and their responsibilities in using local parks. The brochure should detail issues relating to litter, safety, hygiene, obstruction of access and other.
- Brochures should be written in several languages.
  
- Brochures should be hand delivered to persons involved in fishing activity where it can be explained to these persons and any questions can be answered by Council rangers. At this meeting, persons involved in fishing activity should be advised that litter, lack of hygiene and safety, and potential injury poses the same risks to them, their children and their pets as it does to anyone else

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- Council to investigate the provision of amenity for persons involved in fishing activity such as bins and plastic tidy bags, signage (e.g. directions to toilets)
- A program of ongoing 'sporadic' monitoring by Council should take place, especially weekends. This would include checking for licences and provide the opportunity to distribute the brochure to all users.
- Council should support the efforts of residents who clean-up these foreshore parks every morning by scheduling an early morning clean-up every day, 7 days per week, so that these areas are clean, accessible and safe for all other use that might occur during the day.
- That Council officers report to the next Council meeting on the issues regarding coverage and responsibilities of different levels of Government regarding fishing licences.

**CARRIED UNANIMOUSLY**

**ITEM 43      ADOPT A PARK PROGRAM**

**C152/09      RESOLVED                      HOWISON/BYRNE**

That Council Officers explore the feasibility of and develop proposals for formalising an Adopt a Park program, which would provide recognition and support to members of the community who wish to take a more active role in maintenance of their local parks. Issues to address in a feasibility report would include; insurance and public liability implications, budget impacts of providing support in the form of gardening resources and official forms of recognition (e.g. t-shirts, window or letterbox stickers), and forecast commitment in terms of staff time. A report should be brought to Council for the June Ordinary meeting. The report to include how this program would work in conjunction with other programs run by Council specifically Friends of Parks and bush care groups.

**CARRIED UNANIMOUSLY**

**ITEM 2      SUMMARY OF MAYORAL MINUTE RESOLUTIONS FROM MARCH 2009**

**C153/09      RESOLVED                      PARKER/PORTEOUS**

That the information be received and noted.

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**CARRIED UNANIMOUSLY**

**\*\* PRECIS OF CORRESPONDENCE**

**ITEM 3 SUMMARY OF PRECIS OF CORRESPONDENCE RESOLUTIONS FROM MARCH 2009**

**C154/09 RESOLVED PARKER/PORTEOUS**

That the information be received and noted.

**CARRIED UNANIMOUSLY**

**ITEM 4 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT**

**C155/09 RESOLVED PARKER/PORTEOUS**

The report be received and noted.

**CARRIED UNANIMOUSLY**

**ITEM 5 REQUEST FOR FEE WAIVER – AUSTRALIA WESTERN SAHARA ASSOCIATION**

**C156/09 RESOLVED PARKER/PORTEOUS**

1. The Australia Western Sahara Association be granted a fee waiver for the use of the Leichhardt Town Hall on Friday 15 May 2009.
2. The standard refundable bond be paid.

**CARRIED UNANIMOUSLY**

**ITEM 6 ITALIAN BILINGUAL SCHOOL – REQUEST FOR FEE WAIVER**

**C157/09 RESOLVED PARKER/PORTEOUS**

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1. That the Italian Bilingual School be granted a fee waiver for the use of the Leichhardt Town Hall on Friday 20<sup>th</sup> November 2009.
2. The standard \$500 refundable bond be paid.

**CARRIED UNANIMOUSLY**

**ITEM 7 MEMORIAL PLAQUE – ANNE CASHMAN RESERVE, BALMAIN**

**C158/09 RESOLVED PARKER/PORTEOUS**

That Council approve the placing of a small plaque in Anne Cashman Reserve, near the memorial tree for Beverley Buchanan.

**CARRIED UNANIMOUSLY**

**ITEM 10A INNER WEST SMALL BUSINESS AWARDS**

**C159/09 RESOLVED PARKER/PORTEOUS**

That Council provide sponsorship of \$1,000 for the 2009 Inner West Small Business Awards, with funding coming from the Councillors Miscellaneous Priorities Budget.

That Council pursue its investigation for the inclusion of a Leichhardt Local Government Area Small Business Access Award in the Inner West Small Business Awards program.

**CARRIED UNANIMOUSLY**

**\*\* GENERAL MANAGER**

**LEICHHARDT MUNICIPAL COUNCIL**

**ITEM 11 SUMMARY OF GENERAL MANAGER RESOLUTIONS FROM MARCH 2009**

**C160/09 RESOLVED PARKER/PORTEOUS**

That the information be received and noted.

**CARRIED UNANIMOUSLY**

**ITEM 11A LEICHHARDT COUNCIL -V- RTA (BLACKMORE PARK) DEED OF RELEASE TO PAY COMPENSATION**

**C161/09 RESOLVED PARKER/PORTEOUS**

That Council authorise the Mayor and the General Manager to affix Council's seal to the deed of release between the Roads and Traffic Authority of NSW and Council in regard to the payment of compensation for the acquisition of Council land at Blackmore Park (lots 6, 12 & 13 DP1045624).

**CARRIED UNANIMOUSLY**

**ITEM 11B WATER POLICE SITE AT CAMERON'S COVE**

**C162/09 RESOLVED PARKER/PORTEOUS**

That Council:

1. Advise the New South Wales Police Force that it will accept transfer of land shown as areas B1, B2 and B3 as shown on the 'Areas Analysis' plan (contained within attachment 2 to this report) subject to:
  - the fenced off area of the site to be remediated to exclude the upper grassed area of Broadside St (as defined by the newly installed post and chain safety fencing) because this area has been



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remediated and not identified by the Site Auditor as an area of restricted access or inaccessible to the public ; and is currently well vegetated with good condition grass cover

- the remaining fenced off area of the site (shown as the *Hillside Area* shaded blue on plan attachment) to be remediated to a 'Recreational Open Space' land use criteria in accordance with the *NSW EPA's – Guidelines for the NSW Site Auditor Scheme* and certified as such by an accredited site auditor;
  - the suitability of the site for 'Recreational Open Space' as contained in the Site Audit Statement not being contingent on the '*Hillside Area*' being inaccessible or having restricted access to the public by virtue of contamination - noting that access/walking tracks will be required within the *Hillside Area* notwithstanding the general topographical constraints of the site
2. Enter into a written agreement with the New South Wales Police Force requiring the current owner of the land to prepare a Remediation Action Plan that when implemented will result in the '*Hillside Area*' being suitable for 'Recreational Open Space' land use in accordance with the *NSW EPA's – Guidelines for the NSW Site Auditor Scheme*.
  3. Delegate to the Mayor and General Manager the authority to settle the terms of the agreement including proposed timelines and milestones for the remediation works.

**CARRIED UNANIMOUSLY**

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### **ENVIRONMENTAL & COMMUNITY MANAGEMENT**

#### **ITEM 12 SUMMARY OF ENVIRONMENTAL & COMMUNITY MANAGEMENT RESOLUTIONS FROM MARCH 2009**

**C163/09 RESOLVED PARKER/PORTEOUS**

That the information be received and noted.

**CARRIED UNANIMOUSLY**

#### **ITEM 14 ENVIRONMENT & RECREATION COMMITTEE MEETING MINUTES**

**C164/09 RESOLVED PARKER/PORTEOUS**

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That Council adopt the minutes of the Environment & Recreation Committee held on 1 April 2009 with the accompanying recommendations as listed below;

### **Item 1 Apologies**

**ERC21/09                      Recommended**

That apologies be accepted for the non attendance of Hugh Malfroy, Bev Maunsell and Doug Anderson.

### **Item 2 Minutes of the Previous Meeting: 4 March 2009**

**ERC22/09                      Recommended**

That:

1. Council adopt the minutes of the Environment and Recreation Committee meeting held on 4 March 2009 with the accompanying recommendations.
2. Paul Geraghty be added to the attendance list.
3. The Parks Planning Work Programme Verbal March Agenda Item be brought as a report to the next Environment and Recreation Committee meeting.

### **Item 3 Summary of Resolutions**

**ERC23/09                      Recommended**

That:

1. The information in the Summary of Resolutions be received and noted.
2. Re: ERC 35/06, the Draft Plan of Management for Bridgewater Park be brought to the Environment and Recreation Committee for consultation.
3. Re: ERC 16/08, information on funding for the Community Orchard Proposal be brought to the next meeting.

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4. Re: ERC 45/08, a report be brought to the next meeting on the progress at the Cameron's Cove Water Police site and look at options to progress this as soon as possible.
5. Re: ERC 50/08, a review of the Urban Forest Policy Strategy and how it has progressed along with a draft Urban Forest Policy leaflet be brought to the next meeting.
6. Re: ERC 19/09, Council write a letter to SHFA regarding a resident that is feeding feral cats in the vicinity of the convalescent cottages at Callan Park and to take appropriate action, and ask what action is being taken to remove the feral cats from Callan Park.

### **Item 4**

#### **Correspondence – Nil**

### **Item 5**

#### **Reports From The Community – Nil**

### **Item 6**

#### **Policy Items Environment**

#### **Item 6.1**

#### **Climate Change Task Force Minutes**

**ERC24/09**

**Recommended**

That:

1. Council adopt the minutes of the Climate Change Task Force meeting held on 4 March 2009 with the accompanying recommendations.
2. The next Task Force agenda includes a presentation on the CPRS, lead by Cr Daniel Kogoy, and the issues that arise from it at a Council level.

#### **Item 6.2**

#### **Environmental Education For Schools In 2009**

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**ERC25/09**                      **Recommended**

1. That Council receive and note the Environmental Education for Schools in 2009 report.

### **Item 7** **Policy Items Recreation**

#### **Item 7.1** **Proposed Use Of Balmain Glasshouse**

**ERC26/09**                      **Recommended**

That:

1. Council permit Mars Inc to use a section of the Balmain Glasshouse for the production of native plants for a 12-month trial in exchange for the provision of in-kind advice to community bushcare volunteers on methods of propagation, and regarding the setting up of the soon to be built community nursery in Wisdom St Annandale.
2. An agreement be drawn up with Rozelle Bay Community Native Nursery and Mars Inc to formalise the use of the Balmain Glasshouse.
3. Following the 12-month trial a further report to brought back to Council on the use of the Balmain Glasshouse by these two groups.

#### **Item 7.2** **Implications Of The Extension Of Season Closure Of The Dawn Fraser Baths**

**ERC27/09**                      **Recommended**

That:

1. The trial period be extended to include 2008/09 season.
2. The 2008/09 season would then be extended from Tuesday 14th April to Monday 27th April inclusive 14 extra days to include the school holidays.
3. The Baths be opened for the extended period from 10.45 to 18.00 with one shift per day, with winter key access for morning regular swimmers;

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4. The Councillors and Ordinary Council receive an outline of how the additional staffing costs would be met and an assurance that there would not be a reduction in any other services due to this allocation of costs.

### Item 9

#### Verbal Updates

#### 9.1 ACF Greenhome Program: Dates And Venues

**ERC28/09 Recommended**

Received and noted.

#### 9.2 Rainwater Tank Seminar (held 17<sup>th</sup> March 2009)

**ERC29/09 Recommended**

Received and noted.

### Item 10

#### Other Business

**ERC30/09 Recommended**

That:

1. The Committee commends the Council for the opening of 31 White Street, and particularly thanks the Mayor, Lyn Gerathy, and the Whites Creek Community Committee members.
2. Council thank Anna Broome for her contribution and wish her all the best for the future.

### Item 11

#### Next Meeting

The next meeting will be held on Wednesday, 3 June 2009 at 6:30pm.

**CARRIED UNANIMOUSLY**

#### ITEM 15 PLANNING COMMITTEE MINUTES

**C165/09 RESOLVED PARKER/PORTEOUS**

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That Council adopt the minutes of the Planning Committee meeting held on 9 April 2009 with the accompanying recommendations as listed below;

### **Item 1 Apologies**

#### **PC12/09                      Recommended**

That apologies be accepted for the non attendance of Ray Stevens, Gill Dawson, Pam Vining, Val Hamey and Malcolm Garder.

David Lawrence noted that Shirley Dean no longer lives in the Municipality of Leichhardt and therefore will not be attending Planning Committee meetings. It was moved that a letter of thanks be sent to Shirley Dean, for her contribution to the Planning Committee.

### **Item 2 Minutes Of The Previous Meeting: 12 March 2009**

#### **PC13/09                      Recommended**

That Council adopt the minutes of the Planning Committee meeting held on **12 March 2009**.

### **Item 3 Summary Of Resolutions**

#### **PC14/09                      Recommended**

1. That the information in the Summary of Resolutions be received and noted.
2. That Council staff report back to the Committee about the possibility of an Interim Amendment to the current DCP to incorporate a new primary control for demolition (Appendix D) and delete or amend the current control – Section B 4.2 ‘Conservation of Small Detached Houses’

### **Late Report (*brought forward*)**

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### Addressing of Minutes from Planning Committee on 11 December 2008 Re: Interim Review of Tree Preservation Order & Environment & Recreation Committee on 4 February 2009

#### PC15/09                      Recommended

1. That the Tree Preservation Order be amended to read "*The following circumstances are not reasons for the removal of trees*" in place of "*The following are the circumstances whereby Council will not consent to the removal of trees*".
2. That the clarification of the replacement planting words be noted.
3. That *Celtis sinensis* be included as species exempt from Council's Tree Preservation Order.

#### Item 4 Update on Planning Issues

##### 4A     Callan Park

No matters arising.

##### 4B     White Bay & Glebe Island

Councillor John Stamolis informed the Committee that he will be requesting that Council have an Extraordinary Meeting to consider taking over the community consultation process for the Bays Precinct from the state government.

#### Item 5 Items for Information

##### Item 5.1 Council Report to Ordinary Council – Victoria Road Upgrade: RTA Response to Submissions

#### PC16/09                      Recommended

1. That in the event that Council is dissatisfied with the Notice of Determination issued by the Department of Planning that Council exercise its Rights of Appeal under s. 75L of the EP&A Act.
2. That a letter be sent to the Department of Planning, RTA and Workcover requesting the implementation of a pedestrian and cyclist safety barrier adjacent to the shared use path on the proposed Iron Cove Bridge be

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included as a Condition of Approval in a Notice of Determination in the event of the Project being approved.

### Item 5.2

#### **Council Report to Building & Development Council – Draft Sustainable Water & Risk Management DCP**

A copy of the report that was tabled at the Building & Development Council meeting (10 March 2009) was provided for the Committee's information only.

### Item 6

#### **Other Business**

**PC17/09**

**Recommended**

1. That future Committee meetings not be scheduled immediately prior to public holidays.
2. That Councils' Planning Section investigate opportunities for video streaming on Council's website in relation to planning issues.

### Item 7

#### **Next Meeting**

The next Planning Committee meeting will be held on 14 May 2009.

**CARRIED UNANIMOUSLY**

#### **ITEM 20 REQUEST FOR FEE WAIVERS AND DEVELOPMENT OF NEW POLICY – CHARITY GROUPS UTILISING OPEN SPACE**

**C166/09**

**RESOLVED**

**PARKER/PORTEOUS**

1. That Council waiver the fees associated with the use of the Iron Cove Bay Run by both Cystic Fibrosis NSW and Dobroyd Public School P&C on the dates specified in this report.
2. That Council staff are instructed to develop a formal policy for fee waiver requests in relation to open space access and use by Charitable and non for profit organisations (excluding sporting organisations).

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3. That as an interim measure the Mayor be given delegated authority to waiver fees for open space access and use by Charitable and non for profit groups (excluding sporting organisations) until such time as a policy is formally considered by Council.
4. That reports be brought to Council on a quarterly basis that provide details of all parks hire waivers/reductions that have been granted.

**CARRIED UNANIMOUSLY**

**ITEM 22 10 DARLING STREET, EAST BALMAIN (KNOWN AS SHIPWRIGHTS ARMS)**

**C167/09 RESOLVED PARKER/PORTEOUS**

That Council receive and note the report.

**CARRIED UNANIMOUSLY**

**ITEM 22A STATE ENVIRONMENTAL PLANNING POLICY NO. 1 - REPORTING REQUIREMENTS**

**C168/09 RESOLVED PARKER/PORTEOUS**

That Council receive and note the report.

**CARRIED UNANIMOUSLY**

**ITEM 22C DRAFT CENTRES POLICY**

**C169/09 RESOLVED PARKER/PORTEOUS**

1. That Council receive and note the information provided in the report.

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2. That Council resolve to send a submission (included as Annexure A to the report) to the Department of Planning in relation to the *Draft Centres Policy: Planning for Retail and Commercial Development* outlining Council's position.

**CARRIED UNANIMOUSLY**

**\*\* INFRASTRUCTURE & SERVICE DELIVERY**

**ITEM 23 SUMMARY OF INFRASTRUCTURE & SERVICE DELIVERY RESOLUTIONS FROM MARCH 2009**

**C170/09 RESOLVED PARKER/PORTEOUS**

That the information be received and noted.

**CARRIED UNANIMOUSLY**

**ITEM 24 MINUTES OF LOCAL TRAFFIC COMMITTEE**

**C171/09 RESOLVED PARKER/PORTEOUS**

That Council adopt the minutes of the Local Traffic Committee held on 5 March 2009 with the accompanying recommendations as listed below;

**Summary of Recommendations**

**1.0 Confirmation of Minutes**

**TR09/024  
Confirmation of Minutes**

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CHAIR

# LEICHHARDT MUNICIPAL COUNCIL

## **Committee Recommendation:**

That the Minutes from the Local Traffic Committee meetings held on 5th of March 2009 be accepted as a true and accurate record of the meeting's proceedings.

## **1.1 Matters Arising from Minutes of Previous Meeting**

**TR09/025**

1.1.1 Nil

## **2.0 Reports**

**TR09/026**

### **2.1 Parking Changes – Louisa Road, Birchgrove**

#### **Committee Recommendation:**

- a) That the Committee notes the level of support received for the modifications to the existing Resident Parking restrictions in Louisa Road, Birchgrove is less than the required minimum of 50% support.
- b) That no action be taken at the present time to modify the existing Resident Parking restrictions in Louisa Road, Birchgrove as per Council's Policy on Resident Parking Schemes.
- c) That the surveyed residents be advised of the Committee's decision.

**TR09/027**

### **2.2 Parking Changes – Piper Street, Lilyfield**

#### **Committee Recommendation:**

- a) That the statutory 'No Stopping' zones in Piper Street, at the Percival Street and Paling Street intersections be signposted.
- b) That the extension of the existing statutory 'No Stopping' zone on the southern side of Piper Street, west of Paling Street, by 15m towards Catherine Street be approved.

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**TR09/028**

### **2.3 Annual Review of RTA Crash Data for LGA (2007)**

#### **Committee Recommendation:**

- a) That the total number of collisions be shown on the RTA accident maps in future 'Crash Analysis' reports.
- b) That the report be received and noted by the Committee.

**TR09/029**

### **2.4 Bicycle Facilities Implementation Program – 2008/2009**

#### **Committee Recommendation:**

That the plans indicating the proposed bicycle facilities along the bicycle routes: EW2, EW3 and NS5 tabled at the meeting be approved subject to the following matters being further addressed/investigated:

- a) Renwick Street and Renwick Lane(EW2)
  - i. That the affected residents/businesses in Renwick Street and Renwick Lane be consulted on the proposed parking change in Renwick Street.
  - ii. That a pedestrian/cycle/vehicle and truck survey be conducted in Renwick Lane and the results be brought back to the Committee.
  - iii. That the businesses in the vicinity of Renwick Lane be surveyed to find out when truck deliveries are made and size of trucks being used in Renwick Lane.
- b) Parramatta Road (EW2)
  - i. That the proposed on-road mixed traffic lane in the section which is currently not restricted as a Bus Lane be not approved.
  - ii. That Council be requested to seek further advice from the RTA on this matter.
- c) Marion Street (EW3) - Between Hawthorne Parade and Edith Street
  - i. That the PS2 bicycle logos proposed on the eastbound carriageway be relocated from lane 2 to lane 1 and mark them towards the lane line.
  - ii. That the Committee supported 3.4m shoulder lane and 3m travel lanes in principle, subject to the RTA representative discussing this proposal with Sydney Buses and seeking their support.
- d) Collins Street (EW3)
  - i. That the plan (Drg.No.HS11400-02-13) be modified to provide a mixed traffic treatment for the east bound section between Young Street roundabout and Collins Lane.

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- e) Catherine Street (NS5) - between Moore Street and Piper Street
  - i. That the Committee supported 3.4m shoulder lane and 3m travel lanes in principle, subject to the RTA representative discussing this proposal with Sydney Buses and seeking their support.

### **TR09/030**

#### **2.5 Pedestrian Crossing Facility – Palmer Street at Beattie Street, Balmain**

##### **Committee Recommendation:**

- a) That the marked pedestrian crossing proposal across Palmer Street, at the Beattie Street intersection, be approved.
- b) That a detailed design of the proposal and viability of paving treatment in Darling Street, Beattie Street and Palmer Street (around Loyalty Square) be brought back to the Committee's approval.
- c) That the affected residents and businesses be consulted to assess their views on the proposal.

### **TR09/31**

#### **2.6 Resident Parking Survey – Annandale Street, Pritchard Street, Kentville Avenue and Breillat Street, Annandale**

##### **Committee Recommendation:**

- a) That the Committee notes the level of support received is less than the required minimum of 50% for the installation of a Resident Parking Scheme in Annandale Street, Pritchard Street, Breillat Street and Kentville Avenue (within 250m radius from the Light Rail Station).
- b) That no action be taken to install a Resident Parking Scheme in Annandale Street, Pritchard Street, Breillat Street and Kentville Avenue (within 250m radius from the Light Rail Station) as per Council's Policy on the introduction of a RPS.
- c) That the surveyed residents be advised of the Committee's decision.

### **TR09/32**

#### **2.7 Road Occupancy – Flood Street, Leichhardt**

##### **Committee Recommendation:**

That the road occupancy for a BreastScreen NSW mobile lab unit on the western side of Flood Street between Marion Street and Lords Road, Leichhardt, immediately north of the taxi zone, from Friday, 14<sup>th</sup> August to Friday, 11<sup>th</sup> September 2009 be supported, subject to the following conditions:

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That all affected businesses, residents and other occupants must be notified of the road occupancy and activities at least one week prior to the commencement of the event. Any concerns or requirements raised by business proprietors, residents and other occupants must be resolved or accommodated by the applicant.

That the applicant contact Energy Australia in relation to power access to the mobile laboratory.

That the areas to be used for the activities must be maintained in a clean and tidy condition to the satisfaction of Council's Director Infrastructure and Service Delivery, or else the applicant will be required to reimburse Council for any extraordinary cleansing costs.

That the Council and RTA must be indemnified against all claims for damage or injury that may result from either the activities or from the occupation of part of the public way during the activities. The applicant must therefore produce evidence of its public risk insurance cover (under which the Council and Roads and Traffic Authority are indemnified) with a minimum policy value of at least \$10,000,000.

That a copy of the Council approval letter must be made available on the site for inspection by relevant officers.

That the applicant must comply with any reasonable directive from Council's Compliance Officers.

That Council reserves the right to cancel this approval at any time.

### **TR09/033**

#### **2.8 Road Occupancy (Italian Connection Rally) – Norton Street, Leichhardt**

##### **Committee Recommendation:**

That the Italian Connection Rally to commence from Marion Street Town Hall carpark and travel via Marion Street, Renwick Street, Renwick Lane -contraflow (alternate route for low slung vehicles use Parramatta Road back to Norton Street), Norton Street to City West Link and ANZAC Bridge, on Friday 22 May 2009 be supported subject to the following conditions:

- a) That approval to conduct a public assembly be obtained from the NSW Police prior to the event. A copy of the NSW Police approval must be forwarded to Council's Traffic Section prior to the event.

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- b) That the State Transit Authority of NSW be notified of the Event and associated activities. Any concerns or requirements raised by State Transit Authority of NSW must be resolved or accommodated by the applicant. (STA Leichhardt Depot Ph: 9582 5911).
- c) That the applicant submit a current Public Liability Insurance Certificate indicating Council as an Interested Party prior to the event and Council be indemnified against any claims arising from the event.
- d) The applicant shall comply with any reasonable directive from NSW Police and Council's Officers.
- e) That the applicant must advertise in local newspapers of the proposed temporary road closure of Renwick Lane and advise affected properties.

### **3.0 Status Reports**

#### **TR09/034**

#### **3.1 Pedestrian Refuge Island - Catherine Street, Lilyfield**

##### **Committee Recommendation:**

- a) That the proposed pedestrian refuge island in Catherine Street, south of Ilka Street be approved.
- b) The Committee supported 3.4m shoulder lane and 3m travel lanes in principle, for Catherine Street, between Piper Street and Moore Street, subject to the RTA representative discussing this proposal with Sydney Buses and seeking their support.
- c) That the residents of Catherine Street (between Moore Street and Leys Avenue) be advised of the Committee's recommendation.

### **4.0 Minor Traffic Facilities**

#### **TR09/035**

##### **Committee Recommendation:**

That the following seven (7) minor traffic facilities authorised by the Traffic Engineer be endorsed:

- **Item 2002/002747**  
That a 6m 'Disabled Parking - 8am - 6pm Monday - Friday' Zone be installed outside No. 39 Grove Street, Lilyfield.
- **Item 2002/002748**  
The provision of a Disabled Parking zone outside No. 25 Alfred Street, Rozelle is not supported as the applicant has a garage at the rear of the property.

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- **Item 2002/002750**  
That a 6m 'Disabled Parking - 8am - 6pm Monday - Friday' Zone be installed outside No.24 Nicholson Street, Balmain East.
- **Item 2002/002751**  
That the 'Disabled Parking' zone outside No.18 Carrington Street, Lilyfield be removed.
- **Item 2002/002752**  
That the 'Disabled Parking' zone outside Nos.1-3 Elliott Street, Balmain be replaced with the existing parking restrictions in Elliott Street.
- **Item 2002/002754**  
That the 'Disabled Parking' zone outside No.2 Valley Street, Balmain be removed.
- **Item 2002//002755**  
That the 'Disabled Parking' zone outside No.49 Foster Street, Leichhardt, be removed.

### **5.0 General Business**

#### **TR09/036**

##### **5.1 Heavy Vehicle Movements through Annandale**

#### **Committee Recommendation:**

That vehicle classification counts be undertaken in Booth Street and the results be brought back to the Committee.

#### **TR09/037**

##### **5.2 Vehicle Classification Counts - Darley Road / Hathern Street / Tebbutt Street, Leichhardt**

#### **Committee Recommendation:**

That vehicle classification counts be undertaken in Darley Road, Hathern Street and Tebbutt Street, Leichhardt.



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**TR09/038**

**6.0 Next Meeting of the Leichhardt Local Traffic Committee**

**Committee Recommendation:**

That the next meeting of the Leichhardt Local Traffic Committee be scheduled for **Thursday, 7 May 2009 at 9.30am.**

**CARRIED UNANIMOUSLY**

**ITEM 26      DISABLED ACCESS PROJECT BALMAIN SAILING CLUB**

**C172/09      RESOLVED                      PARKER/PORTEOUS**

1. That Council provide approval for the lodging a joint Sharing Sydney Harbour Access Programme grant application with Balmain Sailing Club for the installation of a disabled access ramp on the foreshore open space at the bottom of Water St Balmain.
2. That should the grant application be successful that Council fund the project from the Section 94 funded Foreshore Works Sharing Sydney Harbour vote in the Parks & Streetscapes Open Space Programme in the 2009/2010 budget to cover the 50% contribution to the cost of the works.
3. That Council enter into an agreement with Balmain Sailing Club for public access to the floating pontoon in front of Balmain Sailing Club from dawn till dusk.

**CARRIED UNANIMOUSLY**

**ITEM 27      REVIEW OF THE ILLOURA RESERVE LCAMP OFF-LEASH AREAS**

**C173/09      RESOLVED                      PARKER/PORTEOUS**

1. That Council resolve to amend the Access to Open Space Strategy for Dogs to show the extension of the dog off-leash time share areas at Illoura Reserve and Peacock Point as set out in Section 4 of this report

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2. That additional signage be installed to reflect the new off-leash areas as per the locations identified in Figure 1 of this report.

**CARRIED UNANIMOUSLY**

**ITEM 29 3RD QUARTER INFRASTRUCTURE PROGRAM UPDATE**

**C174/09 RESOLVED PARKER/PORTEOUS**

That the progress of the infrastructure works program for the 3rd quarter of the 2008/2009 financial year be noted.

**CARRIED UNANIMOUSLY**

**\*\* CORPORATE & INFORMATION SERVICES**

**ITEM 30 SUMMARY OF CORPORATE & INFORMATION SERVICES RESOLUTIONS FROM MARCH 2009**

**C175/09 RESOLVED PARKER/PORTEOUS**

That the information be received and noted.

**CARRIED UNANIMOUSLY**

**ITEM 31 LOCAL HISTORY GRANTS 2007 REQUESTS FOR EXTENSION OF TIME TO COMPLETE PROJECTS**

**C176/09 RESOLVED PARKER/PORTEOUS**

- 2.1 That the Leichhardt Historical Journal Inc. be granted an additional extension of six months until 30 December 2009, to complete the project '*Publication of LHJ No. 24*'.

**CARRIED UNANIMOUSLY**

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**ITEM 33 STATEMENT OF INVESTMENT BALANCES AS AT 31 MARCH 2009**

**C177/09 RESOLVED PARKER/PORTEOUS**

That the Statement of Investment Balances, as at 31 March 2009, be received and noted.

**CARRIED UNANIMOUSLY**

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

**ITEM 35 SUMMARY OF MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN RESOLUTIONS FROM MARCH 2009**

**C178/09 RESOLVED PARKER/PORTEOUS**

That the information be received and noted.

**CARRIED UNANIMOUSLY**

*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) (a), (b), (d) & (g) of the Local Government Act, 1993.*

*Council resolved to meet in the Committee of the Whole at 11:52pm with the press and public excluded after a MOTION (PARKER/COSTANTINO) to that effect was CARRIED.*

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

**1. TENDER FOR THE MANAGEMENT OF UNWANTED VEGETATION BY NON-CHEMICAL MEANS**

This Item is classified CONFIDENTIAL under Section 10A (2) (d) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

(d) Commercial information of a confidential nature

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**2. GRATUITY PAYMENT – KEVIN MILES**

This Item is classified CONFIDENTIAL under Section 10A (2) (a) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (a) Personnel matters concerning individuals (other than Councillors)

**3. DEED OF AGREEMENT**

This Item is classified CONFIDENTIAL under Section 10A (2) (a) & (b) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (a) Personnel matters concerning individuals (other than Councillors)  
and
- (b) The personal hardship of any resident or ratepayer

**4. 4 CHESTER STREET, ANNANDALE AND ADJACENT SYDNEY WATER LAND**

This Item is classified CONFIDENTIAL under Section 10A (2) (d) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (d) Commercial information of a confidential nature

**5. M/2008/276 – 90 JOHNSTON STREET, ANNANDALE – ENCROACHMENTS ON ADJOINING LAND**

This Item is classified CONFIDENTIAL under Section 10A (2) (g) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (g) Legal Advice

**LEICHHARDT MUNICIPAL COUNCIL**

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

Open Council resumed at 11:54pm after a MOTION (PARKER/HOWISON) to that effect was CARRIED.

**\*\* RESOLUTIONS FROM THE CLOSED COUNCIL MEETING**

**1. TENDER FOR THE MANAGEMENT OF UNWANTED VEGETATION BY NON-CHEMICAL MEANS**

**C179/09 RESOLVED PARKER/BYRNE**

1. That Council accept the tender from Weedtechnics for the 3-year non-chemical weed control contract on Councils streets and parks for the sum of \$244,520 (excluding GST) per annum
2. That Council reaffirm its adopted integrated weed management strategies including the limited & strictly controlled use of a least persistent in the environment type herbicide such as Roundup Biactive.

**CARRIED UNANIMOUSLY**

**2. GRATUITY PAYMENT – KEVIN MILES**

**C180/09 RESOLVED PARKER/BYRNE**

That Kevin Miles be considered that in recognition of 38.08611 years of service, Council approve payment of a gratuity.

**CARRIED UNANIMOUSLY**

**LEICHHARDT MUNICIPAL COUNCIL**

**3. DEED OF AGREEMENT**

**C181/09 RESOLVED PARKER/BYRNE**

That Council endorse the agreement reached and authorise the Mayor to affix Council's seal to that agreement.

**CARRIED UNANIMOUSLY**

**4. 4 CHESTER STREET, ANNANDALE AND ADJACENT SYDNEY WATER LAND**

**C182/09 RESOLVED PARKER/BYRNE**

That the valuation of 4 Chester Street Annandale, the owner's willingness to sell subject to price, the possibility of licensing the adjacent Sydney Water land and the estimated costs of testing and remediating the Sydney Water land be taken into account in the preparation of the new s.94 Developer Contribution Plan for Open Space and Recreation which must be completed by March 2010.

**CARRIED UNANIMOUSLY**

**5. M/2008/276 – 90 JOHNSTON STREET, ANNANDALE – ENCROACHMENTS ON ADJOINING LAND**

**C183/09 RESOLVED PARKER/BYRNE**

That the report be received and noted.

**CARRIED UNANIMOUSLY**

**The meeting closed at 11:55pm.**