

246th Meeting

**Erskineville Town Hall
Erskineville
102118**

Wednesday, 12 April 2000.

An Ordinary Meeting of South Sydney City Council was held at the Council Chambers, Erskineville Town Hall, Erskineville, at 6.40 pm on Wednesday, 12 April 2000.

PRESENT

His Worship, The Mayor, Councillor Vic Smith (Chairperson)

Councillors - John Bush, Margaret Deftereos, Sonia Fenton, John Fowler,
Christine Harcourt, Jill Lay, Sean Macken, Greg Waters.

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GENERAL MANAGER

Confirmation of Minutes

Moved by Councillor Harcourt, seconded by Councillor Lay:-

That the minutes of the Ordinary Meeting of Council of 22 March 2000, be taken as read and confirmed.

Carried.

MINUTE BY THE MAYOR

12 April 2000

PERSONNEL - GENERAL MANAGER'S CONTRACT – EXTENSION (2020700)

At the direction of the Minister for Local Government, this Council's Election has been scheduled for 1 July 2000. As I will not be a candidate for Election, other Councillors have expressed their desire to extend the Contract of the General Manager, who is scheduled to retire on 24 August 2000, for a further 12 months, to enable a smooth transition during the change over period of the Elections.

The General Manager has indicated that he would be prepared to extend his Contract for a further 12 months.

After 1 July 2000, Council will find itself in the unusual situation of determining the Election of a new Mayor and welcoming at least three new Councillors. It is felt that some administrative stability during this period would be advantageous.

It is recommended that the Contract of the General Manager, J W Bourke, be extended for a further twelve months to 24 August 2001 and that the Mayor negotiate the terms of remuneration and report back to Council.

Councillor Vic Smith (SGD)

Mayor

Moved by Councillor Macken, seconded by Councillor Harcourt:-

That the minute by the Mayor, be approved and adopted.

Carried.

GENERAL MANAGER

MINUTE BY THE MAYOR

12 April, 2000

**LEGISLATION - EXTENDED TRADING FOR LICENSED PREMISES
DURING THE OLYMPICS 2 SEPTEMBER 2000 TO 29 OCTOBER 2000 (L54-
00013)**

On 2 December, 1999, the Government passed special legislation for liquor licensing during the games. The Liquor and Registered Clubs (Olympic and Paralympic Games) Act 1999 provides blanket 24 hour trading for liquor outlets in Category A areas and subject to the approval of the local Council in Category B areas. Category A areas are the whole of the City of Sydney and two areas in South Sydney, Kings Cross and Oxford Street. The boundaries of these two areas are shown on the attached map. No approval of Council will be required for an existing licenced premises to trade 24 hours between the specified dates in a Category A area. This decision of the Government has been taken without any consultation with this Council and to my knowledge without consulting with the communities affected.

With regard to premises in Category B areas Information Sheet 7/99 from the Department of Gaming and Racing (copy in file) pointed out that "the Department of Gaming and Racing will contact local Councils in these areas to seek their approval for the extended trading arrangements to operate in these areas. Local Councils will be able to decide whether or not the 24 hour trading arrangement will operate in their area".

The "Guidelines for Local Councils" (copy in file) did not appear in the NSW Government Gazette until 24 March, 2000 and at no stage did the Department of Gaming and Racing contact Council on the matter.

In deciding if the blanket extended trading hours scheme should operate in Council's Category B areas the guidelines propose that Councils comply with three basic steps and timeframes, namely:

Step 1	March 2000	Consider the options and which best suit Council's areas needs.
Step 2	March - April 2000	Consultation
Step 3	8 May, 2000	Notification

GENERAL MANAGER

Due to the lateness on the part of the Department of Gaming and Racing in providing all information to Council and in particular the extensive level of consultation required, compliance with the guidelines cannot be accommodated within the specified times. Also, the next possible Council meeting at which the matter could be considered is 10 May, 2000 which is obviously after the 8 May, 2000 notification deadline to the Department required by Step 3 of the guidelines. In addition I believe that the category A areas provide ample opportunity within South Sydney for people to access licenced premises and that a blanket extension outside these areas is not warranted. In taking this stance I also note that individual premises outside Category A areas could seek 24 hour trading during the Olympic period through normal procedures ie by variation to their development consent and conditions of their licence.

Recommendation

That approval be given to:-

- (1) Council writing to the Department of Gaming and Racing expressing its concern over the lack of consultation with the Council and the community in respect of the legislative changes;
- (2) Council seeking assurances from the Department of Gaming and Racing and the NSW Police Service that adequate additional resources will be made available to police the two Category A areas in South Sydney and deal with any complaints from residents;
- (3) advising the Department of Gaming and Racing that this Council does not intend to pursue any blanket extended trading hours for the Olympic period for those areas outside those already nominated.
- (4) Council publishing a notice in the local newspaper advising the general community as to how the extended trading hours scheme will operate in the South Sydney during the games (2 September to 29 October, 2000).

Councillor Vic Smith (SGD)

Mayor

Moved by Councillor Macken, seconded by Councillor Waters:-

That the minute by the Mayor, be approved and adopted.

At the request of Councillor Fowler and by consent , the motion was amended by:-

GENERAL MANAGER

- (1) the addition of the words “ and disregard to residential amenity with the inclusion of 2B Zones in a 24 hour tourist zone” in Clause (1) of the recommendation;
- (2) the addition of the words “ as area A ” in Clause (3) of the recommendation.

Motion, as amended by consent, carried.

MINUTE BY THE GENERAL MANAGER

12 April, 2000

PROPERTIES - PADDINGTON TOWN HALL - REQUEST FOR FREE USE BY THE AURORA GROUP (ACN 088 442 504) - 24 JUNE 2000 (P56-00410)

Applicant: The Aurora Group (ACN 088 442 504)
Event: Inaugural fundraising dinner
Date: Saturday, 24 June 2000
Time: 9am - 2am
Venue: Paddington Town Hall

Benefits to residents of South Sydney

Charitable foundation establishing gay and lesbian community giving program to provide funding assistance to existing infrastructure services in areas such as youth homelessness and counseling.

Historical/Other support received from Council.

Have not received any previous support from Council.

Costs:

Loss of income

Hall hire	\$4750
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Out of pocket expenses

Cleaning	\$300
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Set up (tables and chairs)	\$500
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Salaries/staffing	\$384
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GENERAL MANAGER

RECOMMENDATION:

That Council support the Aurora Group (ACN 088 442 504) by forgoing \$4750 in income, subject to the Aurora Group meeting the expenses of \$1184. Under the provisions of section 356, this approval will allow the Aurora Group free use of the Paddington Town Hall on Saturday, 24 June 2000, to conduct an inaugural fundraising dinner.

J. W. Bourke (SGD)
General Manager

Moved by the Mayor, Vic Smith seconded by Councillor Waters:-

That the minute by the General Manager, be approved and adopted.

Carried.

PETITIONS

1.

The Mayor tabled two petitions received by the General Manager, one with approximately 227 signatures appended and the second with approximately 26 signatures appended from residents objecting to the proposed closure of Pitt Street, Redfern, between Redfern Street and Wells Street.

Received.

2.

The Mayor tabled a petition received by the General Manager with approximately 170 signatures appended from residents and nonresidents requesting the reopening of Oatley Road, Paddington, at the intersection of Renny Street.

Received.

3.

The Mayor tabled a petition received by the General Manager with approximately 111 signatures appended from residents requesting the

GENERAL MANAGER

implementation of the L.A.I.P. (Local Area Improvement Plan) in respect of Baptist Street, Redfern, and surrounding streets.

Received.

4.

The Mayor tabled a petition received by the General Manager with approximately 20 signatures appended from residents of Nimrod and Caldwell Streets, Kings Cross, complaining of traffic problems associated with the development at Nos. 314 - 318 Victoria Street, Darlinghurst.

Received.

5.

Councillor Deftereos tabled a petition with approximately 92 signatures appended from residents objecting to the proposed development at Nos. 261 - 263 Oxford Street, Paddington (St. John's Church site and Manse).

Received.

6.

Councillor Bush tabled a petition with approximately 324 signatures appended from Darlington residents and business owners requesting that South Sydney Council improve the amenity of the shopping precinct.

Received.

QUESTIONS WITHOUT NOTICE

1.

SIGNS - REPLACEMENT AND REPAIRS TO "NO STANDING" SIGNS - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (2014969)

Question:

Many "No Standing" signs, particularly in areas where parking for motor vehicles is at a premium, have been removed. I have received complaints from Earl Street and Earl Place and Manning Street at Macleay Street.

Could Council Officers during their usual round of duties, note missing and damaged signs and have them replaced or repaired?

GENERAL MANAGER

Answer by the Mayor:

I will ask the Director of Public Works and Services to investigate that matter and have a report prepared for the Councillors Information Service.

2.

DEVELOPMENT - SEX INDUSTRY POLICY - IMPACT ON LOCAL RESIDENTS - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (2022780)**Question:**

I have received a request from Mr. Dick Bennett, past President of 2011 Residents Committee that Council should defer the Sex Industry Policy and other resolutions that have a long term impact on South Sydney's residents whilst we are in effect in "caretaker" mode.

Could fellow Councillors take this request into consideration whilst making decisions?

Answer by the Mayor:

Consider it done.

3.

MEETINGS - LOCAL GOVERNMENT NUCLEAR FREE ZONES SECRETARIAT - SIGNING OF ABOLITION 2000 RESOLUTIONS - QUESTION WITHOUT NOTICE BY COUNCILLOR HARCOURT (5251868)**Question:**

Last weekend I attended the Local Government Nuclear Free Zones Secretariat National meeting at Sutherland. Among other matters it was resolved to request member Councils to sign Abolition 2000 resolutions as recommended by the Medical Association for Prevention of War. This Council is already a signatory to Abolition 2000, but as the Nuclear Non-Proliferation Treaty is about to be reviewed in New York, could the Mayor sign the attached documents on behalf of Council and return them to the Australian Peace Committee in Adelaide?

Answer by the Mayor:

I will.

4.

STREETS - OXFORD STREET, DARLINGHURST - INSTALLATION OF LITTER BINS - QUESTION WITHOUT NOTICE BY COUNCILLOR HARCOURT (2014501)**Question:**

Oxford Street is a busy pedestrian thoroughfare with many restaurants, cafes and clubs, but very few rubbish bins. Is there an intention to install J C Decaux bins along the street in the near future? If not, may I request that Council urgently take steps to provide appropriate litter bins at frequent intervals on both sides of Oxford Street?

Answer by the Mayor:

I will ask the Director of Public Works and Services to investigate that matter and have a response placed in the Councillors Information Service.

5.

DEVELOPMENT - BROTHELS IN SURRY HILLS AREA - ACTION BY SEX INDUSTRY LIAISON OFFICER - QUESTION WITHOUT NOTICE BY COUNCILLOR HARCOURT (2022780)**Question:**

Residents of Belvoir Street, Surry Hills, have given me a list of known brothels in their area. The list is now about 18 months old and some of these premises have now been closed or obtained development approval. Could Council's Sex Industry Liaison Officer check the list and report on any premises requiring further action?

Answer by the Mayor:

I will ask the Officer to investigate those matters and have a report prepared for Committee recommending any action to be taken in that report.

6.

INSURANCES - TRIBUNALS AND JUDICIAL HEARINGS - LEGAL REPRESENTATION FOR COUNCIL OFFICERS AND COUNCILLORS - QUESTION WITHOUT NOTICE BY COUNCILLOR HARCOURT (I51-00029)

Question:

Would the General Manager prepare a report for Council's Committee on the question of legal representation for Officers of Council and Councillors, current and in the future, with respect to their appearances at tribunals and judicial hearings?

Answer by the Mayor:

I will ask the General Manager to have a report prepared for the next Committee Meeting.

7.

PUBLIC RELATIONS - REQUEST FOR COUNCIL'S SUPPORT BY MRS PAT HUTCHINSON ON HER APPEAL TO THE OLYMPIC TORCH BEARERS COMMITTEE - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (5255985)

Question:

Three weeks ago, Council agreed to send a letter in support of Pat Hutchinson's appeal to SOCOG to have her son included as a torchbearer.

Mrs. Hutchinson is distraught. She has not heard from the Council regarding this letter. She is going through a great deal of personal trauma at this time and I would not like to think that Council had added to this.

Could the Mayor arrange to send a copy of the letter to Mrs. Hutchinson as soon as possible?

Answer by the Mayor:

I will.

8.

STREETS - GARDENERS ROAD, ROSEBERY - REPAIRS TO ROAD SURFACE - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (5277571)

Question:

I received a call from a resident at No. 278 Gardener's Road, Rosebery. The new road surface that has been laid and is adjacent to the gutter is 3 to 5 inches below the gutter level which is causing it to be a water holder, instead of the water actually running in to the gutter. Could that please be investigated?

Answer by the Mayor:

I will ask the Director of Public Works and Services to investigate that matter for you and have a report prepared for the Councillors Information Service.

9.

HEALTH - ST. JOHNS STREET, ERSKINEVILLE - DUMPING OF RUBBISH - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (H51-00270)

Question:

For over a year, residents have been complaining about rubbish dumped on the corner of St. Johns Street and a privately owned lane.

Mr. Wachter, Council's Waste Services Manager, stated that this rubbish was a health concern for Council employees who collect rubbish. It is of extreme concern to the residents who live in the street. The rubbish only disappears upon complaint.

Could the Council take steps to address this health hazard permanently?

Answer by Councillor Lay:

I spoke to Mr. Timmins today and have received a message from Council staff. Council have been conducting surveillance there and the report was due in today or tomorrow. Ordinance Inspectors has for some time been diverting down there to check that area and signs have been prepared to deal with the issue of dumping of rubbish. It is well and truly in hand.

10.

HEALTH - THE METRO, WATERLOO - POLICING OF UNRESTRAINED DOGS - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (H51-00199)

Question:

Dogs are running loose in the square outside the Metro in Waterloo. The owners will not obey the law and control their animals with leads. Many shoppers fear for their safety and for the safety of their children, who approach these dogs unwittingly. The dogs are constantly fouling the square and are a nuisance.

Could the Ordinance Officers please look into this immediately?

Also, the shop owners have made representations to me. The large number of people who congregate in the square outside the Medical Clinic appear to be using public domain as a waiting room. They litter, let their dogs roam off leads fouling the square and cause a nuisance in general. Shoppers feel their safety is threatened by the dogs and the anti-social behaviour of the clinic customers.

Are there any measures that Council can take to prevent this occurring? Could we investigate appropriate locations for these types of clinics?

Answer by the Mayor:

Obviously you haven't been down in that area for four years. People have been congregating around that methadone clinic for four years. The reason why, Councillor Bush, is because they are receiving treatment at that clinic. Maybe we might have to educate the owners of the dogs. It is a bit hard to educate the dogs.

11.

CLEANING - WATERLOO SHOPPING PRECINCT - CLEANING UP OF DUMPED RUBBISH - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (C56-00014)

Question:

The street cleaners seem to have given up trying to keep the Waterloo shopping precinct clean. Many people who gather in the square leave piles of rubbish and their dogs rip at it and scatter it. Piles of rubbish are tucked into corners of buildings and increase in height daily. At the back

of many of the buildings, piles of rubbish lie for weeks and constitute a health hazard.

The park, on the Alexandria side, behind the shopping strip is full of plastic bags, empty bottles, broken glass and the occasional syringe. Inside the park is a children's playground. The environment is clearly unsafe.

Could this problem be attended to immediately?

Answer by the Mayor:

I will ask the Acting Director of Health and Community Services to attend to that matter tomorrow and to also speak to the nearby residents so that we can have the appropriate response prepared for the Councillors Information Service. Maybe I can ask the Director to do a door knock in that vicinity to take on board the real issues in that particular area.

12.

TRAFFIC - DARLINGTON PRECINCT - TRAFFIC AND PEDESTRIAN MANAGEMENT MEASURES - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (T52-00051)

Question:

The Traffic and Pedestrian Management Measures (reference T52-00051 BS/RM WPTRAFFIC.21) in the Darlington precinct were proposed to the Roads and Traffic Authority in February 1995. The scheme was displayed at Erskineville Town Hall at that time. Some action was taken on this matter in both 1997 and 1998 in the form of counting cars and charting their speed. I lodged a petition from the residents asking for progress in traffic management measures on 27 November 1997.

This is as far as the matter has gone. Several enquiries resulted in "It's the fault of the RTA". This was said by Councillor Lay at a public meeting.

If the Roads and Traffic Authority has such contempt for South Sydney by making it wait for five years for action, why are we not addressing this matter with the Minister, Carl Scully?

Could Council investigate the problem as soon as possible?

Answer by the Director of Public Works and Services:

There is an issue with the policing of the area and why there has been a delay in the installation of those thresholds is because we cannot get an

assurance from the Police that they will be able to police it. I can give you a more detailed report on that through the Councillors Information Service if you like, because the Officers would know more details than I possibly do.

13.

DEPARTMENTS - REG BARTLEY OVAL - RECOGNITION OF CONTRIBUTIONS TO THE COMMUNITY BY ROSS SMITH - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (D51-00061)

Question:

Ross Smith, the Groundsman at the Reg Bartley Oval, has worked for Council for 40 years.

The Handel's Fireworks Spectacular at said Oval would allow the Council and Councillors the appropriate occasion to recognise the valuable contribution that Ross Smith has made to the community.

Could the Council consider this action?

Answer by the Mayor:

I will raise that matter with the Director of Public Works and Services and the General Manager.

14.

PLANNING - "PRODUCING AND USING TRANSPORT ACCESS GUIDES" FROM SUSTAINABLE ENERGY DEVELOPMENT AUTHORITY (SEDA) - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (P54-00140)

Question:

I have been forwarded a copy of the Draft Brochure "Producing and Using Transport Access Guides" from SEDA. I had been previously approached by Chloe Mason to discuss issues related to Transport Access Guides.

Could Council staff please examine this brochure and provide a report on the possible adoption of such guides by this Council?

Answer by the Mayor:

I will ask the Director of Planning and Building and the Director of Public Works and Services to prepare a joint report on that issue for you.

15.**PUBLIC RELATIONS - ANNUAL YOUTH AWARDS - CONGRATULATIONS TO COUNCIL STAFF - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (2004342)****Question:**

I'd like to convey my thanks to the Council's staff involved in the Annual Youth Awards last week. It was a wonderful night.

Answer by the Mayor:

I will ask the Acting Director of Health and Community Services to pass on those remarks to the relevant staff and Council's Special Events Co-Ordinator.

16.**ADMINISTRATION - EXTERNAL COMMUNICATION SURVEY - AVAILABILITY OF RESULTS OF SURVEY - QUESTION WITHOUT NOTICE BY COUNCILLOR DEFTEREOS (2009377)****Question:**

The External Communication survey conducted by Council was concluded months ago. When will the results be made available?

Answer by the Mayor:

I will raise that matter with the General Manager and have a report prepared for the Councillors Information Service.

17.

STREETS - THOMPSON LANE, DARLINGHURST - ERECTION OF GATES - QUESTION WITHOUT NOTICE BY COUNCILLOR DEFTEREOS (2021164)**Question:**

Residents of Thompson Lane were given three months deferment whether the lane could be secured with gates. The matter of consultation for the group is taking much longer as the group is consulting with different interest groups, including the Kirketon Road/Police.

They have requested an additional month before the matter is referred back to Council - June.

Answer by the Director of Public Works and Services:

I think the three months is up in May. The appropriate thing for me to do is to report to that Committee and the Councillors can see fit if they like to defer it for a further period if there are good arguments.

18.

PLANNING - AFFECTS OF COURT DECISION ON AFFORDABLE HOUSING IN THE GREEN SQUARE AREA ON COUNCIL'S ROLE IN FUTURE REZONINGS - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (2022778)**Question:**

How does the recent Court decision on affordable housing in the Green Square Area affect Council's role for future rezonings, particularly Special Usage Health Zonings to Residential Zoning?

Answer by the Director of Planning and Building:

That depends on when Council rezones it, they may wish to rezone it in a manner where there will be an affordable housing contribution to be paid. If they were to go down that track, recent changes to the act would appear to make it an easier track to go down to include affordable housing than was previously the case.

If you are referring to the Town Centre Masterplan which is on the committee paper tonight, all that is, is a Masterplan covering a number of sites which indicates a number of particular development scenarios for the

new Town Centre. Following exhibition of that Masterplan, there would then have to be the preparation of a Local Environment Plan. The Masterplan itself won't rezone the land. It is just an indication of how the land could be developed. It is just one option.

19.

LICENSING - FORRESTERS HOTEL - COMPLAINTS TO COUNCIL AND LIQUOR ADMINISTRATION BOARD - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (5257173)

Question:

There have been a number of complaints made to Council and the Liquor Administration Board regarding the Forresters Hotel.

Can I have a report in the Councillors Information Service regarding the outcome?

Answer by the Mayor:

I will ask the Director of Planning and Building to provide that information in the Councillors Information Service.

20.

STREETS - REPAIRS TO FOOTPATHS IN STREETS SURROUNDING TAYLOR SQUARE - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (S56-02088)

Question:

I have had a number of reports of falls from pedestrians in Oxford and other streets surrounding Taylor Square. They all relate to the state of the footway.

Can, as a matter of urgency, these breaks in the kerb or footway be surveyed and marked with luminous paint to note Council's awareness of possible liability?

Answer by the Director of Public Works and Services:

It's true that there are a number of restorations that have not been corrected. The restorations are the responsibility of the service authorities that have exposed them until we do the repairs to them. That is just on

the point of viability, however, it is certainly appropriate for us to highlight them.

On the other score, there is an unprecedented amount of restoration work outstanding due to the huge influx of activity in the city area. It is predominantly telecommunication type cabling and we are inundated with restoration orders at the moment and there is some delay in excess of what we would normally have in that area.

Answer by the Mayor:

Can I ask the Director of Public Works and Services to consult with Council's Risk Manager and have a report prepared for the Councillors Information Service in respect of the question of how the Sydney City Council handled that problem.

21.

PLANNING - EXAMINATION OF PLANNING CONTROLS FOR RETAIL ZONES IN THE CITY AREA - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (2022461)

Question:

Considering the voluble concerns of many ratepayers regarding home occupation business activity and its impacts on residential amenity and possibly the integrity of the residential zones, can this be a focus as part of an examination of planning controls for retail zones in the city area?

Answer by the Mayor:

I will ask the Director of Planning and Building to have a report prepared for Committee.

REPORT OF THE FINANCE COMMITTEE

5 April 2000

PRESENT**Councillor Sean Macken (Chairperson)****Councillors – Margaret Deftereos, Sonia Fenton**

At the commencement of business at 6.34 p m those present were:-

Councillors - Deftereos, Fenton and Macken

Apology:

An apology for non-attendance at the meeting was received from Councillor Greg Waters.

Note: Councillor Jill Lay, The Deputy Mayor was in the Chair during the voting and discussion of Item No. 15.

Moved by the Chairperson (Councillor Macken), seconded by Councillor Fenton:-

That the Report of the Finance Committee of its meeting of 5 April 2000, be received and the recommendations set out below for Items 2 to 8 , inclusive, 10 to 14, inclusive, and 17 to 23, inclusive, be adopted. The recommendations set out below for Items 1, 9, 15, 16 and 24 having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

1.

PROPERTIES – PADDINGTON TOWN HALL – REQUEST FOR FREE USE – BLACK, WHITE AND PINK COMMITTEE, 8 JUNE 2000 (P56-00410)

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, seconded by Councillor Lay:-

That approval be given to the Black White and Pink Committee, for the free use of Paddington Town Hall on 8 June 2000, to conduct a Public

GENERAL MANAGER

Forum, subject to the Black White and Pink Committee meeting the expenses of \$950 and Council foregoing \$3,325 in income.

(A/DCS Report 14.3.00)

Carried.

2.

**FINANCE – ACCOUNTS – RECONCILIATION WITH BANK STATEMENTS
FOR PERIOD ENDED 28 JANUARY 2000 (A52-00240)**

That the report by the Director of Finance dated 7 March 2000, certifying to the Bank Reconciliation of Council's various Cash Books, be received and noted.

Carried.

3.

**PARKS – SYDNEY PARK – CRICKET FACILITIES - CLUBHOUSE –
DOCUMENTATION – COMMISSION TO COMPLETE (2018595)**

That arising from consideration of a joint report by the Acting Director of Corporate Services and the Director of Public Works and Services dated 14 March 2000, approval be given to instruct Woodhouse and Danks to continue with their commission to complete the documentation for the clubhouse and that funding of \$650,000 be made available in the 2000/2001 works programme for an environmental audit and for the construction of the clubhouse.

Carried.

4.

**LEASING – OUTSTANDING RENTAL PAYMENTS – QUARTERLY REPORT
– PERIOD 1 OCTOBER 1999 – 31 DECEMBER 1999 (2006684)**

(1) That the report by the Acting Director of Corporate Services dated 20 March 2000, in connection with outstanding rent payments for the 3 month period ending 31 December 1999, be received and noted;

- (2) That all future reports regarding this matter be included on the Councillors Information Service, rather than being sent to the Finance Committee and Council meetings.

Carried.

5.

COMMUNICATIONS – COUNCIL PREMISES, NO. 140 JOYNTON AVENUE, ZETLAND AND DEPOT AND GARAGE AREA, EPSOM ROAD - NETWORKING TO ADMINISTRATION OFFICES AT NO. 280 ELIZABETH STREET, SURRY HILLS (2011323)

That arising from consideration of a joint report by the Civic Affairs Manager/ Public Officer and the Acting Information Technology Manager dated 15 March 2000, it be resolved that:-

- (a) approval be given to the installation of an Alcatel 4400WMI PABX and 155Mb Microwave System at 140 Joynton Avenue, Zetland, to network with the Council's existing system at 280 Elizabeth Street, Surry Hills, at a cost of approximately \$350,000 as detailed in the quotation submitted by Alcatel, and that such expenditure be added to the 1999/2000 Revenue Estimates;
- (b) under provisions of the Local Government Regulations approval be given to the waiving of tender provisions due to extenuating circumstances (hailstorm) and the unavailability of competitive tenderers (only compatible system);
- (c) the appointment of PABX Advising Services to Project Manage the installation at a cost of \$15,000 as detailed in their quotation, and such expenditure be added to the 1999/2000 Budget.

Carried.

6.

LEASING – VACANT COMMERCIAL AND RESIDENTIAL PROPERTIES – QUARTERLY REPORT - PERIOD 1 OCTOBER 1999 – 31 DECEMBER 1999 (P56-00356)

- (1) That the report by the Acting Director of Corporate Services dated 20 March, 2000, submitting the Quarterly Vacancy Report, for the period 1 October, 1999 to 31 December, 1999, of Council's Commercial and Residential Properties, be received and noted;

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- (2) That all future reports regarding this matter be included on the Councillors Information Service, rather than being sent to the Finance Committee and Council meetings.

Carried.

7.

PERSONNEL – EMPLOYMENT CONTRACT – GAY AND LESBIAN LIAISON OFFICER – ANOMALY - RECTIFICATION (2005999)

- (1) That Council approve the adjustment of the Contract for the position of Gay and Lesbian Officer to allow progression through the levels of Council's salary system in line with other Council contracts;
- (2) That Council receive and note that further investigation of contracts for staff grade 14 and upwards not be progressed until the review of Council's operations and structure by the consultancy team, Howard Partners has finalised.

(DOD Report 22.3.00)

Carried.

8.

PARKS – BEARE PARK AT END OF ITHACA ROAD, ELIZABETH BAY – APPLICATION BY SYDNEY WATER FOR LAND ACQUISITION FOR EASEMENT (2003603)

That approval be given to Sydney Water acquiring an easement over 192m² of land at Beare Park, end of Ithaca Road, Elizabeth Bay, for the purpose of protecting underground pipes and electrical services subject to the following conditions, namely:-

- (1) Sydney Water is to pay Council \$9,000 compensation to Council;
- (2) That Sydney Water allow Council to carry out improvements, if necessary to the area of the easement, subject to Council not interfering with Sydney Water's services.

(A/DCS Report 28.3.2000)

Carried.

GENERAL MANAGER

9.

PROPERTIES – KINGS CROSS POLICE STATION, NOS. 1-7 ELIZABETH BAY ROAD, KINGS CROSS, FOYER AREA - LICENCE TO TOURIST VISION NSW (2010528)

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, seconded by Councillor Waters:-

That approval be given to Torcorp Pty Limited T/as: Tourist Vision NSW being offered a Licence to install a portable computerised tourist information kiosks in the foyer of the Kings Cross Police Station for a 12 month trial period commencing from a date to be determined subject to the following conditions, namely:-

- (1) that the Agreement may be terminated by either party by giving one month's notice in writing;
- (2) that the Company is to provide Council with a Public Liability Insurance Policy in an amount of Ten Million Dollars (\$10,000,000) indemnifying both the Council and the NSW Police Service for their respective rights and interests against any claims that may arise during the term of the Lease;
- (3) that all relevant documents are to be executed by Council's Attorney.

(A/DCS Report 30.3.2000)

Carried.

10.

LEASING – SHOPFRONT, OXFORD STREET, NO.58, DARLINGHURST MURAT KANDAS – ABATEMENT OF RENT (L52-00008)

That approval be given to Mr Murat Kandas being offered an abatement of rent of \$1,610.45 for one day's loss of trade due to power failure at his leased Council owned shopfront premises at No. 58 Oxford Street, Darlinghurst.

(A/DCS Report 30.3.2000)

Carried.

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11.

PERSONNEL- DISCIPLINARY PROCEDURES WITHIN SOUTH SYDNEY CITY COUNCIL - REVIEW - SUBMISSION OF NEW COUNSELLING AND DISCIPLINARY POLICY (2021996)

That for the reasons set out in the report by the Director of Organisational Development dated 28 March 2000, approval be given to the Counselling and Disciplinary Policy and Procedures Final Draft accompanying the beforementioned report replacing the Disciplinary code in the Manual of Standard Procedures, Personnel Policy and Procedure Manual.

Carried.

12.

PLANNING – ORAL HISTORY PROJECT – GREEN SQUARE – FUNDING (2022759)

That approval be given to contribute \$25,000 from Account Code GW97001 to the South Sydney Development Corporation for the purpose of commissioning an oral history project in Green Square.

(DPB Report 22.3.00)

Carried.

13.

COMMUNITY FACILITIES - REGINALD MURPHY HALL AND ACTIVITY CLUB, NO. 19 GREENKNOWE AVENUE, POTTS POINT - ALTERATIONS AND ASSOCIATED WORKS - RECALLING OF TENDERS (2019731)

That Council not accept the Tender received for the proposed upgrading and provision of disabled access to the Reginald Murphy Hall and Activity Club and advertise for fresh Tenders based on the same details.

(A/DCS Report 30.3.00)

Carried.

14.

PUBLIC RELATIONS - EDUCATION DEVELOPMENT - FUNDING FROM THE SOUTHERN SYDNEY WASTE BOARD – ACCEPTANCE (2022554)

(At the Council Meeting, Councillor Lay declared an interest and did not take part in discussions or voting on the Item.)

That arising from consideration of a report by the Director of Public Works and Services dated 31 March 2000, approval be given to accept the Education Development Funding from The Southern Sydney Waste Board and increase the income Budget of \$20,000 to the Cost Centre DHB 93R0 and expenditure to Cost Centre DHB 77F0.

Carried.

15.

LICENSING – ABERCROMBIE STREET, NOS. 158-160, "BERKELEY HOTEL", REDFERN – FOOTWAY LICENCE - APPLICATION TO EXTEND TRADING HOURS (2016140)

(At the Council Meeting, the Mayor declared an interest and did not take part in discussions or voting on the Item.)

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, seconded by Councillor Harcourt:-

That the request for an extension of trading hours for the footway licence adjacent to Nos. 158 -160 Abercrombie Street, Redfern, as shown on plan No. S4-130/676A be refused.

It was moved by Councillor Bush, seconded by Councillor Fowler that the motion be amended by the deletion of the above resolution and the insertion in lieu thereof, of the new resolution namely:-

That the request for an extension of trading hours for the footway licence adjacent to Nos. 158-160 Abercrombie Street, Redfern, as shown on Plan No S4-130/676A, be approved subject to the hours of operation being extended to 10.45 p.m., for a trial period of three months.

Amendment negatived.

At the request of Councillor Fowler, and by consent, the motion was amended by the deletion of the whole of the above resolution and the insertion in lieu thereof of the following new resolution, namely:-

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That the request for an extension of trading hours for the footway licence adjacent to Nos. 158 - 160 Abercrombie Street, Redfern, be approved subject to the hours being extended to 10.00 p.m. on Thursdays to Saturdays only for a trial period of six months.

Motion, as amended by consent, carried.

16.

STREETS – ELIZABETH STREET– PROPOSED CLOSURE AND SALE OF PART ADJOINING NO. 729, ELIZABETH STREET, ZETLAND (2015843)

(At the Council Meeting, Councillor Lay declared an interest and did not take part in discussions or voting on the Item.)

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, seconded by Councillor Fenton:-

That approval be given for the advertising and action to be taken for:-

- (a) the proposed closure and sale of part of Elizabeth Street Zetland, as shown stippled on Plan No. S6-280/240;
- (b) the proposed lease of part of Elizabeth Street Zetland, as shown stippled on Plan No S6-280/240;

-both in accordance with the policy for the proposed closure and sale or lease of laneways and sale of vacant Council owned land as adopted by Council on 27 August 1997, and that at the end of this period a further report be submitted to Council.

(DPWS Report 29.3.2000)

Carried.

17.

**DONATIONS – SSROC – REQUEST FOR FINANCIAL CONTRIBUTION
TOWARDS SCARLETT FINNEY DISCRIMINATION CASE (2002879)**

That this matter be deferred and referred to the Local Government and Shires Associations.

Carried.

18.

**PLANNING - GREEN SQUARE STATION FORECOURT – LANDSCAPING
IMPROVEMENTS – CONTRIBUTION TOWARDS FUNDING (2021796)**

That further to resolution of Council of 20 October 1999, and for the reasons set out in the joint report by the Director of Planning and Building and the Director of Public Works and Services dated 30 March 2000, it be resolved that:-

- (a) Council agree to contribute \$30,000 from the current \$150,000 available in the 1999/2000 Strategic Planning Budget Account No. GW99016 - Green Square Station Plaza, towards the implementation of improvement works on the Green Square Station Forecourt, in accordance with the technical landscaping drawing accompanying the beforementioned report;
- (b) Council, in its current review of the Section 94 Contributions Plan, resolve to include \$30,000 in the schedule of works for public domain improvements in Green Square;
- (c) a total of \$40,000 be retained in the above account to cover any contingencies that may arise from the project, or for any necessary improvements in the immediately adjoining area;
- (d) the \$80,000 remaining in the above account be redirected towards Council's General Revenue.

Carried.

19.

**LEASING – COMMERCIAL AND RESIDENTIAL PROPERTIES –
QUARTERLY SUMMARY REPORT – PERIOD 1 OCTOBER 1999 TO 31
DECEMBER 1999 – INCOME EXPENDITURE AND PROFITABILITY (P56-
00385)**

- (1) That the Quarterly Report on Income, Expenditure and Profitability for the period 1 October 1999, to 31 December 1999, on Council's Commercial and Residential Properties, be received and noted.
- (2) That future reports relating to this matter be included on the Councillors Information Service in lieu of reporting directly to Council.

Carried.

20.

**FINANCE – BUDGETS – SUMMARY OF ADDITIONS TO THE ADOPTED
BUDGET 1999/2000. (2021566)**

That the report by the Director of Finance dated 31 March 2000, regarding the summary of additions to the Adopted Budget 1999/2000, be received and noted.

Carried.

21.

**PERSONNEL – EMPLOYMENT ISSUES – OLYMPIC 2000 PERIOD –
MANAGEMENT**

- (1) That the report by the Director of Organisational Development dated 31 March 2000, regarding the above be received and noted.
- (2) That Councillors be invited to request additional information on any issue covered by the beforementioned report.

Carried.

22.

**COUNCIL – RECESS TO 1 JULY 2000 (COUNCIL ELECTIONS) –
ADOPTION OF SCHEDULE AND DELEGATION OF AUTHORITY TO MAYOR
(C63-00019)**

That arising from consideration of a minute by the Civic Affairs Manager/Public Officer dated 31 March 2000, it be resolved that:-

(a) approval be given to the schedule accompanying the beforementioned report of Standing Committee meetings and Council meeting dates to 1 July 2000 (Council Elections);

(b) Council recess on the undermentioned dates, namely:-

From midnight on Wednesday, 14 June to Friday, 30 June 2000
(Local Government Elections on 1 July 2000)

-and that in order to carry out the services and obligations of the Council, approval be given to delegate to:-

- (1) the Mayor its powers, authorities, duties and functions other than those reserved for the Council itself by Section 377, and other than any regulatory functions under Chapter 7 of the Local Government Act, 1993;
- (2) the General Manager any regulatory functions under Chapter 7 of the Local Government Act, 1993, not previously delegated.

-during the periods referred to above and that all matters normally requiring decision by Council be circulated to Councillors two full working days prior to resolution by the Mayor and any written objections by four Councillors on any one item, stating the reason for objection, be enough to defer a decision until the next relevant Standing Committee meeting of Council, and that any decision of the Mayor or General Manager pursuant to such delegations be reported to members of the Council.

It was moved by Councillor Fowler, seconded by Councillor Bush, that the motion be amended by the addition of the following dates to the recommendation, namely:-

31 May and 21 June 2000.

Amendment negatived.

Motion carried.

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23.

**PROPERTIES – REDFERN TOWN HALL – REQUEST FOR FREE USE –
(REFUND OF PAYMENT) ECUADORIAN COMMUNITY IN SYDNEY, 1 APRIL
2000 (2003711)**

That arising from consideration of a report by the Acting Director of Corporate Services dated 3 April 2000, and under the provisions of Section 356 of the Local Government Act, 1993, approval be given to the Ecuadorian Community of South Sydney being given a refund of \$250 paid in hiring fees, subject to the Organisation meeting Council's expenses of \$100 for an Exhibition and entertainment evening on 1 April 2000 at Redfern Town Hall.

Carried.

24.

**PROPERTIES - MANAGEMENT - BURROWS ROAD, NO. 25, ST PETERS
(2022753)**

This matter was submitted to Council without recommendation.

Moved by Councillor Fowler, seconded by Councillor Bush:-

That this matter be deferred for a briefing of all Councillors regarding the management of the site.

Carried.

The Finance Committee Meeting terminated at 7.15 p.m.

REPORT OF THE COMMUNITY SERVICES COMMITTEE

5 April 2000

PRESENT**Councillor Sonia Fenton (Chairperson)****Councillors – Margaret Deftereos, Sean Macken**

At the commencement of business at 7.16 pm those present were -

Councillors:- Deftereos, Fenton and Macken.

Apology:

An apology for non-attendance at the meeting was received from Councillor Greg Waters.

Moved by the Chairperson (Councillor Fenton), seconded by Councillor Macken:-

That the Report of the Community Services Committee of its meeting of 5 April, 2000 be received and the recommendations set out below for Items 1 to 6 be adopted. The recommendations set out below for Items 7 to 9 having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

1.

CELEBRATIONS - FUR, FANG AND FEATHERS FESTIVAL – ADDITION TO THE YEAR 2000 CALENDAR OF EVENTS (2022670)

That arising from a report by the Director of Health and Community Services dated 16 March 2000 approval be given to the inclusion of the Fur, Fang and Feather Festival in the 2000 Events Calendar.

Carried.

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2.

**TREES – TREE PRESERVATION ORDER – REVISION - ADOPTION
(T53-00743)**

That approval be given to:-

- (a) Council adopting the revised "South Sydney City Council Tree Preservation Order 2000" including the additional clause requested by the Centennial Park and Moore Park Trust;
- (b) give notice to the local newspapers and Government Gazette that a new Tree Preservation Order has been made

(DPWS Report 13.3.2000)

Carried.

At this stage Councillor Deftereos left the meeting and did not return.

There being no quorum present Councillor Fenton and Macken who were present recommended the following:-

3.

**MEETINGS - CONTACT IMPROVISATION DANCE WORKSHOP – RECLINK
(2017377)**

That arising from a report by the Acting Director of Health and Community Service, dated 28th March 2000, approval be given to conduct a series of Contact Improvisation Dance Workshops in conjunction with RecLink for people with disabilities and homeless people in the LGA, with funds to cover this expenditure (\$1800) available in the Health and Community Services 1999/2000 Budget (KEW 66AO)

Carried.

4.
**COMMITTEES – HEALTHY OLDER PEOPLE PROGRAM (HOPP) –
MINUTES OF MEETING – 8 FEBRUARY 2000, (2018510)**

That the report by the Acting Director of Health and Community Services dated 30 March 2000, and the accompanying minutes of the Healthy Older

People program Committee held on 8 February 2000, be received and noted.

Carried.

5.

COMMUNITY FACILITIES – CHILDCARE CENTRES AND OTHER FACILITIES - CLOSURE DATES FOR DIRECT SERVICES FOR 2000/2001 (2022588)

That arising from a report by the Director of Health and Community Services dated 21 March 2000, approval be given to the closure of all of Council's direct community services on the following dates:-

Public Holidays on Friday 21 April 2000, Saturday 22 April, 2000, Monday 24 April, 2000, Tuesday 25 April 2000, Monday 12 June 2000, Monday 2 October, 2000, Friday 26 January 2001;

Council Staff Christmas Party Day – half day from 12.30pm on 15 December 2000 (date to be confirmed)

Christmas closure from Monday 25 December to Monday 1 January 2001 inclusive;

Union Picnic Day – Friday 9 March 2001;

and specific dates for:-

- South Sydney Creative Arts Centre on Sunday 23 April 2000
- Alexandria Child Care Centre's pupil free day on Tuesday 2 January 2001.

Carried.

6.

PUBLIC RELATIONS HEALTH – GREENHOUSE GAS EMISSIONS – FUTURE DIRECTIONS – CITIES FOR CLIMATE PROTECTION PROGRAM – SIGNATORY OF COUNCIL (5256737)

That arising from a report by the Acting Director of Health and Community Services dated 3 April, 2000 approval be given to South Sydney City Council being a signatory to the Cities for Climate Protection Program.

Carried.

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7.

GOODS AND EQUIPMENT – PURCHASE AND FLYING - ALTERNATIVE AUSTRALIAN FLAGS (2022792)

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, seconded by Councillor Lay:-

That arising from consideration of a report by the Acting Director of Public Works and Services dated 4 April 2000, Council support the debate on an alternative Australian flag by the purchase and erection of two new flag designs (total of 17 flags) supplied by Ausflag Ltd., known as the Judges Choice and Peoples Choice from a professional design competition, and the allocation of \$1,700 to the 1999/2000 Budget for the purchase of the flags.

Carried.

Councillor Fenton requested that her name be recorded as being opposed to the foregoing matter.

8.

COMMITTEES – GAY AND LESBIAN COMMUNITY ADVISORY COMMITTEE – MINUTES OF MEETING 14 FEBRUARY 2000 (2017729)

That the report by the Civic Affairs Manager/Public Officer dated 9 March 2000, and the accompanying minutes of the Gay and Lesbian Advisory Committee, held on 14 February 2000, be received and that the undermentioned recommendations of the Committee be adopted, namely:-

That arising from the minutes its Gay and Lesbian Advisory Committee meeting of 14 February 2000, Council grants its approval to:-

- (1) Regarding a request to Council from Leather Pride requesting sponsorship of Leather Pride week (23-30 April 2000);

That as it is the policy of Council to assess all applications for donations for festivals through the Small Grants Program, Leather Pride be invited to make an application through this program;

- (2) That there be two Small Grants Program information sessions conducted in 2000 by Community Services for community groups and that at least one of them be held in the evening;

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- (3) That application forms for the Small Grants Program be mailed by Community Services to a target list of gay, lesbian and transgender organisations and that this mail out be linked to promotion of the Small Grants Program information sessions.
- (4) Regarding the Centenary of Federation celebrations;

That when Council is considering how it will conduct Centenary of Federation celebrations that this planning include consultation with community groups through the Gay and Lesbian Community Advisory Committee on the themes that Council intends to address in the celebration.

At the request of Councillor Waters and by consent, the motion was amended by the deletion of the whole of the above resolution and the insertion in lieu thereof, of the following new resolution, namely:-

- (1) That as it is the policy of Council to assess all applications for donations for festivals through the Small Grants Program, Leather Pride be invited to make an application through this program and be advised that applications will be received up to January 2001 for donation requests under the 2002 Annual Community Grants Program;
- (2) That following the success of the Small Grants Program information sessions this year, it be noted that the information sessions for future programs will be continued and that the need for an evening session be investigated;
- (3) That in regard to the Small Grants Program, the Council's Gay and Lesbian Community Liaison Officer play a similar role to Council's Community Development Workers in promoting the program amongst her target groups;
- (4) That the Gay and Lesbian Liaison Officer identify projects through consultation with the lesbian and gay community and the Gay and Lesbian Community Advisory Committee appropriate to the celebration of the Centenary of federation for consideration by Council's Centenary of Federation Committee to be established by Council.

Motion, as amended by consent, carried.

9.

COMMITTEES – COMMUNITY SAFETY COMMITTEE – MINUTES OF MEETING 21 FEBRUARY 2000 (2017729)

This matter was submitted to Council without recommendation.

Moved by Councillor Waters, seconded by Councillor Lay:-

- (1) That the matter of developing generic Plans of Management for Convenience Stores in the Local Areas be listed for inclusion in the 2000/2001 Program for the Strategic Planning Branch, commencing July, 2000 and the guidelines be developed in conjunction with local Police Patrol Commanders;
- (2) That prior to Council considering allocating funds for safety audits, a project brief be prepared clearly outlining what outcomes Council was seeking to gain from them, what Council's role would be, who (other) key stakeholders were for the project, what resources would be applied, how the audits would involve the community, what reporting mechanisms would be in place, how they would be evaluated, etc;
- (3) That the use of information stalls at community events to get feedback on the recommendations of safety audits be investigated in conjunction with (2) above;
- (4) That Council makes a submission to the review of security staff being conducted by the Office of the Minister for Police. In particular, that spruikers in areas such as Kings Cross should have a minimum-security licence and given the work previously undertaken by the Kings Cross Place Management Project on this matter, the submission include feedback from the Kings Cross Place Manager and also from key groups in the Kings Cross area, i.e. Chamber of Commerce, Police, 2011 Resident Action Group, Community Drug Action Team, and it be noted that appropriate security licensing of Sex Industry Premises staff is currently addressed by the Draft Sex Industry Policy;
- (5) That Council investigates an accord for Oxford Street, and in the first instance consultation take place with the Kings Cross Police and the Kings Cross Licensing Accord Group about the success of the Kings Cross Accord and that the matter be listed for inclusion in the 2000/2001 Works Program for the Strategic Planning Branch, commencing July, 2000.

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At the request of Councillor Fenton and by consent, the motion was amended by:-

- (1) the addition of the following words to Clause (1) of the recommendation, namely:-

“and attention be given to light spilling from these premises so that surrounding areas appear more dimly lit” after the word “commanders” where appearing in the last line.

- (2) the deletion of Clause (4) and the insertion in lieu thereof, of the following new clause (4) namely:-

- (4) That Council makes a submission to the review of security staff being conducted by the Office of the Minister for Police. In particular, that spruikers should be opposed in all areas including Kings Cross and security staff should be licenced and not be de facto spruikers and given the work previously undertaken by the Kings Cross Place Management Project on this matter the submission include feedback from the Kings Cross Place Manager and also from key groups in the Kings Cross area, i.e. Chamber of Commerce, Police, 2011 Resident Action Group, Community Drug Action Team, and it be noted that appropriate security licensing of Sex Industry Premises staff is currently addressed by the Draft Sex Industry Policy;

Motion, as amended by Councillor Fenton, carried.

The Community Services Committee Meeting terminated at 7.30 p.m.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

5 April 2000

PRESENT**The Mayor (Chairperson)****Councillors – John Bush, John Fowler, Christine Harcourt and Jill Lay.**

At the commencement of business at 6.40 pm, those present were -

The Mayor and Councillors – Bush, Fowler, Harcourt and Lay

That the Report of the Planning and Development Committee of its meeting of 5 April 2000, be received and the recommendations set out below for Items 1 to 2 inclusive, 7, 9, 13 to 14 inclusive, 16 and 17 inclusive, be adopted. The recommendations for Items 3 to 6 inclusive, 8, 10, to 12 inclusive and 15 having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

1.

DARLEY STREET, NO. 2, DARLINGHURST – USE PREMISES FOR FILM PRODUCTION OFFICES IN ASSOCIATION WITH RESIDENTIAL USE – DEVELOPMENT APPLICATION – CONTRIBUTION INCLUDED IN CONSENT (U99-00790)**NOTE:**

That pursuant to resolution of Council of 9 February 2000, this matter was unanimously approved by the Planning and Development Committee under delegation, subject to the conditions in the report by the Director of Planning and Building dated 28 March 2000

Carried.

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2.

FOVEAUX STREET, NO. 146, SURRY HILLS – MINOR ALTERATIONS TO A WAREHOUSE – DEVELOPMENT APPLICATION (U99-01377)

That the application submitted by Wernapt Pty. Ltd. for permission to carry out minor alterations to an existing warehouse, be deferred to the next Planning and Development Committee, to be held on 3 May 2000, to allow for the further extension of the notification to include properties in Fitzroy Street, down to Crown Street, Surry Hills.

Carried.

3.

PLANNING - GREEN SQUARE TOWN CENTRE MASTER PLAN – PUBLIC EXHIBITION (2019509)

This matter was submitted to Council without recommendation.

Moved by Councillor Lay, seconded by Councillor Harcourt:-

That Council publicly exhibit for a minimum period of 28 days the Green Square Town Centre Master plan (March 2000) by LFA (pacific) submitted by the South Sydney Development Corporation, as a means of gaining public input into the development of new planning control for the Town Centre.

(DPB Report 31 March 2000)

Carried.

4.

PLANNING - SIX MONTHLY “HOUSEKEEPING” REVIEW OF LEP 1998 (2022309)

That Council resolve to:-

- (1) publicly exhibit for a period of four weeks the Draft Local Environmental Plan and Draft Plan of Management for Paddington Town Hall in accordance with Section 65(1) of the Environmental Planning and Assessment Act, 1979 and the Best Practice Guidelines published by the Department of Urban Affairs and

Planning titled "LEPs involving land that is or was previously owned or controlled by Council"

- (2) notify the Director General pursuant to Section 54(4) of its decision to proceed with the Draft Local Environmental Plan and exercise its Section 65 delegation in regard to the subject plan.
- (3) exhibit the Draft Local Environmental Plan and Draft amendments to Development Control Plan 1997: Urban Design in accordance with the requirements of Section 66 of the Environmental Planning and Assessment Act and Parts 2 and 3 of the Environmental Planning and Assessment Regulation 1994.
- (4) prepare related amendments to Development Control Plan 1997, Urban Design arising from the draft amendments to LEP 1998 in accordance with Section 72 of the Environmental Planning and Assessment Act 1979 and Part 3 of the Environmental Planning and Assessment Regulation 1994.
- (5) prepare a report for the consideration by the Planning and Development Committee following the close of the exhibition period.

(DPB Report 30.3.00)

Carried.

5.

PLANNING – POST EXHIBITION REPORT – SOUTH SYDNEY SEX INDUSTRY POLICY (22022780)

That Council resolves to:-

- (1) adopt the revised draft Sex Industry Policy dated 5 April 2000 (attached to this report);
- (2) appoint of a Sex Industry Liaison Officer to work with residents, the sex industry, other government instrumentalities to ensure that all interests in relation to sex industry policy issues, development proposals, compliance and complaints are fairly represented and expeditiously resolved;
- (3) circulate the sex industry policy widely, including a plain English pamphlet that can be distributed through support groups to highlight the benefits to operators obtaining the appropriate approvals,

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maintaining minimum standards for workers and clients and to minimise impacts on adjoining properties;

- (4) allocate contingency funds to the value of \$60,000 to the Labour Estimates for 2000/01 of the General Manager's Unit for the purpose of appointing the Sex Industry Liaison Officer, once the position description has been prepared and evaluated;
- (5) recommend to its consultants currently commissioned to investigate Interdepartmental Restructuring to consider the establishment of a dedicated Compliance Team. The team is recommended to be established to deal promptly with resident complaints of all types, ensure that all approved premises operate within the terms of their consents and that any unauthorised premises be investigated, with appropriate action (within Council's authority) being taken;
- (6) require as a matter of policy, that all home businesses be the subject of a Code of Conduct to be prepared forthwith and distributed to all households in South Sydney with the next distribution of the Inner City News;
- (7) make immediate representations to the NSW Attorney General and the Minister for Urban Affairs and Planning seeking a commitment that South Sydney City Council be represented on the Ministerial Taskforce on the Sex Industry;
- (8) request that the Director of Planning & Building monitor the findings of the Ministerial Taskforce on the Sex Industry, and in the event that these directly conflict with South Sydney City Council's Sex Industry Policy, report any inconsistencies directly to Council, including contingencies for subsequent review of the Policy;
- (9) amend Local Environmental Plan 1998 to change the local business provisions such that the category may not include sex industry premises where the premises are located in the Residential 2(a) and 2(b) zones;
- (10) notify the Director General of the Department of Urban Affairs and Planning of Council's decision in accordance with Section 54(4) of the Environmental Planning & Assessment Act 1979;
- (11) Council implement an Inspections Protocol for sex industry premises having consent, incorporating a joint inspection by Council's Health, Building and Planning staff within the first 6 months to determine compliance with Conditions of Consent. Further, that a follow-up inspection be carried out within the

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following 12 months, thereafter responding only if complaints are received. That the recurrence of such inspections is to be specified as an advice attached to any consent issued; and

- (12) refer any development application for premises abutting another Council's boundaries to that Council for their comment as part of the notification of the application.

It was moved by Councillor Fowler, seconded by Councillor Deftereos, that the motion be amended by the deletion of Clauses (2), (4) and (11) of the recommendation.

Amendment, negatived.

It was moved by Councillor Fenton, seconded by Councillor Bush that Council consider amending the current LEP in relation to "home occupation" by the applicant/owners submitting a Development Application.

Following discussions and at this stage, Councillor Macken seconded by Councillor Lay, moved that the motion be now put.

Carried.

Councillor Deftereos requested a show of hands.

The amendment was lost on the show of hands by 5 votes to 4 votes.

Motion carried.

Councillors Bush, and Deftereos requested that their names be recorded as voting against the foregoing motion.

6.

PROPERTIES - EQUITABLE ACCESS PROVISION FOR COMMERCIAL PREMISES – QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (P54-00125)

That the report by the Director of Planning and Building dated 31 March 2000, regarding the above matter, received and noted.

Carried.

At the request of Councillor Fenton, the Mayor directed that the Director of Planning and Building congratulate all Officers associated with the above item.

7.

BUCKINGHAM STREET, NO. 38, SURRY HILLS – REGULARISATION OF UNAUTHORISED BROTHEL AND AMALGAMATION WITH APPROVED BROTHEL (U99-01033)

NOTE

That pursuant to resolution of Council of 9 February 2000, this matter was unanimously refused by the Planning and Development Committee under delegation for the reasons in the report by the Director of Planning and Building dated 31 March, 2000.

Carried.

8.

OXFORD STREET, NOS. 261-263, PADDINGTON – REDEVELOPMENT OF ST. JOHN'S CHURCH SITE - DEVELOPMENT APPLICATION (U99-01171)

At the Council Meeting Councillor Deftereos did not take part in discussions or voting on the item.

This matter was submitted to Council without recommendation.

Moved by Councillor Lay, seconded by Councillor Harcourt:-

(A) That the Council as the responsible authority defers its consideration of an application by Carole Baker with the authority of the Presbyterian Church (NSW) Property Trust for restoration and conversion of St John's Church and the old manse for business purposes, the renovation of the new manse and the erection of a residential flat building, with excavated parking and services. That Council invite the submission of amended plans which:

- (1) Delete all commercial parking provision and other excavation between the old manse and Oxford Street, and of the proposed stair structures arising from these;

- (2) Provide for the loading of goods to business premises from Oxford Street rather than Renny Lane;
 - (3) Reduce the height of the proposed residential flat building to a maximum height of three storeys plus an attic above Renny Lane;
 - (4) Set back the proposed residential flat building by a minimum of 4m from Renny Lane, to be generally consistent with the setback of No. 2 Renny Lane;
 - (5) The provision of balconies and communal open space in accordance with DCP 1997.
- (B) That the Council seek the views of the Heritage Council and National Trust on the existing plans and when/if received the amended plan as well.
- (C) That in the light of concerns raised by residents, with qualifications in the relevant disciplines, Council obtain computer-generated shadow diagrams from an independent consultant to show the overshadowing effects of the proposed development and in particular of that part of the residential flat building having a height greater than 75m RL.

Carried

**9.
ELIZABETH STREET, NOS. 446-458, SURRY HILLS – USE VACANT
GROUND FLOOR TENANCY AS HAIRDRESSING SALON –
DEVELOPMENT APPLICATION (U00-00158)**

NOTE:

That pursuant to resolution of Council of 9 February 2000, this matter was unanimously approved by the Planning and Development Committee under delegation, subject to the conditions in the report by the Director of Planning and Building dated 31 March 2000

Carried.

10.

IRIS STREET, NO. 43, PADDINGTON – ADDITION OF THIRD STOREY TO RESIDENTIAL TERRACE – DEVELOPMENT APPLICATION (U99-01402)

This matter was submitted to Council without recommendation.

Moved by Councillor Lay., seconded by Councillor Waters:-

- (A) That the Council as the responsible authority refuses to grants its consent to the application submitted by Archivision Design with the Authority of Mr A Cook and Ms K Balcewicz, for permission to add an additional storey to the dwelling, for the following reasons, namely:-
- (1) The proposal is not consistent with the objectives of South Sydney Local Environmental Plan 1998 for Zone No.2(b) Residential (Medium density) zone, insofar as the proposal would not enhance the amenity of the residential area and would not be in character with the surrounding area and existing quality of the environment.
 - (2) The proposal is not consistent with the objectives of South Sydney Local Environmental Plan 1998: Clauses 23 and 24 protection of conservation areas and contributory elements of conservation areas and Clause 28 principles of built environment design;
 - (3) The proposal is not consistent with the objectives of South Sydney Development Control Plan 1997. Specifically Part B Urban Design- Buildings and Heritage insofar as the form is not in accordance with streetscape character.
 - (4) The proposal is not consistent with the objectives of South Sydney Development Control Plan 1997. Specifically: Part F 1.4- Alterations and Additions; Part F Section 2- Building Form and Appearance, Section 3- Heritage and Conservation and Section 4- Amenity as the proposal does not meet the objectives of scale and form is not sympathetic to the character of the conservation area;
 - (5) The proposal is not consistent with the objectives of Draft Heritage and Conservation Local Environmental Plan 1996 insofar as the proposal is not appropriate to the existing building and surrounding character and established

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streetscape and will disrupt the consistent roof form of the row of terrace houses;

- (B) That the persons who made representation in respect of the proposal be advised of Council's decision.

At the request of Councillor Fowler, and by consent, the motion was amended by the deletion of the whole of the resolution and the insertion in lieu thereof, of the following new resolution namely:-

That the application be deferred for further discussions between the applicant and the Director of Planning and Building, to determine whether the application could be amended to be more in line with Council's Attic Roof Policy.

Motion as amended by consent, carried.

11.

MACLEAY STREET, NO. 119, POTTS POINT – ERECTION OF AN EIGHT STOREY RESIDENTIAL FLAT BUILDING (7X2 BEDROOM UNITS) WITH BANK AND SHOP AT GROUND FLOOR LEVEL – DEVELOPMENT APPLICATION (U99-01155)

This matter was submitted to Council without recommendation.

Moved by Councillor Lay, seconded by Councillor Harcourt:-

- (A) That Council as the responsible authority refuses its consent to the development application submitted by Robertson and Marks Architects for permission to erect an eight storey residential flat building with bank and shop at ground floor level, for the following reasons, namely:-
- (1) That pursuant to Clause 28(a), (b), (c), (f), (g) and (h) of South Sydney LEP 1998, the proposal is unsatisfactory on the basis of the environmental design principles contained therein;
 - (2) That pursuant to Part E, Clause 1.2 of DCP 1997 – Urban Design, the proposal is unsatisfactory on the basis of site layout and the arrangement of the building upon it;
 - (3) That pursuant to Clause 10(3) of the South Sydney Draft Local Environmental Plan 1996 – Heritage Conservation, the proposal will have an adverse impact upon the landscape;

- (4) That the proposal is unsatisfactory in terms of access and in particular the nexus between the communal open space on the first floor, waste disposal, clothes drying and bicycle storage and the residential units;
 - (5) That pursuant to Part E, Clause 2.2 of DCP 1997 the proposal does not comply with the maximum permissible floor space ratio as indicated on the Floor Space Ratio Map; and further,
 - (6) That pursuant to Part E, of DCP 1997 – Urban Design, the proposal is contrary to the stated objectives for FSR and does not adequately meet the performance criteria in terms of streetscape, visual impact and privacy in particular;
 - (7) That the proposal does not adequately meet the performance criteria and objectives for height as stipulated within Part E, Clause 2.3 of DCP 1997 – Urban Design;
 - (8) That pursuant to Part D – 2. Access, the proposal is contrary to the objectives and performance criteria in terms of accessibility into, out of and throughout the proposed development;
 - (9) That the proposal is not in the public interest.
- (B) That the persons who made submissions in respect of this application be notified of Council's decision.

It was moved by Councillor Fowler, seconded by Councillor Bush, that the motion be amended by the deletion of whole of the resolution and insertion in lieu thereof, of the following new resolution, namely:-

That the application be deferred and the applicant be advised that the proposal in its current form is unacceptable for the reasons outlined in the report dated 31 March 2000 and that they be invited to submit amended plans which address all those issues but with particular regard to the following:-

- (1) Reduction in height of the proposed building on Macleay Street to better relate to the two adjoining buildings;
- (2) Floor space redistributed within a building element to face onto Llanckelly Place of appropriate scale and design;

- (3) Access to commercial open space and other facilities being integrated within the development and not being reliant on the fire stairs.

Amendment, negatived.

Motion, carried.

12.

GIBBES STREET, NO. 4, NEWTOWN – ERECTION OF A TWO STOREY YURT FOR THE PURPOSE OF A STUDIO – DEVELOPMENT APPLICATION (U99-01462)

This matter was submitted to Council without recommendation.

Moved by Councillor Lay, seconded by Councillor Harcourt:

- (A) That the Council, as the responsible authority, grants its consent to the application submitted by Mike Shepherd for permission to erect a two-storey yurt for the purposes of a studio subject to the following conditions, namely:-
 - (1) That prior to issuing a Construction Certificate, it will be necessary to lodge with Council a fee of \$495 in the form of Cash or non expiry Bank Guarantee being the building damage deposit for the public way. This deposit will be returned upon the satisfactory completion of the work approved under this application and the submission of all relevant certificates provided that there is no damage to the public way. A written request shall be made to the Council for the return of the deposit;
 - (2) That prior to issuing a construction certificate, it will be necessary to produce evidence of the payment of the levy, or the first installment of the levy, required under the Building and Construction Industry Long Service Payments Act 1986, and ensure that the plans are suitably endorsed. The levy, to the value of \$66, or first installment (as applicable), can be paid to the Council, providing that a completed levy payment form accompanies the payment;
 - (3) That the development shall be generally in accordance with plans dated 20 December 1999 and numbered 01462/99, the site plan received by Council 29 December 1999 and the

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plan dated 25 February, 2000 showing the position the windows and the spiral staircase;

- (4) That the windows on the first floor are to have obscure glazing or like treatment;
- (5) That stormwater details and certificate shall be submitted and approved prior to the commencement of any building work;
- (6) That approval for the connection of the stormwater shall be obtained from Council's Public Works and Services Department prior to the work being carried out;
- (7) That the proposed work shall be constructed in Type (C) construction in accordance with the requirements of specification C1.1-(5) of the BCA;

and the following standard conditions:

- (8) Soil and Sediment Prosecution Note⁷⁰⁶⁹
- (9) Natural light and ventilation⁹⁶¹³
- (10) Obstruction of Public Way³⁰²⁹
- (11) Delivery of Construction Materials³⁰³²
- (12) Stormwater Standard⁴⁰⁰¹
- (13) Construction Hours⁹¹⁵¹
- (14) Works Within Boundary⁹¹⁵²
- (15) Compliance with Building Code of Australia⁸⁵⁰¹
- (16) Residential Building Work⁸⁵⁰³
- (17) Survey Certificate at Set Out Stage⁹⁰⁰¹
- (18) Survey Certificate at Completion⁹⁰⁰²
- (19) Construction Certificate Required⁹¹⁵⁵
- (20) Building/Demolition Noise Control⁹¹⁵⁶

- (21) Works to be Within Allotment Boundaries⁹¹⁵⁹
- (22) Protection from Termites⁹²⁰³
- (23) Protection of Openings⁹³⁰⁷
- (24) Smoke alarms⁹⁵²³
- (25) Portable Fire Extinguishers be Installed⁹⁵⁰¹

The reason for Council granting consent, subject to the above conditions, is:-

Granting unconditional consent would be likely to adversely affect the amenity of the neighbourhood, including adverse effects relating to the emission of noise and vibration, overshadowing, privacy loss, streetscape qualities, heritage issues, traffic and parking congestion, and would not be in the public interest.

- (B) That persons who made representations in respect of the proposal are advised of Council's decision.

Carried.

13.

DARLINGHURST ROAD, NO. 56, KINGS CROSS – RESTRICTED PREMISES AND SEX ON PREMISES VENUE – DEVELOPMENT APPLICATION (U99-00527)

NOTE

That pursuant to resolution of Council of 9 February 2000, this matter was unanimously approved by the Planning and Development Committee under delegation, subject to the conditions in the report by the Director of Planning and Building dated 31 March 2000.

Carried.

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14.

**REGENT STREET, NOS. 89-93, REDFERN (INCLUDES NOS. 95-99
REGENT STREET, NO. 52 RENWICK STREET AND NOS. 54 - 60 RENWICK
STREET – DEMOLISH EXISTING BUILDING AND REDEVELOPMENT SITE
– DEVELOPMENT APPLICATION
(U99-00860)**

That the application submitted by Sanperez Pty Ltd, with the authority of Sanperez Pty Ltd & Roads and Traffic Authority of NSW, for permission to demolish all existing buildings and redevelop the site for a 4 storey mixed use building accommodating 42 units, with associated carparking on part of the ground floor and basement level be deferred as requested by the applicant in fax dated 5 April 2000.

Carried.

15.

**SHEPHERD LANE, NO. 2, DARLINGTON – ERECT FIRST FLOOR DECK AT
REAR OF DWELLING – DEVELOPMENT APPLICATION (U00-00053)**

This matter was submitted to Council without recommendation.

Moved by Councillor Lay, seconded by Councillor Waters:-

- (A) That the Council as the responsible authority grants its consent to the development application submitted by Lyn McClintock and Chris Fegan for permission to erect a first floor deck at the rear of the dwelling at 2 Shepherd Lane, Darlington, subject to the following conditions, namely:-
- (1) That prior to issuing a Construction Certificate, it will be necessary to lodge with Council a fee of \$300 in the form of Cash or non expiry Bank Guarantee being the building damage deposit for the public way. This deposit will be returned upon the satisfactory completion of the work approved under this application and the submission of all relevant certificates provided that there is no damage to the public way. A written request shall be made to the Council for the return of the deposit.
 - (2) That the development shall be generally in accordance with the plans received by Council on 18 January 2000 and held on the file U00-00186 except where amended by conditions

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of consent;

- (3) That the privacy screens on the northern and southern boundaries shall not extend beyond the timber handrail on the eastern end of the deck and the screen on the southern boundary shall have a height of 1700mm for a distance of 1.3m from the western end and the remainder of the screening being at balustrade height and shall incorporate a planter box;
- (4) That balustrades shall comply fully with the requirements of Part 3.9.2 of the BCA;

and the following adopted standard conditions.

- (5) Comply With BCA⁹¹⁰⁴
- (6) Construction Certificate Required⁹¹⁵⁵
- (7) Maintain Existing Building in a Stable Condition⁹¹⁵⁷
- (8) Timber Framing to Comply With Aust Standard or Certified⁹²⁰¹
- (9) Commencement of Structural Works⁹²⁰²
- (10) Comply With the WorkCover Authority⁹¹⁰⁵
- (11) Structural Design Certificate⁹⁰⁰⁶
- (12) Smoke alarms⁹⁵²³
- (13) Obstruction of Public Way³⁰²⁹
- (14) Delivery of Construction Materials³⁰³²
- (15) Construction Hours⁹¹⁵¹
- (16) Works Within Boundary⁹¹⁵²
- (17) Soil and Sediment Prosecution Note⁷⁰⁶⁹

The reason for Council granting consent, subject to the above conditions, is:-

Granting unconditional consent would be likely to adversely affect the amenity of the neighbourhood and would not be in the public interest.

- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

16.

PYRMONT BRIDGE ROAD NOS. 2 - 50, CAMPERDOWN CHILDREN'S HOSPITAL – SUBDIVISION OF LAND INTO 7 LOTS (U00-00173)

- (A) That the Council, as the responsible authority, grants its consent to the application submitted by Sterling Estates Pty Ltd with the authority of Health Administration Corporation to subdivide the land at 2-50 Pyrmont Bridge Road Camperdown into 7 lots subject to the following conditions namely:-

- (1) That the development shall be generally in accordance with amended plans showing easements for public access over lots 13, 14, 15 and 16 in plan dated March 2000 and associated Section 88B Instrument;
- (2) That an appropriate restriction on use shall be attached to the title of the following lots such that the amount of gross floor area developed on each lot shall not exceed that shown below (excluding parking provided in accordance with condition (12) of part (B) of the consent dated 24 march 1999);

LOT NO.	GFA m2
9	3400
13	8577
14	8773
15	12900
16	6572
11	14755
12	28933
TOTAL	83910

- (3) That a Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 in respect of the proposed development shall be submitted to Council prior to issuing a

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linen plan. Sydney Water may require you to construct works and/or pay developer charges and accordingly, you should make immediate application to avoid problems in servicing the development;

- (4) That the developer shall provide evidence incorporated in the linen plan making provisions for the discharge of stormwater arising on each lot to discharge to the Council stormwater provided that on site water detention for the entire site is accommodated in Lot 10 in D.P. 1011140.
- (B) That the persons who made representation with respect of the proposal be advised of Council's decision.

Carried.

17.

PLANNING/SPECIFICATIONS/ENGINEERING STANDARD FOR CIVIL WORKS (2019130)

That approval be given to:-

- (1) adopt the document titled "Development Specification for Civil Works" as the Engineering Specification for Subdivision and Development within South Sydney;
- (2) adopt a fee of \$200 in the 1999/00 Fees and Charges for the sale of the document;
- (3) reference the document in the South Sydney Development Control Plan 1997: Urban Design;

(ADPWS & ADPB joint report 31.3.2000).

Carried.

18.

OXFORD STREET, NO. 107-111, DARLINGHURST – FIVE STOREY RESIDENTIAL FLAT BUILDING CONTAINING 20 UNITS AND GROUND FLOOR RETAIL – DEVELOPMENT APPLICATION (U00-00188)

That the application submitted by Eastview Australia Pty Ltd, with the authority of Bell Developments Pty Ltd, for demolition of the existing

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premises and the erection of a residential flat building comprising 20 units and ground floor retail at Nos. 107-111 Oxford Street, Darlinghurst be deferred until further notice.

Carried.

At the request of Councillor Fowler, the Mayor directed that the issues raised by Councillor Fowler being:-

- (1) The Social mix and affordability;
- (2) The only separation of 2.8m between bedroom areas;
- (3) Adequate storage for recyclable material.

- be noted by the Director of Planning and Building.

The Planning and Development Committee Meeting terminated at 9.55p.m.

The Council Meeting terminated at 8.38 p.m.

Confirmed at a meeting of South Sydney City Council
held on2000

CHAIRPERSON

GENERAL MANAGER

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