

254th Meeting

Erskineville Town Hall
Erskineville
 109226

Wednesday, 9 August 2000

An Ordinary Meeting of South Sydney City Council was held at the Council Chambers, Erskineville Town Hall, Erskineville, at 6.52 pm on Wednesday, 9 August, 2000.

PRESENT

His Worship, The Mayor, Councillor John Fowler (Chairperson)

Councillors - John Bush, Peter Furness, Christine Harcourt, Jill Lay, Amanda Lennon, Shayne Mallard, Tony Pooley, Gregory Shaw.

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GENERAL MANAGER

Welcome to Professor Imran Ali. Professor of History, Pakistan

The Mayor opened the meeting and welcomed those present especially Professor Imran Ali, Professor of History, Lahore Institute of Management, Pakistan.

The Mayor informed those present that Professor Ali is interested in Local Government Procedure as the current Pakistan Government is considering introducing a term of Local Government in Pakistan for the first time.

Confirmation of Minutes

Moved by Councillor Bush, seconded by Councillor Mallard.

That the minutes of the Ordinary Meeting of Council of 26 July 2000, be taken as read and confirmed.

Carried.

At the request of the Mayor and by consent the minutes were amended on page 621 by the deletion of the word "to" where appearing in the second line of the recommendation in the Minute by the General Manager dated 26 July 2000.

At the request of Councillor Mallard, and by consent, the minutes were amended on page 667 by the deletion of the word "Land" where appearing in the second clause of the recommendation and the insertion in lieu thereof, of the word "Lang"

Minutes as amended by consent, were then confirmed.

Urgency Motion

At this stage it was moved by Councillor Furness, seconded by Councillor Harcourt, that permission be hereby granted by Council to bring forward business of which due notice has not been given, namely,

That South Sydney City Council write to the Prime Minister and the Federal Leader of the Opposition, urging them not to amend the Sex Discrimination Act 1984, , to allow discrimination on the basis of Marital Status in the provision of IVF and other reproductive services.

GENERAL MANAGER

It was moved by Councillor Lay, seconded by Councillor Harcourt, that when the letter is sent the contents of the letter show the unanimous support from the Council and that the letter be also sent to all NSW Parliamentarians.

Carried.

The following motion was put and the decision indicated made:-

That South Sydney City Council write to the Prime Minister and the Federal Leader of the Opposition, urging them not to amend the Sex Discrimination Act 1984, to allow discrimination on the basis of Marital Status in the provision of IVF and other reproductive services.

Motion as amended by consent, carried unanimously.

MINUTE BY THE MAYOR

9 August, 2000

PLANNING - CROSS CITY TUNNEL - PUBLIC EXHIBITION PERIOD - REQUEST FOR EXTENSION (2022189)

On Tuesday 1 August 2000, Council received the Environmental Impact Statement (EIS) for the Cross City Tunnel. The proposal comprises two twin lane road tunnels for traffic travelling east - west across the city. It is proposed to be constructed between Darling Harbour and Kings Cross and also link the Eastern and Western Distributors.

Removing commuting east -west traffic from William Street has the potential to significantly improve facilities for pedestrians, cyclists and bus passengers, and facilitate major public domain improvements in East Sydney. It is critical that a detailed and comprehensive submission be prepared by Council given the implications for ratepayers of South Sydney, and in particular in East Sydney and Darlinghurst.

The closing date for submissions is the 8 September 2000. This 5 week period is totally inadequate given the volume of documentation (some 10 inches thick in old imperial measurements) that must be assessed and the limited availability of reporting dates to Council before the close of exhibition.

GENERAL MANAGER

Given that Council is in recess during the Olympics, I recommend that I write to the Minister for Roads and Minister for Transport - Carl Scully, seeking an extension of time for Council to make comment, until November 2000.

RECOMMENDATION

That the Mayor write to the Minister for Roads and Minister for Transport - The Hon Carl Scully, seeking an extension of time for Council to make comment on the Cross City Tunnel until November 2000.

Councillor John Fowler (SGD)

Mayor

Moved by Councillor Furness, seconded by Councillor Lennon:-

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

Carried.

MINUTE BY THE MAYOR

9 August 2000

PUBLIC RELATIONS - CLEAN UP AUSTRALIA - 13 AUGUST 2000 (5266342)

South Sydney City Council have already participated in the normal Clean Up Australia Campaign earlier this year.

There has been little demand from the community to be involved in the second Clean Up Australia Campaign on Sunday 13th August 2000. However Council is working with Clean Up Australia to provide information and assistance to any members of the community who request it.

We have agreed to act as a drop off point for the Clean Up Australia Kits and collect rubbish from any identified sites in our area.

The details are:-

South Sydney City Council Clean Up Australia Site August 13th 2000.

Redfern /Zetland area 10:30am – 1pm.

Coordinator: Sian Thomas

GENERAL MANAGER

The rubbish is to be collected by council staff from the Green Square Hotel corner of Bourke and Elizabeth Streets.

Recommendation that the above information be received and noted.

Councillor John Fowler (SGD)

Mayor

Moved by the Mayor, seconded by Councillor Bush:-

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

Carried.

MINUTE BY THE GENERAL MANAGER

9 August, 2000

DONATIONS - GST IMPLICATIONS ON 2000 ANNUAL COMMUNITY GRANTS PROGRAM (2002408)

At its meeting of 14 June, 2000 Council approved donations under its Annual Community Grants Program. These donations were approved to enable local community based groups and organisations to undertake specific projects and programs to benefit the South Sydney community. However, at the time of making the decision Council was not in a position to identify the GST impost on the donations.

In order to do this Council staff have subsequently surveyed successful applicants to determine their GST status, and the impact that the GST would have on the projects which were funded. The survey returns indicated that none of the applicants included provision for the GST in their requests of Council.

Therefore, the options for Council are:

1. Increase the allocation under the 2000 Annual Community Grants Program by 10% (\$24,267.20) to cover the GST on approved applications, to ensure projects are able to be fully realised; or
2. Maintain existing level of approved donations, and rely on successful applicants to cover the GST impost on funded projects.

GENERAL MANAGER

Option 1 is recommended on the basis that applicants have indicated that they have no funds to cover the GST on the projects, and also there are funds available in the 2000 Section 356 budget to cover this additional amount.

It is further proposed that subject to Council approval, cheques for the donations (including GST) be issued immediately and that applicants be requested to forward a Tax Invoice upon receipt of their cheques. This would enable the projects to proceed and Council to begin a process to claim back the GST. This is at no cost to Council on the basis of information being provided with the exception of \$1120 where it is unable to be claimed.

RECOMMENDATION:

That Council approves additional donations of \$24,267.20 to cover the GST on approved donations under the 2000/2001 Annual Community Grants Program, as outlined in Attachment 1. Of this amount only \$1120 is to be added to the budget as it is not recoverable.

J. W. Bourke (SGD)
General Manager

Moved by the Mayor, seconded by Councillor Harcourt-

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

Carried.

MINUTE BY THE GENERAL MANAGER

9 August, 2000

**DONATIONS - 2000 ANNUAL COMMUNITY GRANTS PROGRAM -
PERFORMANCE SPACE - FREE USE OF REDFERN TOWN HALL
(D53-00152)**

At its meeting of 23 June 2000 Council considered applications for donations under its 2000/2001 Annual Community Grants Program.

GENERAL MANAGER

In relation to The Performance Space's request for a donation towards its Intersections Program, Council resolved not to provide a financial donation but indicated it would be willing to consider an application for free use of Redfern Town Hall. (See Attachment) within file.

Specifically The Performance Space would like free use of Town Hall at the following times:

Monday 21 - Wednesday 23 August 2000:	9.30 a.m. - 2.30 p.m.
Thursday 24 August 2000:	9.30 a.m. - 9.30 p.m.
Friday 25 August 2000:	9.30 a.m. - 5.00 p.m.

Glen Woodward advises that this equates to a donation of \$1,695 (including hire fee plus cleaning fee).

RECOMMENDATION:

Approval is sought for free use of the Redfern Town Hall for the times indicated above at an estimated cost of \$1,695, with funds to cover this donation available in the 2000/2001 budget.

J. W. Bourke (SGD)
General Manager

Moved by Councillor Pooley, seconded by Councillor Lennon:-

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

Carried.

MINUTE BY THE GENERAL MANAGER

3 August 2000

PROFESSIONAL SERVICES - COMMUNICATIONS - PROVISION OF AFTER HOURS COMPLAINTS SERVICE (2011323)

South Sydney Council presently has an after hours service in place, whereby a complainant who makes a call after 5.00 p.m. is advised by recorded message to contact the Council's emergency number.

GENERAL MANAGER

A number of these complaints cannot be addressed by the emergency officer on duty because they are not an immediate emergency or relate to matters which are not normally handled by him. The complainant then has to ring the Council Administration Building the following day to lodge their complaint.

It is anticipated that Council will receive an increased number of complaints over the Olympic and Paralympic Games periods, particularly after hours and it is considered that the existing after hours service would not be able to handle the volume of complaints.

Also Councillors receive a number of after hours complaint calls and there is no Council service available for the Councillors to get an immediate response to have the complaint attended to.

To address the problem, discussions have been held with Link Communication to provide an after hours communication link between the community and Council's staff. A number of metropolitan Sydney Councils now provide a similar after hours complaint service for their residents through Link Communication.

The communication link will not involve recorded messages, all after hour complaints will be answered by an operator who will forward the complaint onto Council's On Duty Emergency Officer or Ordinance Inspectors and/or other relevant Council officers who might be on duty after hours.

Names, addresses and telephone numbers of any complainant whose complaint is not an immediate emergency or cannot be attended to by Council's after hours duty officers, will be E-mailed by Link Communication to Council the following morning, and the complainants will be contacted by Council staff that day.

The cost to Council is approximately \$1,100 per month for a 12 month contract period based on about 400 complaint calls being received per month plus a one off set up fees of \$320. The monthly fee will either increase or decrease depending on the number of calls received. The matter will be resubmitted to Council for further consideration after the 12 month contract period.

The complaints service provided by Link Communications will operate from the closing of Council offices at 5.00pm to 8.15 am. the next day. To address any immediate emergencies during this period it will be necessary for Ordinance Inspectors to work beyond their normal finishing time of 12.00 midnight to 6.00 am. This will involve an additional expenditure of approximately \$4,500 per month. Such staffing will be reviewed one month after the completion of the Paralympic Games.

For the service to be successful it should be widely advertised and this could be done through the local newspapers and the Inner City News. Also residents could

GENERAL MANAGER

be letterboxed with possibly a fridge magnet attached, advertising the after hours number. The advertising costs would be about \$9000.

RECOMMENDATION:

That approval be given to:-

- (a) Link Communication being engaged for a period of 12 months, at a cost of approximately \$1,100 per month and set up fees of \$320.00 to provide an after hours complaints communication link between the community and Council staff,
- (b) the proposal referred to in clause (a) being advertised in the local newspapers and Inner City News and by letter box with a fridge magnet to all residents, involving an estimated expenditure of \$9,000.
- (c) Council's Ordinance Inspectors working beyond their normal 12.00 midnight finishing time to 6.00 am. involving an expenditure of approximately \$4,500 per month and the staffing arrangements be reviewed one month after the completion of the Paralympic Games,

and that the expenditure involved be added to the 2000/01 Revenue Estimates and further following the 12 month contract period the matter be submitted to Council for further consideration.

J. W. Bourke (SGD)
General Manager

Moved by Councillor Bush, seconded by Councillor Furness:-

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

Carried.

GENERAL MANAGER

MINUTE BY THE GENERAL MANAGER

7 August 2000

**CONFERENCES - PLANNING - ROYAL AUSTRALIAN PLANNING INSTITUTE
ANNUAL CONFERENCE 3-6 OCTOBER - ATTENDANCE BY COUNCILLORS
(2004138)**

The 28th National Congress of the Royal Australian Planning Institute is to be held in Sydney between the 3rd and 6th October at The Westin Hotel.

The conference theme is "World Winners in Planning" and a copy of the program is in the relevant file.

The conference will be hearing from a number of international speakers and will be directly relevant to many of the planning issues facing this Council. The cost of registration is \$825 per person.

RECOMMENDATION

That approval be given for the Mayor and interested Councillors attending the 28th National Congress of the Royal Australian Institute to be held in Sydney from the 3rd to the 6th October 2000 and that registration and out of pocket expenses be borne by the Council for which funds are available in the 2000/2001 Revenue Estimates.

J. W. Bourke (SGD)
General Manager

Moved by Councillor Furness, seconded by Councillor Mallard:-

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

Carried.

GENERAL MANAGER

MINUTE BY THE GENERAL MANAGER

9 August, 2000

DEVELOPMENT - DELEGATIONS - PROPOSED DELEGATION FOR THE MAYOR TO DEAL WITH APPLICATIONS FOR EXTENDED OPERATING HOURS DURING THE OLYMPICS PERIOD (2002560)

COUNCILLORS

The State Government has legislated that within certain areas licensed premises may operate extended hours during the Olympics Games period (2 September, 2000 to 29 September, 2000). Outside of these areas operators have had to make application to Council for extended hours.

There are currently several development applications being processed within the Planning and Building department for extension of hours. However due to the short notice given by the State Government to Councils and operators of licensed premises and implementation problems with the new computer software which delayed advertising of applications by up to three weeks. It will be impossible to deal with these applications (should they receive objection) prior to the start of the Olympic period given Council's adopted schedule of Committee and Council meetings. It is therefore proposed that delegation be given to the Mayor to determine these applications in consultation with Ward Councillors.

RECOMMENDATION

- (A) That Council give delegation to the Mayor to determine development applications attached as a schedule to the General Managers minute dated 9 August, 2000 for the temporary extension of operating hours of licensed premises during the Olympic period. Delegation is to be subject to consultation with Ward Councillors and if approval may include conditions as the Mayor considers appropriate.

J. W. Bourke (SGD)
General Manager

Moved by Councillor Furness, seconded by Councillor Mallard:-

GENERAL MANAGER

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

It was moved by Councillor Lay, seconded by Councillor Harcourt that the whole of the above be amended to include a Clause (B) and the insertion of the following new resolution namely:-

- (B) That the application for the Woolloomooloo Bay Hotel be deferred to allow a Special Committee and Council Meeting to allow resident who may be affected by the extension of the trading hours of the liquor premises in question to have their say on the matter.

After discussion on the matter the Mayor requested a show of hands.

Councillors Mallard, Bush, Fowler, Lennon and Furness voted for the motion (5 votes).

Motion, as amended, carried on the show of hand of 5 votes to 4 votes.

Councillors Lay and Shaw requested that their names be recorded as voting against the foregoing motion.

PETITIONS

1.

The Mayor tabled a petition received by the General Manager, with approximately 32 signatures appended from residents of Little Queen Street, Newtown and surrounding streets, requesting the implementation of traffic management measures in Little Queen Street.

Received.

2.

The Mayor tabled a petition received by the General Manager, with approximately 24 signatures appended from owners and operators of businesses in Roslyn Street and Darlinghurst Road, Potts Point, objecting to the proposed installation of an Automatic Pay Toilet on the corner of Darlinghurst Road and Roslyn Street, Potts Point.

Received.

3.

The Mayor tabled a petition received by the General Manager, with approximately 23 signatures appended from residents objecting to the

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proposed development of No. 44 Brown Street, Newtown as a boarding house.

Received.

4.

Councillor Harcourt tabled a petition at the meeting with approximately 30 signatures appended from residents objecting to the proposed development at No. 92-94 Buckingham Street, Surry Hills as Backpacker accommodation.

Received.

QUESTIONS WITHOUT NOTICE

1.

ANTI-SOCIAL ACTIVITIES - CLOSING OF POLICE STATIONS - QUESTION WITHOUT NOTICE BY COUNCILLOR FURNESS (2012755)

Question:

Could the Mayor raise with the Commissioner of Police at their coming meeting concerns by residents of South Sydney at the downgrading of Redfern Police Station, the proposed merger of the Redfern Maroubra and Randwick local area commands, and the general decline in police numbers since March 1999, despite promises by the Labor Party prior to the last State Election to increase police numbers by 3300?

Answer by the Mayor:

I am happy to raise those matters and any supporting documents that you can provide to the General Manager or to my office would be greatly appreciated.

2.

STREETS - FURNITURE - J C DECAUX - GIBBONS STREET AND LAWSON SQUARE - REDFERN - QUESTION WITHOUT NOTICE BY COUNCILLOR FURNESS (2020708)

Question:

The J. C. Decaux telephone booth on the north-eastern corner of the intersection of Gibbons Street and Lawson Square, Redfern is well positioned for advertising purposes but is a major impediment to pedestrian

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traffic especially during afternoon peak hours. Pedestrians also continually bang their heads against the clear glass protruding from either side. Could an appropriate Council Officer instruct J C Decaux to move the telephone booth a few metres from its current position to avoid impeding pedestrian traffic?

Answer by the Mayor:

I will ask the Director of Public Works and Services to prepare a report on that matter and have it circulated in the Councillors Information Service.

3.

**PLANNING - REZONING - BACKPACKER ACCOMMODATION -
DEVELOPMENT CONTROL PLAN. - QUESTION WITHOUT NOTICE BY
COUNCILLOR FURNESS (P54-00063)**

Question:

Could the Director of Planning and Building provide a report to Council on the feasibility of and options for a Development Control Plan covering Backpackers accommodation?

Answer by the Mayor:

I understand that there is a certain provision with the Development Control Plan that exist at the moment that covers tourist accommodation and backpackers, but the Director of Planning and Building may want to respond as well.

Answer by the Director of Planning and Building:

There are some Council policies in respect of places of shared accommodation and I could perhaps detail those in a report in the Councillors Information Service.

4.

**PROPERTY FILE - REGENT STREET NOS. 111-113, CHIPPENDALE,
BLACKMARKET DAY CLUB - CONDITIONS OF CONSENT - QUESTION
WITHOUT NOTICE BY COUNCILLOR FURNESS (2003816)**

Question:

Could the Mayor have provided in the next Councillors Information Service a report on all the conditions of consent granted to the Blackmarket Day Club operating on Regent Street, Chippendale?

Answer by the Mayor:

I have already got that report underway and it will be either circulated in the Councillors Information Service or come to Committee.

5.

**PROPERTY FILE - BROCKS LANE, NO. 66, NEWTOWN - CONDITIONS -
ENVIRONMENTAL STANDARDS - QUESTION WITHOUT NOTICE BY
COUNCILLOR FURNESS (2013223)**

Question:

Could the Director of Health and Community Services provide to me a report on the environmental standards required to be complied with by "Aluminum Enterprises" operating out of 66 Brocks Lane, Newtown? Could this report include both the environmental standards falling under this Council" jurisdiction and all other authorities and also a summary of complaints received about this factory by South Sydney Council since 1990 and the subsequent response by Council?

Answer by the Mayor:

I will ask the Director of Health and Community Services to provide that information in the Councillors Information Service.

6.

CELEBRATIONS - SYDNEY PARALYMPIC GAMES 2000 - MS. DENISE BECKWITH SELECTION IN AUSTRALIAN TEAM RECOGNITION - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (2-17954)

Question:

Could the Mayor, on behalf of Council write to Ms. Denise Beckwith congratulating her on her selection in the Australian Paralympic Swimming Team? Denise was our Australia Day Ambassador this year and has attended a number of events in South Sydney.

Answer by the Mayor:

They may well be part of the next Council meeting where a number of references such as this had to be left off this meeting. I will certainly take that on and hopefully have that as a presentation at the next Council Meeting.

7.

CLEANING - ABANDONED VEHICLES - REMOVAL - REFERRAL OF MATTER TO THE LOCAL GOVERNMENT ASSOCIATION CONFERENCE - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (2017302)

Question:

South Sydney along with many Councils has a huge problem with abandoned vehicles. The speed with which these can be removed from streets appears to be hampered by the requirements of several acts. Could the Director of Public Works and Services carry out preliminary investigation and provide a relevant motion to be referred to this year's NSW LGA Conference.

Answer by the Mayor:

As you are aware, it is a complicated issue that Hamstrings Councils actions on this. I am very happy to take that question on and have the Director of Public Works and Services investigate that matter.

8.

PUBLIC RELATIONS - EAST TIMOR - LOCAL GOVERNMENT LINKS - FRIENDSHIP AGREEMENT - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (2022141)

Question:

I have attended a meeting with the President of the NSW Legislative Council, members of the East Timorese community, representatives of several Councils and others to discuss Local Government links to communities in East Timor. I would like to move that South Sydney City develop a Friendship Agreement with a community and also write to SSROC requesting that it investigate an agreement between SSROC and a District in East Timor. If the latter were possible then it would make sense for this Council to investigate a community within the same District. I would also move that we should support and encourage sister school agreements.

Answer by the Mayor:

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

9.

PARKING - ILLEGAL -EARL STREET, KINGS CROSS - HAMPERING OF COLLECTION BY COUNCIL'S CLEANSING VEHICLES - QUESTION WITHOUT NOTICE BY COUNCILLOR POOLEY (2008366)

Question:

At the Healthy Older Person's meeting yesterday, a resident asked whether Council's Officers could monitor parking in Earl Street, in Kings Cross – the issue seems to be that allegedly illegal parking is preventing Council's cleansing vehicles and other delivery vehicles from successfully navigating the street and subsequently causing a traffic build up.

Answer by the Mayor:

I will have the relevant Council Officer inform the Kings Cross Police in relation to that traffic matter.

GENERAL MANAGER

10.

DONATIONS - REDFERN PUBLIC SCHOOL - REQUESTS FOR IN KIND SERVICES FOR MOWING OF OVAL ADJACENT TO SCHOOL - QUESTION WITHOUT NOTICE BY COUNCILLOR POOLEY (D53-00184)

Question:

I have been approached by the Principal of Redfern Primary School on George Street, in relation to the oval that is attached to the school and lies between Byrne Land and Cope Street. This oval is accessible and regularly used by the public – Mr. Thompson inquires whether Council could assist the school by mowing this piece of land – particularly towards the end of the long school holidays in January. As I understand it, the school regularly cleans and mows this land – the difficulty is in getting the grass low enough in the first instance so that it can be maintained. Currently the bulk of the block is useable but the northern end adjacent to the Renwick Street turning circle is somewhat overgrown and consequently becoming a bit of a dumping ground.

Answer by the Mayor:

I have great support for education and a great support of Council's facilities being used to benefit a community, but there is a question of how Council's resources are meeting something that is a deficit of the way resources are being matched on a State Government activities, however, I am very happy to take that question up and have a report prepared by the relevant Officer for the Councillor Information Service. In relation to this and what services are already done as in kind assistance to the Department properties in the Council's area.

11.

PROPERTY FILE - BROWN STREET, NO.44, NEWTOWN - ILLEGAL USE AS A BACKPACKERS HOSTEL - QUESTION WITHOUT NOTICE BY COUNCILLOR POOLEY (2008687)

Question:

I wonder whether Council Officers might be able to investigate a property at No. 44 Brown Street, Newtown which is allegedly operating as a backpacker's hostel. The resident's concerns extend to whether there is a Heritage listing on the property, as it is the former Macdonaldtown Station Master Cottage. Further is there a Heritage listed brush box tree on the property which the owners have attempted to cut down or remove? And finally in relation to the pool – apparently the gates are never shut let alone

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locked and the partially filled pool is a breeding ground for mosquitoes that raises health issues for neighbours.

Answer by the Mayor:

I will ask the Director of Planning and Building to investigate that matter and have a report prepared for the Councillor Information Service.

12.

CELEBRATIONS - SYDNEY PARALYMPIC GAMES 2000 OPENING CEREMONY - CHANGE OF DATE OF STANDING COMMITTEE MEETING TO 17 OCTOBER 2000 - QUESTION WITHOUT NOTICE BY COUNCILLOR POOLEY (2017954)

Question:

As you are aware the proposed Standing Committee meeting for 18 October clashes with the Opening Ceremony for the Paralympic games given Council's recess for the Olympics and the significant occasion that the Paralympic opening ceremony will be 18 October, would it be possible to postpone or delete that meeting from our schedule?

Answer by the Mayor:

As Council is a sponsor of the Paralympics, it would seem inappropriate for us to be doing our business when we should be out there supporting and I understand that the General Manager will rectify that in the calendar of dates.

13.

TRAFFIC - EASTERN DISTRIBUTOR - LAIP - PROGRESS ON IMPLEMENTATION - QUESTION WITHOUT NOTICE BY COUNCILLOR MALLARD (T02-00172)

Question:

My question concerns the Eastern Distributor Local Area Improvement Plan (LAIP). Could Council have a report prepared outlining the progress on the implementation of the LAIP? Particularly I would be interested to see information regarding:

(1) project by project status

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- (2) timelines for commencement and completion of projects yet to be undertaken.
- (3) Particularly projects relating to Taylor Square and Moore Park Road areas.

Answer by the Mayor:

Some of the points in your question would make for a rather time expensive report. There is considerable public concern about the local area improvement program for the Eastern Distributor so I will have that report circulated through the Councillors Information Service.

14.

**STREETSCAPES - SOUTH SYDNEY AREA - IMPLEMENTATION OF
STREETSCAPE MASTERPLANS - QUESTION WITHOUT NOTICE BY
COUNCILLOR MALLARD (2002345)**

Question:

Could Council Officers prepare a report for the implementation of Streetscape Masterplans for:-

- (1) Oxford Street, Darlinghurst
- (2) Oxford Street, Paddington
- (3) Macleay Street, Potts Point
- (4) Darlinghurst Road, Kings Cross.

Answer by the Mayor:

There is already a large amount of material on that management review weekend, but there is a generic masterplan for the streetscape which has been prepared by Council Office and as I understand is due soon for Committee. I believe it will be at the next Committee or the one after that within which context you would seek to move an amendment or to have further expansion of some of those items within that masterplan.

15.

**STREETS - PEDESTRIAN CROSSINGS - TAYLOR SQUARE,
DARLINGHURST - ALTERATION OF PHASING - QUESTION WITHOUT
NOTICE BY COUNCILLOR MALLARD (T52-00184)**

Question:

My question relates to the ongoing issue of traffic lights at Taylor Square, Darlinghurst. I have received numerous representations on this matter and I refer to a recent letter.

“Ever since Bourke Street has been blocked off, the RTA has never adjusted the pedestrian lights to signal that change. At present the lights signaling the pedestrians to cross the pedestrian to cross Flinders Street (opposite the Bourke Street blockage) remain red when there is no traffic crossing and turn green just when the traffic heading down Oxford Street get the green arrow to turn left across that pedestrian crossing.

This is going to lead to an accident as quite as quite a few “local knowledge” pedestrian now cross against the red no crossing lights while other pedestrians, following the green light, now start crossing simultaneously with the traffic turning across that walkway”.

This matter is urgent because there is a public danger. Under our duty of care as Councillors and Council, we should act quickly to rectify this matter before someone is injured or killed.

Answer by the Mayor:

I have requested Council Officers to get in touch with the RTA in relation to this issue because as a local resident in this area I have noticed this too. However, if you have some supporting documentation that could assist the RTA in rescheduling of the time sequence on those lights which is easier to do when there is one less road crossing the intersection. I am sure the Director of Public Works and Services would be happy to take care of that matter for you.

GENERAL MANAGER

16.

CLEANING - GARBAGE - COMMERCIAL RUBBISH - COMMERCIAL WASTE POLICY - IMPLEMENTATION - QUESTION WITHOUT NOTICE BY COUNCILLOR MALLARD (2000996)

Question:

It is clear that there are problems associated with the collection of commercial rubbish. The issues are complex involving many contractors, rubbish bins and poor storage. For residents the issue is simple – Council isn't doing its job. My question is does SSCC have any integrated Commercial Waste Policy? If so, can be review it. If not can we have a report on implementing a Commercial Waste Policy similar to that operating in Sydney City Council.

I will table for inclusion in the CIS a brochure on Sydney City Council's policy.

Answer by the Mayor:

I will ask the Director of Public Works and Services to investigate that matter and in due course have a report prepared for the CIS.

17.

POLLUTION - WATERLOO INCINERATOR - REMOVAL OF SIGN ON CORNER OF MCELHONE STREET AND WILLIAMS STREET, WOOLLOOMOOLOO - QUESTION WITHOUT NOTICE BY COUNCILLOR SHAW (H01-00172)

Question:

Could the banner on the property at the corner of McElhone Street and William Street referring to the closing of the Waterloo Incinerator now be removed?

Answer by the Mayor:

I will ask the General Manager to have that banner removed.

18.

**DEVELOPMENT - LAND AND ENVIRONMENT COURT MATTERS -
NUMBER OF COUNCIL INVOLVED IN - QUESTION WITHOUT NOTICE BY
COUNCILLOR LENNON (2005988)**

Question:

Could Councillors be advised of how many Land and Environment matters Council is involved in, and the approximate cost of the average Land and Environment Court matter?

Answer by the Mayor:

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

19.

**PARKS - UPGRADING - PERRY PARK CRICKET WICKETS - QUESTION
WITHOUT NOTICE BY COUNCILLOR BUSH (2021722)**

Question:

Can the General Manager contact Mr. Laurie Heil of the South Eastern Junior Cricket Association with regard to his letter dated 9 August 2000.

Answer by the Mayor:

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

20.

**DONATIONS - WOOLLOOMOOLOO CHAMBER OF COMMERCE -
QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2023290)**

Question:

Can the General Manager respond to the tabled letter from the Woolloomooloo Chamber of Commerce.

Answer by the Mayor:

I will ask the Director of Public Works and Service to investigate that matter for you.

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21.

**DONATIONS - SOUTH SYDNEY, MT CARMEL JUNIOR CRICKET CLUB -
QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2023291)**

Question:

I have received correspondence from Mr. Neil Lewis of South Sydney Junior Cricket Club requesting Council's assistance. We have 9 teams (8 boys 1 girls team) who are local children not 120 children

Answer by the Mayor:

I will ask the General Manager to prepare a report in relation to that Chamber and to the other requests that Council have in front of them for Chambers to be formed.

REPORT OF THE MANAGEMENT REVIEW COMMITTEE

8 August 2000

Business commenced at 5.40 p.m.

PRESENT:

The Mayor Councillor John Fowler, and Councillors John Bush, Peter Furness, Christine Harcourt, Jill Lay, Shayne Mallard, Tony Pooley and Gregory Shaw.

APOLOGIES:

Councillor Amanda Lennon

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The Committee recommended the following:-

MANAGEMENT PLAN 1999/2002 – REPORT FOR 12 MONTHS ENDED 30 JUNE 2000 (2019941)

Council receives and notes the report on the Management Plan 1999/2002 for the 12 months ended 30 June 2000.

(GM Minute 2 August 2000)

Moved by Councillor Lennon, seconded by Councillor Shaw.

That the recommendation be approved and adopted.

Carried.

The Management Review Committee Meeting terminated at 6.40 p.m.

REPORT OF THE FINANCE COMMITTEE

2 August 2000

PRESENT

Councillor Shayne Mallard (Chairperson)

Councillors – Peter Furness, Tony Pooley, Gregory Shaw.

At the commencement of business at 6.33 pm those present were:-

Councillors – Furness, Mallard, Pooley and Shaw.

Moved by the Chairperson (Councillor Mallard), seconded by Councillor Bush:-

That the Report of the Finance Committee of its meeting of 2 August 2000, be received and the recommendations set out below for Items 1 to 3 , inclusive, 7, 8, 11 to 14, inclusive, and 17, be adopted. The

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recommendations set out below for Items 4 to 6, inclusive, 9, 10, 15, 16, 18 and 19 having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

1.

**PROPERTIES – REDFERN TOWN HALL, NO. 73, PITT STREET, REDFERN
- RECTIFICATION OF HAIL DAMAGE – RE-VOTING OF UNEXPENDED
FUNDS (2021344)**

That approval be given to the further re-voting of \$15,000 of unexpended funds for the 1999-2000 Budget (BBG 0500-66DO or 1.46.7135.16630.0) to complete the rectification works not attributable to the hail damage.

(A/DCS Report 17.7.00)

Carried.

2.

**FINANCE – ACCOUNTS – INVESTMENTS – MONTHLY REPORT – PERIOD
ENDING 30 JUNE 2000 (2015594)**

That the Investment Report by the Director of Finance dated 24 July 2000, be received and noted.

Carried.

3.

**PARKS – HARRY NOBLE RESERVE, ERSKINEVILLE - ERSKINEVILLE
MUSIC FESTIVAL, 13 –14 OCTOBER 2000 – REQUEST TO USE (5120237)**

That consent be granted to the organisers of the Erskineville Music Festival to lodge a Development Application for the proposed use of Harry Noble Reserve, Erskineville, on 13-14 October 2000.

(DPWS Report 20.7.00)

Carried.

4.

GENERAL MANAGER

STREETS – SOUTH DOWLING STREET, PADDINGTON, BETWEEN OXFORD STREET AND FLINDERS STREET – PROPOSED RENAMING AS SAINT SOPHIA AVENUE (2012349)

This matter was submitted to Council without recommendation.

Moved by the Mayor, seconded by Councillor Bush:-

That approval be given to:-

- (1) Council, in accordance with policy “Guideline for Naming of Roads – South Sydney City Council Area”, progress to the notification by letter of a possible name change of South Dowling Street, Paddington, between Flinders Street and Oxford Street, to Sancta Sophia Avenue and inviting submissions on the name change or the possible alternative name change to Sydney Common Road or any other alternative name change, and a further report be submitted to Council;
- (2) Council investigate the resealing of the land known as Marshall Street to be resurfaced with porous street paving and that Council’s landscape officers investigate the siting of bollards.

Carried.

5.

CONFERENCES – ANNUAL CONFERENCE OF LOCAL GOVERNMENT ASSOCIATION OF NSW – GOSFORD, NSW FROM 11-15 NOVEMBER 2000 – QUESTION OF ATTENDANCE OF COUNCIL’S REPRESENTATIVES (2013318)

That the Mayor, Councillor John Fowler and Councillors Bush, Mallard and Lennon be nominated as Council's delegates at the Conference;
That approval be given to the Mayor, interested Councillors and the General Manager attending the 2000 Annual Conference of Local Government Association of NSW to be held in Gosford, NSW from 11 to 15 November 2000, and that any registration fees, accommodation and out-of-pocket expenses for conveyance and subsistence in travelling be borne by the Council, for which funds are available in the 2000/2001 Revenue Estimates.

It was moved by Councillor Furness, seconded by Councillor Mallard, that Councillor Lennon’s name be deleted and Councillor Furness be inserted in lieu thereof where appearing in the second line of clause (a) of the recommendation.

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After discussion on the matter, Councillor Mallard requested that the motion be put, seconded by Councillor Bush.

Motion to be put, carried.

The motion was then put.

Motion, as amended by consent, carried.

(At the Committee Meeting and Council Meeting, Councillor Pooley requested that his name be recorded as voting against the foregoing motion and at the Council Meeting, Councillors Harcourt, Lay and Shaw requested that their names be recorded as voting against the foregoing motion.)

6.

CONFERENCES – LOCAL GOVERNMENT CONFERENCE, GOSFORD, NSW, 11-15 NOVEMBER 2000 – SUBMISSION OF MOTIONS (2013318)

- (A) That the report by the Civic Affairs Manager/Public Officer dated 19 July 2000, regarding the submission of motions to the year 2000 Local Government Conference in Gosford, NSW, be received and noted.

At the request of Councillor Harcourt, and by consent, the motion was amended by the addition of the following motion for consideration at the Local Government Conference, namely:-

- (B)(1) That Council condemns the action of the Federal Government in signing a contract with the Argentinian company INVAP, to design and construct a new nuclear reactor in Sydney.

We note that this action has been taken despite:

The finding of the McKinnon federal enquiry, that a decision to build a new nuclear reactor should not be taken without a site with proven suitability for nuclear waste being identified to take the nuclear waste that will be generated;
The fact that it has been shown that a nuclear reactor is not necessary for nuclear medicine in Australia, and in fact some nuclear medicine experts believe a new reactor will put nuclear medicine in this country back 50 years;

The fact that there are no detailed costings or designs available;
The fact that no alternative site have been seriously considered;

The fact that although the government says the new reactor is in the national interest the McKinnon review questioned whether it is in Australia's national interests to be so closely associated with the global spread of nuclear energy with all its associated risks and waste problems;

That Council forward the motion to the Local Government Association for inclusion on the agenda of its November conference;

That Council urge the LGA:

To request Councils seek the support of their federal members of parliament for the motion, and for the call by the Australian democrats in the Senate for a select committee of enquiry into the issue;

To continue to provide office space and support to the Australian Nuclear Free Zones secretariat;

Forward any resolutions for the state conference on this matter to the ALGA for discussion at their conference in December.

Motion, as amended by consent, carried.

At the request of Councillor Lay, and by consent, a further amendment was moved for consideration of the following motion at the Local Government Conference, namely:-

That South Sydney along with many Councils has a huge problem with abandoned vehicles. The speed with which these can be removed from streets appears to be hampered by the requirements of several acts. Could the Director of Public Works and Services carry out preliminary investigations and provide a relevant motion to be referred to this year's NSW LGA Conference.

Motion, as amended by consent, carried.

The Mayor directed that the Director of Public Works and Services prepare the relevant information for the motion.

7.

ELECTIONS – VARIOUS - FUNDING DECLARATIONS FOR 1 JULY 2000 (2006350)

That the report by the Acting Director of Corporate Services dated 20 July 2000, detailing the declaration lodged by Steve Kritikos as required by the Electoral Funding Act 1981, for the Ordinary Election held 1 July 2000, be received and noted.

Carried.

8.

MOTOR VEHICLES - COMMUNITY SERVICES – COMMUNITY BUS SCHEME – QUARTERLY REPORT FOR PERIOD APRIL, MAY AND JUNE 2000 (M56-00080)

- (1) That arising from consideration of a report by the Director Health and Community Services dated 20 July 2000, confirmatory approval be given to the motor vehicles' use costs, as listed in the beforementioned report, being treated as donations and charged against Section 356 of the Local Government Act (1993), for the 1999/2000 Budgetary period.
- (2) The Director of Health and Community Services to submit a report to the Finance Committee regarding:-

Council seeking information on the legislation that allows the operation of the dial-a-bus scheme that operates in Darwin City (which was changed to the legislation sponsored by Darwin City Council);
contacting the Darwin bus service, a business operation to seek information on the hours of operation, frequency of operation, costs and financial viability.

Carried.

9.

MEMBERSHIP - INNER METROPOLITAN REGIONAL ORGANISATION OF COUNCILS (IMROC) – QUESTION OF COUNCIL MEMBERSHIP (5262801)

That Council become a full member of the Inner Metropolitan Regional Organisation of Councils (IMROC) for a one year period expiring in June 2001, and that \$26,000 be added to the Budget Estimates to cover Council's membership fee.

It was moved by the Mayor, seconded by Councillor Bush, that the whole of the above resolution be deleted and the following new resolution be inserted, namely:-

That Council become a full member of the Inner Metropolitan Regional Organisation of Councils (IMROC) for a three year period expiring in June, 2003, and \$26,000 be added annually to the Budget Estimates to cover Council's membership fees, and that the Mayor, Councillor John Fowler and Councillors Lay and Mallard be Council's delegates.

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It was moved by Councillor Harcourt, seconded by Councillor Lennon, that Council's membership of the IMROC Organisation be for a trial period for 12 months only.

Amendment negatived.

Motion, as amended by consent, carried.

10.

PROFESSIONAL SERVICES – (A) COUNCIL AND COMMITTEE MEETINGS – COST RECOVERING OF FOOD AND REFRESHMENTS; (B) CATERING SERVICES FOR AFTER COMMITTEE AND COUNCIL MEETINGS AND SPECIAL FUNCTION EVENTS – ACCEPTANCE OF TENDER (2022737)

This matter was submitted to Council without recommendation.

Moved by the Mayor, seconded by Councillor Bush:-

- (1) That the information in the report by the Civic Affairs Manager/Public Officer dated 27 July 2000, about cash bar arrangement and cost recovery of food after Committee and Council, be received and noted;
- (2) That approval be given to the acceptance of the tender supplied by Hestelow James Catering for a two year period with a 12 month option for the provision of catering services for after Committee and Council meetings and special functions and events, as detailed in the tender, subject to the amendment of the cost of Committee meeting to \$26.95 per person, for which funds are available in the 2000/2001 Revenue Estimates (EBC7CAT) (EBF7CAT), be approved and adopted.

It was moved by Councillor Mallard, seconded by the Mayor, that the matter be deferred and the meal provided be along the lines that is served at Ashfield Council.

Amendment negatived.

Motion carried.

11.

RATES – PENSIONERS – WRITING OFF AFTER FIVE YEARS, 1995/ 1996, FINANCIAL YEAR (2014303)

That arising from a report by the Director of Finance dated 26 July 2000, approval be granted for an amount of \$199,555.49 that remains unpaid for rates and interest levied in the financial year 1995/1996 and due by eligible pensioners, being written off and abandoned under Section 582 of the Local Government Act, 1993.

Carried.

12.

RATES – POSTPONEMENT OF RATES UNDER SECTION 585 OF THE LOCAL GOVERNMENT ACT 1993 – WRITING OFF – FINANCIAL YEAR 1995/1996 (2003142)

That arising from a report by the Director of Finance dated 6 July 2000, approval be given for rates and extra (interest) charges amounting to \$8,396.31, as listed in the schedule accompanying the Director's report, postponed during 1995/1996 Financial year under the provisions of Section 585 of the Local Government Act, 1993, being written out of the Postponed Rates Suspense Account under Sections 585 to 599 of the Local Government Act, 1993, as not recoverable at law.

Carried.

13.

FINANCE – OUTSTANDING DEBTS – SUNDRY DEBTORS AS AT 26 JUNE 2000 (2021978)

That the report by the Director of Finance dated 5 July 2000, detailing outstanding sundry debtors at 26 June 2000, be received and noted.

Carried.

14.

ADMINISTRATION –COUNCIL'S STRUCTURE

- (1) - **CREATION OF DIRECTOR OF ADMINISTRATION POSITION – DEFERMENT OF APPOINTMENT**
- (2) - **RE-LISTING OF HOWARD PARTNERS PTY LTD. RESTRUCTURE REPORT FOR NOVEMBER WEEKEND MANAGEMENT CONFERENCE. (2009377)**

That Council resolves:-

- (1) That the applicants for the position of Director of Administration be notified that the position will not be filled at this time pending evaluation of a possible restructuring of Council's operations;
- (2) That the Howard Partners Pty Ltd report be listed on the Agenda for the November Weekend Management Conference for discussion.

(GM Minute 26.7.00)

Carried.

15.

PROPERTIES – (1)PURCHASE - NOS. 77 –79 BOURKE ROAD, ALEXANDRIA – ESTABLISHMENT OF MEALS ON WHEELS – DISTRIBUTION CENTRE - (2)APPOINTMENT OF ADDITIONAL PART TIME SOCIAL WORKER (C59-00060)

This matter was submitted to Council without recommendation.

Moved by Councillor Mallard, seconded by Councillor Bush:-

That arising from a joint report by the Director of Health and Community Services and the Acting Director of Corporate Services dated 31 July 2000, and a joint report by the Director of Health and Community Services and the Director of Organisational Development dated 2 August 2000, Council grant its approval to:-

- (1) The purchase of a suitable factory unit up to the value of \$650,000 and that funds be added to the 2000/2001 Budget for the operation of a meals-on-wheels distribution centre;
- (2) Seek an independent valuation from a suitably qualified valuer before proceeding with a purchase;

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- (3) Funds of up to \$425,000, previously voted by council on 8 December 1999, for the establishment of a meal-on-wheels distribution/community centre at Alexandria be now allocated to the present project;
- (4) Commission Smith Chan Robertson, the existing architectural consultants, to alter their plans for Alexandria to suit the Bourke Road complex;
- (5) Call for tenders for construction of offices, equipment and fit out of the meals-on-wheels distribution centre;
- (6) Increase the number of social workers in the aged and disability services branch, Health and Community Services Department, from six permanent to six permanent and one permanent part-time.

Carried.

16.

FINANCE – BUDGETS – SIGNIFICANT MONTHLY VARIANCES (2023201)

That the report by the Director of Finance dated 31 July 2000, regarding the significant monthly variances of Departments' budgets, be received and noted.

Carried.

17.

CELEBRATIONS - ERSKINEVILLE MUSIC FESTIVAL – 13 – 14 OCTOBER 2000 - REQUEST FOR ASSISTANCE (2021913)

That arising from consideration of a report by the Director of Public Works and Services dated 31 July 2000, approval be given to:-

- (1) Council erect and dismantle promotional banners provided by the event organizer and clean up garbage on the Saturday and Sunday morning of the event;
- (2) roadworks in Erskineville Road not be delayed or deferred for the event, but that footways are made accessible for the event;

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- (3) requests for the closure of one side of Erskineville Road for the purposes of a marching band be referred to Council's Traffic Committee for consideration.

Carried.

18.

ADMINISTRATION – WORKS PROGRAMME – FOOTPATH RECONSTRUCTION PROGRAMME - ADOPTION – QUESTION WITHOUT NOTICE BY COUNCILLOR MALLARD – FOOTPATH AUDIT (2015562)

This matter was submitted to council without recommendation.

Moved by Councillor Mallard, seconded by Councillor Bush:-

That:-

Council adopt the footpath reconstruction programme in accordance with the schedule, accompanying the Directors report;

- (1) The footpath reconstruction programme be undertaken by contract on a schedule of rates contract basis;
- (2) An additional construction engineer be employed on a one year contract basis and with access to a council vehicle, to administer the footpath reconstruction programme, and the cost of this appointment be met from the overall programme amount;
- (3) The information relating to the footpath condition audit contained in this minute paper be received and noted;
- (4) A comprehensive report be prepared on a long term strategy for the maintenance of council's footpaths being submitted to the November 2000 management review weekend.

(DPWS report 31.7.00)

It was moved by Councillor Mallard, seconded by Councillor Furness:-

That the Director of Public Works and Services submit a report to the Finance Committee in respect of voting an additional two million dollars towards clearing the backlog of footpath reconstruction.

Motion, as amended by consent, carried.

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19.

STREETS – 2000/2001 PUBLIC WORKS AND SERVICES ENGINEERING WORKS PROGRAMME – ROAD WORKS – ADOPTION (2023181)

This matter was submitted to Council without recommendation.

Moved by the Mayor, seconded by Councillor Shaw:-

That approval be given to carry out the works listed in the report by the Director of Public Works and Services dated 26 July 2000, to a total amount of \$534,500 as part of the Grind and Resheet Program (41-005) and as allowed in the 2000/2001 Programme Budget, for which funds for these works are available from the Grind and Resheet section (41-005) of the Engineering Works Programme 2000/2001.

(DPWS Report 26.7.00)

Carried.

The Finance Committee Meeting terminated at 8.35 p.m.

REPORT OF THE COMMUNITY SERVICES COMMITTEE

2 August, 2000

PRESENT

Councillor Peter Furness (Chairperson)

Councillors – Shayne Mallard, Tony Pooley, Gregory Shaw

At the commencement of business at 8.36 pm those present were -

Councillors:- Furness, Mallard, Pooley and Shaw

Moved by the Chairperson (Councillor Furness), seconded by Councillor Mallard:-

That the Report of the Community Services Committee of its meeting of 2 August 2000, be received and the recommendations set out below for

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Items 1 and 3, be adopted. The recommendation set out below for Item 2 having been dealt with as shown immediately following such Item.

Carried.

The Committee **recommended** the following:-

1.

**COMMITTEES – HEALTHY OLDER PEOPLE PROGRAM (HOPP) –
MINUTES OF MEETING – 13 JUNE 2000 (2018510)**

That the report by the Director of Health and Community Services dated 18 July 2000, and the accompanying minutes of the Healthy Older People Program Committee held on 13 June 2000, be received and noted.

Carried.

2.

**HEALTH – ENVIRONMENTAL TOBACCO SMOKE - AIR MONITORING OF
HOSPITALITY VENUES IN SOUTH SYDNEY (2020526)**

(1) That the report by the Director of Health and Community Services dated 26 July 2000, regarding the “Air Monitoring in Hospitality Venues in the South Sydney Local Government Area”, be received and noted.

At the request of Councillor Harcourt, and by consent, the motion was amended by the addition of a clause (2) to the recommendation, namely:-

(2) That Council’s Policy on Non-Smoking in Council Buildings, particularly in respect of Erskineville Town Hall, be adhered to vigorously.

Motion, as amended by consent, carried.

3.

PARKS - WILSON BROTHERS SITE - CORNER HUGO STREET, CAROLINE STREET AND LOUIS STREET, CHIPPENDALE - DRAFT PARK DESIGN PLAN FOR COMMUNITY COMMENT - APPROVAL TO EXHIBIT (2010532)

That approval be given to:-

- (1) the public exhibition of the draft Wilson Brothers Site Park design plan for a period of three weeks;
- (2) the exhibition venues to include Council's One Stop Shop and an on site panel;
- (3) the exhibition be advertised in the local press and the local area be letterboxed during the exhibition;

-for which funds are available in the 2000/2001 Budget (Account Code 1.45.2742 refers).

(DPWS Report 27.7.00)

Carried.

The Community Services Committee Meeting terminated at 8.49 p.m.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

2 August 2000

PRESENT

The Mayor, Councillor John Fowler (Chairperson)

Councillors – John Bush, Christine Harcourt, Jill Lay and Amanda Lennon

At the commencement of business at 6.35 pm, those present were -

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

Moved by the Chairperson (the Mayor, Councillor Fowler), seconded by Councillor Bush.

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That the Report of the Planning and Development Committee of its meeting of 2 August 2000, be received and the recommendations set out below for Items 1,3 to 6 inclusive 9,10,12,14, be adopted. The recommendations for Items 2,7,8,11 and 13. having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

1.

BRIDGE STREET, NO. 5, ERSKINEVILLE – ALTERATIONS AND ADDITIONS TO REAR OF DWELLING – DEVELOPMENT APPLICATION (U00-00547)

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 26 July 2000.

Carried.

2.

DARLEY STREET, NO. 13, DARLINGHURST – ENLARGE DORMER WINDOW TO ATTIC – DEVELOPMENT APPLICATION (U00-00372)

This matter was submitted to Council without recommendation.

Moved by Councillor Bush, seconded by Councillor Mallard:-

- (A) That the Council as the responsible authority refuses its consent under the Environmental Planning and Assessment Act, 1979 to the development application submitted by Mr Robert Green, with the authority of Mr Robert Green and Christopher Secth, for permission to enlarge the rear dormer of a residential terrace for the following reasons, namely:-
- (1) That the proposal is not in accordance with the objectives of Local Environmental Plan 1998 Clause 22 - Heritage aims;
 - (2) That the proposal is not in accordance with the objectives of Local Environmental Plan 1998 Clause 23 - Protection of heritage items and Heritage conservation areas;

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- (3) That the proposal is not in accordance with the objectives of Local Environmental Plan 1998 Clause 24- Development in the vicinity of heritage items and heritage conservation areas;
 - (4) That the proposal is not in accordance with South Sydney Local Environmental Plan 1998 (Amendment No.3) Heritage Conservation Clause 22- Heritage aims a, e, f, I and j;
 - (5) That the proposal is not in accordance with South Sydney Local Environmental Plan 1998 (Amendment No.3) Heritage Conservation Clause 23- Protection of Heritage Items (2);
 - (6) That the proposal is not in accordance with South Sydney Local Environmental Plan 1998 (Amendment No.3) Heritage Conservation Clause 23A Protection of heritage conservation areas and heritage Streetscape (1) a (2) d;
 - (7) That the proposal does not respect the significance of the dormer in relation to the Heritage and Conservation listings;
 - (8) That the existing dormer is a significant contributory element to the streetscape and should not be removed.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

3.

HENDERSON ROAD, NO. 146, ALEXANDRIA – EXTEND THE HOURS OF TRADING OF HOTEL TO 24 HOURS DAILY – DEVELOPMENT APPLICATION (U00-00283)

- (A) That the Council as the responsible authority refuses its consent to the development application submitted by Adella Wright (owner), for permission to extend the hours of operation of the existing hotel to 24 hours daily, for the following reasons, namely:-
- (1) That the proposal represents an unacceptable intensification of the non-conforming hotel use in a Residential (2b) zone;

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- (2) That the proposal will impact on the existing and future amenity of the residential precinct by virtue of noise, traffic, parking demand, anti-social behaviour etc;
 - (3) That the granting of consent would set an undesirable precedent for other licensed premises located in residential zones in South Sydney 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.

4.

PLANNING – EVELEIGH NORTH RAIL YARD REZONING – COMMUNITY REFERENCE PANEL – COUNCILLOR NOMINATION (2021763)

That Council nominate the Mayor, Councillor J Fowler and South Ward Councillors, Councillor Jill Lay, Councillor John Bush (Deputy Mayor) and Councillor Peter Furness to participate in the Community Reference Panel and that the State Rail be requested to invite the South Sydney Heritage Society to be represented on the heritage reference group.

Carried.

5.

UNION STREET, NO. 37, ERSKINEVILLE – ALTERATIONS TO DWELLING – DEVELOPMENT APPLICATION (U00-00447)

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 July 2000.

Carried.

6.

MACLEAY STREET, NOS. 36 – 38, ELIZABETH BAY – DEMOLISH EXISTING BUILDING AND ERECT A NEW BUILDING – SECTION 96 MODIFICATION – DEVELOPMENT APPLICATION (U97-00887)

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 July 2000.

Carried.

7.

TWEEDMOUTH AVENUE, NO. 27, ROSEBERY – REAR EXTENSION TO DWELLING, ERECT CARPORT – DEVELOPMENT APPLICATION (U00-00627)

This matter was submitted to Council without recommendation.

Moved by Councillor Furness, seconded by Councillor Lennon:-

(A) That the Council as the responsible authority grants its consent to the development application submitted by Inn ee Heintze-Architect, with the authority of Ms M Marcellos, for permission to erect a rear single storey addition, to erect a fence and carport at the front of the property and to use one room of the dwelling as a studio/home office, 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 \$600 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 the 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

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value of \$190, 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 drawing numbered 9919-H-01-A, A-01-A and A-02-A except where amended by conditions of consent;
- (4) That the carport shall be deleted from the plans submitted with the Construction Certificate;
- (5) That the proposed clothes line shall be relocated such that it is not visible from the street;
- (6) That the proposed studio/home office shall only be used for hobbies and/or administration, book keeping and scientific writing and shall not be used for the conducting of a veterinary surgery;
- (7) That no fresh pet food or other perishable pet items shall be stored or manufactured on the premises other than for the owners own pets;
- (8) That the premises shall only have one kitchen and shall be used as a single dwelling;
- (9) That the application shall comply with the following conditions or otherwise provide an alternative solution, submitted as a report to the certifying authority, illustrating how the relevant performance requirements can be satisfied:
 - (a) That where a structural member is subject to attack by subterranean termites provision shall be made for:-
 - (i) Physical barriers in accordance with AS 1694
 - (ii) Soil treatment in accordance with B1.3 of the BCA and AS 2057
 - (b) That the combustible rooflights or the like (in a class 1 and 10 building) shall comply with Part 3.7.1.10 of the BCA;
 - (c) That the openings in the external walls closer than 900mm from a side boundary shall be protected by non-openable fire windows or other construction with an FRL of not less than -/60/- or self-closing solid core

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doors not less than 35mm thick, in accordance with Part 3.1.1.5(b) of the BCA;

- (d) That suitable smoke alarm systems shall be provided in accordance with the requirements of Part 3.7.2 of the BCA;
- (e) That the floor surfaces of water closets, shower compartments and the like shall be of materials impervious to moisture and the walls shall be finished with an approved impervious finish in accordance with the requirements of Part 3.8 of the BCA;
- (f) That clothes washing, drying and cooking facilities shall be provided in accordance with the requirements of Part 3.8.3 of the BCA;
- (g) That all damp and weatherproofing provisions shall be in accordance with Part 3.8 of the BCA;

and the following adopted standard conditions:

- (10) Comply With BCA⁹¹⁰⁴
- (11) Construction Certificate Required⁹¹⁵⁵
- (12) Structural Design Certificate⁹⁰⁰⁶
- (13) Drainage Details with Construction Certificate⁹⁰¹³
- (14) Comply With the WorkCover Authority⁹¹⁰⁵
- (15) Works Within Boundary⁹¹⁵²
- (16) Timber Framing to Comply With Aust Standard or Certified⁹²⁰¹
- (17) Commencement of Structural Works⁹²⁰²
- (18) Glazing Provisions⁹³³⁰
- (19) Maintain Existing Building in a Stable Condition⁹¹⁵⁷
- (20) Building/Demolition Noise Control⁹¹⁵⁶
- (21) Builders Hoarding Permit¹⁰⁰⁸

- (22) Alignment Levels¹⁰¹⁶
- (23) Cost of Signposting³⁰²⁶
- (24) Footway Crossing³⁰²⁸
- (25) Obstruction of Public Way³⁰²⁹
- (26) Delivery of Construction Materials³⁰³²
- (27) Stormwater Standard⁴⁰⁰¹
- (28) Refuse Skips⁶⁰⁰²
- (29) Soil and Sediment Prosecution Note⁷⁰⁶⁹
- (30) Construction Hours⁹¹⁵¹
- (31) Work on Public Way⁹¹⁵⁴
- (32) Natural light and ventilation⁹⁶¹³
- (33) Structural Design Certificate⁹⁰⁰⁶
- (34) Drainage Details with Construction Certificate⁹⁰¹³
- (35) Comply With BCA⁹¹⁰⁴
- (36) Comply With the WorkCover Authority⁹¹⁰⁵
- (37) Timber Framing to Comply With Aust Standard or Certified⁹²⁰¹
- (38) Commencement of Structural Works⁹²⁰²
- (39) Glazing Provisions⁹³³⁰
- (40) Works Within Boundary⁹¹⁵²
- (41) Construction Certificate Required⁹¹⁵⁵
- (42) Building/Demolition Noise Control⁹¹⁵⁶
- (43) Maintain Existing Building in a Stable Condition⁹¹⁵⁷

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

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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 the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

8.

HANSARD STREET, NOS. 28 – 30, ZETLAND – PART DEMOLITION OF EXISTING INDUSTRIAL BUILDING AND ERECTION OF 8 X 2 STOREY PLUS ATTIC TERRACES INCLUDING LAND SUBDIVISION INTO 8 LOTS – DEVELOPMENT APPLICATION (U00-00366)

This matter was submitted to Council without recommendation.

Moved by Councillor Furness, seconded by Councillor Mallard:-

- (A) That the Council as the responsible authority refuses its consent to the application submitted by George Conomos, with the authority of Geo-Kal Pty Limited and Michael Wood (owners), for permission to demolish part of the existing building and erect 8 x 2 storey plus attic terraces and subdivision into 8 lots at Nos. 28-30 Hansard Street, Zetland, for the following reasons, namely:-

- (1) That the proposal does not comply with:-
- (a) the minimum subdivision area standard set out in DCP 1997 Urban Design;
 - (b) the maximum permissible Floor Space Ratio provided for in the DCP for Green Square Stage 1;
 - (c) the maximum permissible Height Limit provided for in the DCP for Green Square Stage 1;
 - (d) the definition of an attic as defined in DCP 1997;
 - (e) the maximum permissible site coverage set out in DCP 1997 Urban Design;

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- (2) That the proposal would constitute an overdevelopment of the site;
 - (3) That the proposed development would set a precedent for small lot sizes;
 - (4) That given the circumstances of the case the proposal would not be in the public interest.
- (B) That the applicant be advised that the Council considers that the approvals already granted for 7 terrace houses represents the maximum intensity of development appropriate for the site.
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

9.

WILLIAM STREET, NOS. 191 – 201, DARLINGHURST – AMENDMENT TO DEVELOPMENT APPLICATION TO ERECT A RESIDENTIAL AND COMMERCIAL BUILDING – SECTION 96 MODIFICATION (U99-01244)

- (A) That the Council grants its consent under the Environmental Planning and Assessment Act, 1979 to the amended development application submitted by Baker Associates Architects, with the authority of Kentex, to delete conditions 14, 16 and 18, and replace them with the following conditions, namely:-
- (14) That the westward facing general advertising sign shall be deleted;
 - (16) That the eastward facing general advertising sign shall have an area of not more than 110m² and shall not be illuminated with flashing lights and shall be set in 1m from both sides and the top and bottom of the elevation;
 - (18) That the windows facing Premier lane are to be hopper type windows and at no time shall laundry be hung from the windows;
- (B) That Council advise the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

GENERAL MANAGER

(At the Council and Committee Meetings, Councillor Lennon requested that her name be recorded as voting against the motion.)

(At the Council Meeting, Councillor Furness requested his name as being recorded as voting against the motion.)

10.

BUCKINGHAM STREET, NOS. 92 – 94, SURRY HILLS – CONVERSION OF COMMERCIAL BUILDING TO BACKPACKER HOSTEL – DEVELOPMENT APPLICATION (U00-00105)

(A) That the Council as the responsible authority grants its consent under the Environmental Planning and Assessment Act, 1979 to the development application submitted by Architectural Projects Pty Ltd, with the authority of Mr P. Dahdah, for permission to carry out alterations and additions to the existing building for the purpose of conversion to a 146 bed backpackers' hotel and internet café, 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 \$600 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 \$800, or first installment (as applicable), can be paid to the Council, providing that a completed levy payment form accompanies the payment;

(3) Part A

As a consequence of this development, Council has identified an additional demand for public amenities and facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Section 94 Contributions Plan 1998, the following monetary

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contributions towards the cost of providing facilities and amenities are required.

Contribution Category	Amount	Account
Open Space: LGA Works Programme	\$ 28,873	2E97003.BGY0
Open Space: New Parks	\$143,588	2E97009.BGY0
Accessibility And Transport	\$ 861	2E97006.BGY0
Management	\$ 2,156	2E97007.BGY0
Total	\$175,477	

The above payments, with the exception of the land acquisition component of New Parks and Management, will be adjusted according to the relative change in the Consumer Price Index using the following formula. The contribution for land will be adjusted in accordance with the latest annual valuations.

$$\text{Contributions at Time of Payment} = C \times \frac{\text{CPI2}}{\text{CPI1}}$$

where:

- C is the original contribution amount as shown above;
- CPI2 is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of Statistics at the time of payment; and
- CPI1 is the Consumer Price Index: All Groups Index for Sydney available from the Australian Bureau of Statistics at the date of calculation being - June Quarter 1999/2000.

The above amount must be paid to the Council in cash or by unendorsed bank cheque.

Payment shall be made before the release of the construction certificate.

Note: No works, including works listed in the adopted Section 94 Contributions Plan, will be off-set against monetary Section 94 Contributions without prior written approval by Council in the form of a letter referring to detailed specifications and costs. Endorsed DA and construction plans relate to the subject site only and cannot be taken as approval to carry out any works beyond the boundary of the site.

Part B

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Applications for the payment of contributions by carrying out works which are identified in the Section 94 Contributions Plan will be considered on their merits.

To support the case for carrying out works, Council requires the submission, for formal approval, of complete construction documentation and detailed cost estimates of the works based on established industry standards.

Applicants are advised to contact the Council as soon as possible concerning the specific requirements for any proposal for works-in-kind. Details submitted after the lodgement of the Building Application may not be approved in time to allow the work to be carried out concurrent with the main project. Approved Works will only be off-set against the same category of works.

Unless otherwise agreed, security in the form of an unconditional bank guarantee for the full contribution amount must be lodged with Council and will be held until the approved works have been certified as complete to the satisfaction of Council. For substantial works, Council may, at its discretion, hold the bank guarantee, or part thereof, until the elapse of a minimum defects liability period of at least twelve months after the practical completion of the works. Works to be carried out on public land will also require proof of public liability insurance.

Council also reserves the right to require the future management of the completed work to be formally agreed prior to acceptance.

Note: Works carried out without written approval by Council, in the form of a letter referring to detailed specifications and costs, will not be off-set against Section 94 Contributions and, if carried out on public land, may expose the responsible party to prosecution in addition to the cost of reinstatement.

- (4) That the development shall be generally in accordance with plans numbered 99.721 DA01 to DA06 dated 2 February 2000;
- (5) That the Plan of Management prepared by City Plan Services and dated June 2000 shall be complied with at all times and shall be amended in so far as:

- a) Clause 6.1 shall include a statement to the effect that Management shall advise guests when booking of the restricted on-street car parking in the vicinity of the site;
 - b) Table 1: Bedroom Occupancy Rates shall be amended so that the maximum number of occupants in room G06 is 6 as indicated on plans numbered DA02A dated 2 February, 2000;
- (6) That security cameras shall be installed at the pedestrian and vehicular entry points to the building and notices erected in visible locations advising of the monitoring of the premises by security cameras;
 - (7) That the existing air conditioners projecting from the windows shall be removed;
 - (8) That the hours of operation of the internet café shall be restricted to between 9.00am and 8.00pm daily;
 - (9) That the hours of operation of the hostel reception shall be restricted to between 7.00 a.m. and 10.00 p.m. daily;
 - (10) That the maximum number of guests permitted to stay within the premises shall be restricted to 148 persons;
 - (11) That the hours of use of the roof top recreation area shall be restricted to between 9.00am and 8.00pm daily;
 - (12) That at no time shall any guests be permitted to go outside of the designated roof top recreation area. Access to the remaining part of the roof shall be restricted for the purposes of maintenance only;
 - (13) 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 construction certificate. Sydney Water may require you to construct works and/or pay developer charges. Accordingly, you shall make immediate application to avoid problems in servicing your development;
 - (14) That a maximum of 6 off-street car parking spaces shall be provided and, except where elsewhere stipulated, each space shall be a minimum of 5.4m x 2.6m or 5.5m x 2.5m, with a minimum headroom of 2.5m and the layout of the parking area

and ramps shall comply with the relevant Australian Standards and Council's Development Control Plan No 11;

- (15) That of the required car parking spaces, at least one shall be 3m x 5.5m minimum (with a minimum headroom of 2.5m) and shall be clearly marked and appropriately located for disabled driver's parking;
- (16) That a minimum of 17 spaces shall be provided for bicycles, 2 of which shall be allocated for customers of the café, and shall be designed in accordance with the requirements of Council's Development Control Plan No. 11;
- (17) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and AS1668 Parts 1 & 2;
- (18) That the premises shall not be used for the cooking of food unless an approved air handling system is installed to the cooking appliances designed in accordance with AS1668, Parts 1 & 2;
- (19) That all internal bathrooms and laundries shall be mechanically ventilated in accordance with requirements of F4.5 of the Building Code of Australia;
- (20) That the mechanical exhaust ventilation system to the toilets must exhaust at least 10 l/s per square metre of floor area of each sanitary compartment but not less than 25 l/s per sanitary fixture and at least 5 l/s per square metre of floor area from each privacy lock. Each 0.6m. length of urinal or part thereof shall be equivalent to one fixture;
- (21) That the mechanical exhaust ventilation system to the residential laundries shall extract at least 20 l/s per laundry;
- (22) That the exhaust vents shall be designed to discharge the effluent air in a vertical direction at least 3 metres above the trafficable roof level in a position where no nuisance will be created and at least six metres from the boundary of the adjacent allotments and any fresh air intake vents;
- (23) NOTE: The applicant's attention is drawn to Section 4 of Council's Health Policy for "Places of Shared Accommodation", Section 4, as adopted by Council and hereunder reproduced:

“Section 4: Bedroom occupancy requirements:

The maximum number of persons accommodated in a bedroom, or in a cubicle of a dormitory, must not exceed the number determined by allowing a minimum floor area within the bedroom or cubicle of 5.5 square metres for each person staying for more than 28 consecutive days or 2 square metres or more for each person staying 28 consecutive days or less.

Because of the linking of space to length of stay would seem to involve an ever-changing arrangement of beds only those premises approved or seeking approval as a tourist or backpacker facility are permitted to avail themselves to the minimum occupancy requirements.

Also it is considered that the 2 square meters per person requirement could be unreasonably dense and uncomfortable for guests accommodated, for example in double-bunk backpacker dormitories. A density of 3.5 square metres would be more appropriate for occupant comfort and space for storage of belongings and therefore this density is recommended”.

- (24) That the use and operation of the premises shall comply with the requirements of Schedule 1 (Standards for Places of Shared Accommodation) of the Local Government (Orders) Regulation, 1993 under the Local Government Act, 1993, Council’s adopted policy, the Public Health Act, 1991 and regulations thereunder;
- (25) That the number of toilets within the building shall comply with the requirements of Part F2 of the Building Code of Australia;
- (26) That clothes washing, drying and cooking facilities shall be provided in accordance with the requirements of part 3.8.3 of the Building Code of Australia;
- (27) That the construction, fitout and finishes of the premises shall comply with Food (General) Regulation, 1997 and the National Code for the Construction and Fitout of Food Premises;
- (28) That wastewater arising from the “Internet Café” shall be directed to the sewers of the Sydney Water Corporation (SWC) under the Trade Waste License Agreement. The applicant is advised that pre-treatment of wastewater may be a requirement of the Corporation prior to the discharge to sewer.

Details of the Corporation's requirements should be obtained prior to the commencement of work;

- (29) That only clean and unpolluted water shall be permitted to discharge from the subject development site into Council's stormwater drainage system, in accordance with Council's requirements;
- (30) That the use of the premises shall not give rise to the emission into the surrounding environment of gases, vapours, dusts, waste waters or other impurities which are a nuisance, injurious, dangerous or prejudicial to health;
- (31) That the breakdown of demolition materials shall not occur on site except as necessary to remove the materials from the site;
- (32) That all vehicles involved in the demolition process and departing the premises with demolition materials, spoil or loose matter shall have their loads fully covered before entering the public roadway;
- (33) That the applicant and/or builder shall prior to the commencement of work, install, maintain and implement adequate soil and sediment control measures and adopt suitable site practices to ensure that only clean and unpolluted waters are permitted to enter Council's stormwater drainage system during construction/ demolition. Measures must include:
 - (a) Protection of the public stormwater system; and
 - (b) Site entry construction to prevent vehicles that enter and leave the site from tracking loose material onto the adjoining public place;
- (34) That building operations such as brick cutting, washing tools or paint brushes and mixing mortar shall not be performed on the public footway or any other locations which could lead to the discharge of materials into Council's stormwater drainage system;
- (35) That no garbage or industrial waste shall be placed on the public way (e.g. footpaths, roadways, plazas, reserves etc.) at any time;

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- (36) The garbage/recyclable materials room shall be constructed in accordance with the requirements of Councils "Waste Management/Minimisation Fact Sheets";
- (37) That a separate garbage/recycling storage area for commercial use by the proprietor of the "Internet Café" shall be provided, detailed in the application for a construction certificate;
- (38) That the business proprietor of the "Internet Café" shall enter into a contract for the removal of trade waste from the premises;
- (39) That noise and vibration from the use and operation of any plant and equipment and/or building services associated with the premises shall not give rise to "offensive noise" as defined under the *Protection of the Environment Operations Act, 1997*;
- (40) 0.5 That plans and specifications demonstrating compliance with the nominated standards and requirements for the following aspects of the development shall be submitted to Council **or a certifying authority** for approval prior to the issue of a Construction or Occupation Certificate;

(i)	All proposed mechanical ventilation systems	Building Code of Australia and AS1668.1 & 2
(ii)	Car park ventilation systems	Building Code of Australia and AS1668.1 & 2
(iii)	The location of exhaust and intake vents	Building Code of Australia and AS1668.1 & 2
(iv)	The recycling storage area	SSCC Waste Management/ Minimisation Fact Sheets
(v)	The garbage and trade waste rooms	SSCC Waste Management/ Minimisation Fact Sheets
(vi)	The layout, disposition and method of installation of fixtures and fittings, together with wall, floor and ceiling finishes to all food preparation and storage areas.	National Code for the Construction and Fitout of Food Premises and the Food (General) Regulation, 1997.

- (a) That certificates of design compliance and system performance for the nominated components/aspects of the mechanical ventilation system shall be provided to the Council

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at the time of lodgment of plans certifying the design and upon commissioning of the mechanical ventilation system certifying performance. Certificates will be required prior to the issue of an occupation certificate. The Certificate of Performance shall be in accordance with Section 5 of Council's Ventilation Code and be accompanied by details of the test carried out in respect of ventilation;

(41) That a Management Plan of Operation of the Backpackers Hostel shall be developed and submitted to Council's Health and Community Services Department for approval prior to the issue of the Occupation Certificate by Council. The Management Plan shall provide a comprehensive and thorough action plan and implementation schedule to ensure the community surrounding the Backpackers' Hostel is not adversely effected by its operation, such that a nuisance is caused to the community. The Management Plan shall address (but is not necessarily limited to) the following issues:

- measures to control noise from the Hostel caused by patrons' activities;
- measures to control hours of curfew for common areas such as courtyards and trafficable roofs;
- measures to control noise from machinery, equipment and appliances used on the premises;
- measures to control refuse/recycling collection times;

(42) Details relating to the residential garbage and recycling facilities should be referred to the Council's Waste Services Section, Public Works and Services Department, for approval of the location and type of storage containers at this time, prior to the building application;

(43) The applicant should be advised of Council's Food Seminar Lectures that are given to promote best practices within the food handling industry and minimise the occurrence of food poisoning. Arrangement to attend a lecture can be made by contacting Council's Health Promotion Officer by telephone on 9288 5239, or by facsimile transmission on 9288 5999;

(44) The applicant needs to be advised prior to the Construction Certificate that any requirement of the Sydney Water Corporation Ltd for grease arrestors should be complied with fully to that corporation's satisfaction. The Wastewater Source Control Branch may be contacted at Level 2, 552 Princes Highway, Rockdale 2216, or by telephone on 9551 4620, or by

facsimile transmission on 9551 4388 between 8.00 am and 4.30 pm;

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and the following adopted standard conditions:

- (45) Separate Application for Signs²⁰⁰¹
- (46) Lighting on Signs²⁰⁰²
- (47) Signs/Goods on Footpath²⁰⁰³
- (48) Existing Loading Dock³⁰¹³
- (49) Loading/Parking kept clear³⁰¹⁶
- (50) Obstruction of Public Way³⁰²⁹
- (51) Delivery of Construction Materials³⁰³²
- (52) Construction Hours⁹¹⁵¹
- (53) Works Within Boundary⁹¹⁵²
- (54) Construction Certificate Required⁹¹⁵⁵
- (55) Building/Demolition Noise Control⁹¹⁵⁶
- (56) Works to be Within Allotment Boundaries⁹¹⁵⁹
- (57) Structural Design Certificate⁹⁰⁰⁶
- (58) Drainage Details with Construction Certificate⁹⁰¹³
- (59) Good Housekeeping⁹⁸⁵¹
- (60) Egress Paths to be Kept Clear⁹⁸⁵²
- (61) Certification of Electrical Installation⁹⁸⁵³
- (62) Cooking Facilities Not Permitted in Bedrooms⁹⁸⁵⁵
- (63) Storage Cupboards to be Removed from Fire-Isolated Stairway⁹⁸⁶⁸
- (64) Storage of Goods in Stairs⁹⁸⁶⁵
- (65) Construction of Switchboard⁹⁸⁰⁶

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- (66) That the applicant shall comply with the following deemed-to-satisfy provisions of the BCA or otherwise provide an alternative solution, submitted as a report to the certifying authority, illustrating how the relevant performance requirements can be satisfied:
- (a) Compliance with Building Code of Australia⁸⁵⁰¹
 - (b) Residential Building Work⁸⁵⁰³
 - (c) Doorways in Fire-Isolated Stairways⁹³¹¹
 - (d) Protection of Openings in Lift Shafts⁹³¹⁴
 - (e) Fire Doors to Sole-Occupancy Units⁹³¹⁵
 - (f) Exit Doors Installed in a Path of Travel to an Exit⁹⁴²¹
 - (g) Portable Fire Extinguishers be Installed⁹⁵⁰¹
 - (h) Fire Blanket be Installed⁹⁵⁰³
 - (i) Hose Reels be Installed⁹⁵⁰⁶
 - (j) Hydrants be Installed⁹⁵⁰⁷
 - (k) Emergency lighting⁹⁵¹⁸
 - (l) Exit signs⁹⁵¹⁹
 - (m) Directional signs⁹⁵²⁰
 - (n) Protection of walls and floors in wet areas⁹⁶⁰¹
 - (o) Clothes washing, drying and cooking facilities⁹⁶⁰⁴
 - (p) Sound transmission classes of walls⁹⁶¹⁷
 - (q) Sound transmission classes of floors⁹⁶¹⁹
 - (r) Bounding Sole Occupancy Unit Walls⁹⁸⁶¹
 - (s) Sanitary facilities for people with disabilities⁹⁶¹⁰
 - (t) Car Park for People with Disabilities⁹⁴²⁹

- (u) Wall and Ceiling Penetrations⁹⁸⁶⁰
- (v) Notices Outlining Offences re Fire Stairs⁹⁸²⁰
- (w) That the proposed work shall be constructed in Type (A) construction in accordance with the requirements of specification C1.1-(3) of the BCA;
- (x) That the balustrades shall be provided in accordance with D2.16 of the BCA;
- (y) That the smoke hazard management shall comply with Part E2.2 of the BCA. The automatic Fire Alarms with photo-optical type detectors shall be installed throughout the building complying in all aspects with the requirements of Australian Standard 1670. In kitchens and other approved areas thermal type detectors may be installed;
- (z) That the doorway at ground floor level that opens to the fire isolated stairway from the lower ground floor shall be deleted and bricked up and redesigned with a fire door directly opening in direction of travel complying with D1.10 and D2.20 of the BCA;
- (aa) That the ground floor layout with exception to the lift for people with disabilities and the discharge of the eastern fire isolated stairway shall be in accordance with plan No.99.721 DA02 dated 2 February, 2000;
- (bb) That the lift for people with disabilities and the discharge of the eastern fire isolated stairway shall be in accordance with plan No.99.721 DA02/A dated 2 February, 2000;
- (cc) That the access for people with disabilities shall comply fully with the requirements of Part D3 of the BCA;
- (dd) That the bounding construction shall comply fully with the requirements of Section C3.M of the BCA;
- (ee) That the separation wall of the café facing the foyer shall be 60/60/60;

- (ff) That Fire Safety and Evacuation Procedures shall be established in accordance with As 3745-1995 (as applicable).

NOTES 1:

The applicant may be liable to prosecution under the Local Government Act, 1993, for a breach of an approved condition, or under the *Protection of the Environment Operations Act, 1997*, and Environmental Offences and Penalties Act, 1989, if the applicant's employees, agents or sub-contractors cause, permit or allow sediment, including soil, excavated material, building materials, wastes, or other matter to fall, descend, percolate, be pumped, washed or allowed to flow to the street, stormwater system, or waterways. The applicant shall ensure the applicant's employees, agents, and sub-contractors adequately provide and satisfactorily maintain approved sediment control measures.

NOTE 2:

Details relating to the residential garbage and recycling facilities should be referred to the Council's Waste Services Section, Public Works and Services Department, for approval of the location and type of storage containers at this time, prior to the building application.

NOTE 3;

The applicant should be advised of Council's Food Seminar Lectures that are given to promote best practices within the food handling industry and minimise the occurrence of food poisoning. Arrangement to attend a lecture can be made by contacting Council's Health Promotion Officer by telephone on 9288 5239, or by facsimile transmission on 9288 5999.

NOTE 4:

The applicant needs to be advised prior to the Construction Certificate that any requirement of the Sydney Water Corporation Ltd for grease arrestors should be comply with fully to that corporation's satisfaction. The Wastewater Source Control Branch may be contacted at Level 2, 552 Princes Highway, Rockdale 2216, or by telephone on 9551 4620, or by facsimile transmission on 9551 4388 between 8.00 am and 4.30 pm.

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.

11.

NICHOLS STREET, NOS. 13 – 29, SURRY HILLS – PROPOSED DWELLING HOUSES OVER EXISTING RIGHT OF WAY – DEVELOPMENT APPLICATION (U99-00836)

This matter was submitted to Council without recommendation.

Moved by Councillor Bush, seconded by Councillor Harcourt:-

That the application submitted by Tagma Properties Pty Ltd for permission to erect two dwelling houses on a single site at the abovementioned premises, be deferred to allow the applicant to submit amended plans. In

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the event that amended plans are not submitted by 30 August 2000, the application be listed for consideration by the Planning and Development Committee on 6 September 2000.

Carried.

12.

PLANNING – UNIVERSITY OF TECHNOLOGY SYDNEY – ALEXANDRA CANAL GRADUATION PROJECT – REQUEST FOR FINANCIAL SUPPORT FOR EXHIBITION

That Council resolves to:-

- (1) contribute \$5,000 from Account (GL Code) 1.31.5505.1605.0 (Formerly GQB-77DO) to the University of Technology Sydney for financial support arising from costs associated with the end-of-year exhibition to be held of final year architecture student's design (graduation project) for Alexandria Canal and the Green Square Area;
- (2) request that the University of Technology provide copies of the work to Council at the completion of the exhibition for future reference.

(DPB Report 28.7.00)

Carried.

13.

RAGLAN STREET, NO. 56A, WATERLOO – USE HALL ON WEDNESDAY EVENINGS AS OVERNIGHT SHELTER FOR HOMELESS MEN – DEVELOPMENT APPLICATION (U99-01341)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lennon:-

- (A) That the application be deferred to the next meeting of the Planning and Development Committee to be held on 16 August 2000.
- (B) That when the Development Application is considered there should be an accompanying report from the Social Planner indicating:-
 - (1) how Council is currently addressing the homelessness issue, ie. Its involvement with the Inner City Homelessness Forum and Government and non-government service providers;

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- (2) ways in which Council can assist the Cana Community in meeting its objectives safely and appropriately;
- (3) directions for developing and implementing a homelessness strategy for South Sydney.

Carried.

14.

**STREETS – ROUNDABOUT CONSTRUCTION – GREENKNOWE AVENUE/
ELIZABETH BAY ROAD – SUITABILITY OF CONSTRUCTION (2019181)**

That the roundabout constructed at the intersection of Greenknowe Avenue and Elizabeth Bay Road be referred to the October meeting of the South Sydney Traffic Committee for review and that Councillor Lennon be advised of the date of the meeting.

(DPWS Report 31.7.00)

Carried.

The Planning and Development Committee Meeting terminated at 7.50 p.m.

At this stage and at the request of Councillor Mallard, seconded by Councillor Furness that the following Notice of Motion be determined by Council:-

**ADMINISTRATION - FOOTPATH RECONSTRUCTION WORKS PROGRAMME
(2015562)**

By Councillor Mallard.

That Council invest an additional \$2 million in this financial year for the Public Works and Services Department's Footpath Reconstruction program and that such additional budget be sourced from Council's Financial Reserves and specifically revenue from the JC Decaux contract.

The Mayor directed that the above Notice of Motion be bot dealt with at this meeting but that it be listed for consideration at the next Council Meeting to be held on 23 August 2000.

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The Council Meeting terminated at 8.24 p.m.

Confirmed at a meeting of South Sydney City Council
held on2000

CHAIRPERSON

GENERAL MANAGER

GENERAL MANAGER