

File: CO-910.01.006 Doc: IC18/593

ITEM B

NOTICE OF MOTION - COUNCILLOR FIGLIOMENI - HOLBORN STREET BERKELEY SIGN REMOVAL

Councillor Figliomeni has submitted the following Notice of Motion –

“I formally move that –

- 1 The large tree vandalism sign at Holborn St Berkeley is removed as a matter of priority.
- 2 The possibility of installing CCTV at the site is investigated.
- 3 The Lord Mayor and all Ward 3 Councillors are consulted prior to the erection of future large tree vandalism signs in the Ward.
- 4 Consultation take place with the Berkeley community to discuss appropriate tree planting, vegetation management and Council's Tree Vandalism Policy.”

Background provided by Councillor Figliomeni:

This motion is submitted and supported by all Ward 3 Councillors and follows the petition and concerns submitted from the affected residents to Council in that placement of the sign has had an adverse social and community impact on their wellbeing.

The affected residents claim that they were not the perpetrators of the tree vandalism but yet have borne the brunt of the negative community reaction.

The residents claim that there was no consultation by Council prior to erection of the sign as required by Council Policy I have enquired on this issue and the response was that Council Policy had been followed but no consultation information or dates were provided.

The large sign assumes guilt and I would draw Councillors attention to the “presumption of innocence” unless the act can be proved beyond reasonable doubt that it has been caused by an individual/s. Implying guilt to a group of individuals who by chance reside in the area is against natural justice and the laws of the land and against the International Covenant on Civil and Political Rights article 14(2) of which Australia is a signatory.

We Ward 3 Councillors urge Councillors to support this motion.