

276TH Meeting

**Erskineville Town Hall
Erskineville
312577**

Wednesday, 4 July 2001

An Ordinary Meeting of South Sydney City Council was held at the Council Chambers, Erskineville Town Hall, 104 Erskineville Road, Erskineville, at 6.36 pm on Wednesday, 4 July 2001.

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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Confirmation of Minutes

Moved by Councillor Harcourt, seconded by Councillor Lay:-

That the minutes of the Ordinary Meeting of Council 20 June and the Extraordinary meeting of 28 June 2001, be taken as read and confirmed.

At the request of Councillor Mallard and by consent the minutes of the Ordinary Meeting of Council of 20 June 2001, be amended on page 759 by the correction of Councillors Mallard's motion to read "motion be amended by the adoption of the report and conditions of the Director of Planning and Building dated 28 May 2001, subject to the exclusion of all conditions relating to car parking and the access road".

At the request of Councillor Furness and by consent the minutes of the Ordinary Meeting of Council of 20 June 2001, be amended on page 754, Item (2) of the report of the Community Services Committee dated 13 June 2001, by amending the amendment moved by Councillor Pooley in respect of part (1) of the recommendation to read that the following words be added to the recommendation namely:-

"following discussions and consideration at the Environmental Steering Committee," after the words "appropriate Officer"

Minutes as amended by consent, were then taken as read and confirmed.

At this stage it was moved by Councillor Lay, seconded by Councillor Harcourt, that permission be hereby granted by Council to bring forward business of which due notice has not been given, namely, an urgency motion regarding the changes to the provision of services by Centrelink in the Inner City.

Carried.

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

COMMUNITY SERVICES - CENTRELINK – CHANGES TO PROVISION OF SERVICES IN INNER CITY – MORATORIUM (2025295)

- (1) That the Mayor writes to Centrelink demanding a moratorium to any further changes to the provision of services by Centrelink in the Inner City and in particular, Redfern.
- (2) That the Mayor also write to the Minister expressing concern and requests an urgent meeting between Centrelink and Council to include all interested Councillors.

GENERAL MANAGER

- (3) That Council support the demonstration being organised for 12 July to protest the slashing of services at Redfern Centrelink and that Council liaise with the organisers, and if appropriate, provide assistance to this event and any ongoing campaign.
- (4) Further, that the Mayor seek a meeting with the Member for Sydney whom is already making representations on this appalling withdrawal of services from a very vulnerable community.

Carried.

MINUTE BY THE MAYOR

4 July 2001

PUBLIC RELATIONS - DEATH OF HEPHZIBAH TINTNER(2004380)

It is with regret that I inform Council of the untimely death of Hephzibah Tintner on June 21, 2001, after battling cancer for 14 months.

Hephzibah was the partner of the Lord Mayor of Sydney City Council, Councillor Frank Sartor. She was 30 years of age.

It is recommended that a letter under the signature of the Mayor expressing the condolences of Council be forwarded to the Lord Mayor, Councillor Frank Sartor.

Councillor John Fowler (SGD)
Mayor

Moved by the Mayor, seconded by Councillor Lay:-

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

Carried.

MINUTE BY THE MAYOR

4 July 2001

PUBLIC RELATIONS - CLOSURE & PROPOSED SALE OF NEWTOWN PCYC - MEETING HELD O 22 MAY 2001 AT ERSKINEVILLE TOWN HALL (2016558)

Following Council's resolution on 22 May, 2001 a public meeting was held on 2 July, 2001 to discuss the closure and intended sale of the Newtown PCYC.

The timing of the meeting was critical given the confirmation last week that the Newtown PCYC has in fact been sold (to The Cienna Group (L.K.T. Residential Holdings)) by the State PCYC, despite an undertaking that they would work with local representatives to discuss the future of the Club, and that the 'working party' would report back to the Minister for Police, prior to any sale proceeding.

Therefore, the expectation of the community representatives was that they would be party to the reporting back process to the Minister on the agreed outcomes of the working party and that the property would not be sold in the meantime.

In fact the working party met as recently as 25 May, 2001 and there was no mention by the PCYC that the property had been sold/was in the process of being sold.

The guest speakers at Monday night's meeting included Bill Picken and Alan Jones, the Patrons of the Newtown PCYC.

The meeting was chaired by the Deputy Mayor, Councillor Furness and following much discussion the following resolutions were adopted unanimously by the meeting:-

1. That Council, on behalf of the community urge the Minister for Police and the Board of the State of PCYC to stop the sale of the Newtown PCYC.
2. That a delegation, including the Mayor of South Sydney, Mayor of Marrickville and 2 representatives from the Newtown PCYC Board request an urgent meeting with the Minister for Police and the Board of the State PCYC to discuss the future of the Newtown PCYC, its importance to the wider communities of Newtown, Erskineville, Alexandria and Camperdown and in particular its proximity to public transport, disability access and space for community use and access.
3. That Council on behalf of the community request that the money from the insurance resulting from the hailstorm of 1999 be returned with interest to the Newtown PCYC consistent with the promises of the Police Minister.
4. That Council on behalf of the community seek legal advice as to the process followed to date by the State PCYC in accordance to their Articles of Association regarding the future of the Newtown PCYC.

GENERAL MANAGER

5. That South Sydney Council on behalf of the community request the NSW State Government for an inquiry into the finances and organisation of the NSW Board of the PCYC.
6. That Council on behalf of the community inform the CMFEU and the NSW Labor Council of the resolutions carried unanimously at this meeting.

RECOMMENDATION:

That Council approves the above resolutions from the public meeting, and that these actions are implemented as soon as possible.

Councillor John Fowler (SGD)
Mayor

Moved by Councillor Furness, seconded by Councillor Lay:-

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

Carried.

MINUTE BY THE MAYOR

4 July 2001

COMMITTEES – COUNCIL’S GAY, LESBIAN AND TRANSGENDER ADVISORY COMMITTEE – CALL FOR COMMUNITY REPRESENTATIVES (2023217)

Council’s Gay, Lesbian and Transgender Advisory Committee met on 3 July 2001, and agreed to spill all positions and call for nominations for new Committee members, and review the terms of reference for the Committee.

It is proposed that five Community and eight Community Service Representatives be selected through an open nomination process, based on the following selection criteria:-

- Reason for interest in the Committee;
- Resident in the South Sydney local government area;
- Demonstrated commitment to, and knowledge of gay, lesbian or transgender issues;
- Capacity to interpret and comment on policy, projects and social planning processes;
- Capacity to communicate with and represent and be endorsed by community organisations and other residents;

GENERAL MANAGER

- Demonstrated experience in working as part of a team and/or on government committees

It is proposed that the selection criteria be distributed to gay, lesbian and transgender Community organisations and groups, and advertised in a range of gay, lesbian and transgender publications. The call for nominees will also be advertised in youth, aged, Aboriginal, non-English speaking and mainstream media. The call for nominations will close 10 August 2001.

Similar to the process with other Council Advisory Committees, it is recommended that nominations be assessed by the appropriate staff member (in this case Council's Gay and Lesbian Liaison Officer) and that a further report be submitted to Council outlining all of the nominations and recommending new members for the Committee. In this way Council can ensure that all relevant sectors of the communities have a voice on the new Committee.

RECOMMENDATION:

That Council approve for the calling of nominations for community representatives for the Gay and Lesbian Advisory Committee, and that Council write to the (current) members of the Committee thanking them for their efforts to date.

Councillor John Fowler (SGD)

Mayor

Moved by Councillor Furness, seconded by the Mallard:-

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

Carried.

MINUTE BY THE MAYOR

4 July 2001

**COMMUNITY SERVICES - REDFERN AND ERSKINEVILLE PUBLIC SCHOOLS –
PROPOSED SALE (2024409)**

Council at its meeting on 20 June 2001, considered a minute from myself regarding the revised proposal by the NSW Department of Education and training for changes to public primary and secondary schools in our area. The Council adopted the recommendation in that minute.

Item 2 was to oppose the proposed sale of Redfern and Erskineville Public Schools.

GENERAL MANAGER

In restating opposition to the sale of these two site, I believe we should also be seeking a commitment from the Premier and the Minister for Education that these properties not be disposed of without there being master plans prepared.

These need to be prepared in consultation with Council and the community to establish appropriate development standards including opportunities for the provision of additional open space and the incorporation of those controls into Council Local Environmental Plan and Development Control Plans.

This process was adopted by the Government for the disposal of the Camperdown Children's Hospital site and for North Eveleigh Railways. In the case of Redfern Public School, this master planning process should also look at the adjoining lands, such as the Department of Housing to ensure an integrated approach to planning.

RECOMMENDATION

- (a) That the Mayor write to the Premier and the Minister for Education restarting this Council's opposition to the sale of Redfern and Erskineville School sites, and further seek a commitment for community sites;
- (b) In the event they are to be sold, that prior to sale that the Government prepare masterplan for each site in consultation with Council and the Community and incorporate appropriate planning controls into Council's Local Environment Plan and Development Control Plans.

Councillor John Fowler (SGD)

Mayor

Moved by Councillor Furness, seconded by the Mallard:-

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

Carried.

MINUTE BY THE MAYOR

4TH July, 2001

DONATIONS - PROPERTIES - DARLINGHURST PUBLIC SCHOOL REQUEST ASSISTANCE IN PROTECTION OF A MURAL (2014302)

A parent of a child at Darlinghurst Public School by letter dated 28 June, 2001, has asked for assistance from Council to either supply product or money for the protection of a mural at the School.

GENERAL MANAGER

The children and Aboriginal Artist, Elaine Russell painted the mural, as part of the School's participation in National Aboriginal and Torres Strait Islander (NAIDOC) Week.

Our Trades Group have inspected the area and spoken to the product manufacturer to calculate the amount of product required.

To protect the mural, an anti-graffiti product is proposed. The total cost of the product is \$500.00 including GST and the cost of our painters is approximately \$400.00. I therefore recommend that Council make a donation under Section 356 of the Local Government Act, 1993, of \$900.00 for the protection of the mural at Darlinghurst Public School.

Councillor John Fowler (SGD)

Mayor

Moved by Councillor Lennon, seconded by the Councillor Mallard:-

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

Carried.

At the request of Councilor Pooley, the Mayor asked that the school be informed that the anti graffiti paint that will be applied will affect the colouring of the Mural.

Carried.

MINUTE BY THE GENERAL MANAGER

2 July, 2001

PROPERTIES – DOODY STREET, NO. 4, ALEXANDRIA - PURCHASE (2023861)

A minute by the General Manager dated 2 July 2001, was circulated to all Councillors prior to the Council Meeting.

In accordance with Section 10D of the Local Government Act, 1993, the Council resolved that the press and the public be excluded during the consideration of this Item, and further, access to correspondence and reports be withheld in respect of such Item because in the opinion of the Council, publicity of the proceedings of the Council Meeting would be prejudicial to the public interest by reasons of the confidential nature of the business to be transacted.

GENERAL MANAGER

The reason for the press and public being excluded from the matter is in accordance with Section 10A(2)(d) (i) of the Local Government Act, 1993, is as follows, namely:-

Contractual Matter – Commercial Information of a confidential nature that would if disclosed:

- (i) prejudice the commercial position of the person who supplied it.

J. W. Bourke (SGD)
General Manager

Moved by Councillor Mallard, seconded by Councillor Bush:-

That the recommendation as contained in the minute by the General Manager, dated 2 July 2001, be approved and adopted, subject to the addition of the words “plus GST” after the agreed amount in Clause (a).of the recommendation.

Carried.

MINUTE BY THE GENERAL MANAGER

4 July 2001

ADMINISTRATION - MANAGEMENT PLAN 2001/2004 - RATES SETTING OF FINAL RATE FOR 2001/2002 (FILE 2019711)

On Monday 2nd July, 2001 the Department of Local Government advised Council that the Minister had rejected Council's application for an increase in its general rate income.

Consequently, the rate increase will now be 3.42%, comprising rate pegging of 2.8% and catch-up from the previous year of 0.62%. The new rates in the dollar for 2001/2002 are as follows :-

| | |
|-----------------------------------|--|
| BUSINESS (NON RESIDENTIAL) | - One Point One Three One Seven Cents (1.1317 cents), |
| RESIDENTIAL | - Zero Point One Nine One Two Cents (0.1912 cents) |

As a result Council's budgeted revenue for 2001/2002 will be reduced by \$2,706,000. In order to maintain the budgeted deficit of \$122,409, it is proposed (in the interim) to transfer an additional \$2,706,000 from the Civic Administration Reserve.

GENERAL MANAGER

The Civic Administration Reserve will thereby be reduced by a total of \$4,706,000 for 2001/2002 (note - this reserve was reduced by \$5,000,000 during 2000/2001 and \$3,700,000 during 1999/2000).

Due to the shortfall in Revenue and the necessary reduction in Reserves, Council may need to review the 2001/2002 Works Programme and defer items to the following year. (Note: an opportunity for this review will occur when Council considers the revote of incomplete works from 2000/2001 to 2001/2002).

RECOMMENDATION

(1) That the Rates in the dollar for 2001/2002 be as follows:-

BUSINESS (NON RESIDENTIAL): One Point One Three One Seven Cents
(1.1317 cents),

RESIDENTIAL : Zero Point One Nine One Two Cents (0.1912 cents).

- (2) That rate Income be reduced by \$2,706,000 with a corresponding transfer from the Civic Administration Reserve and the budgeted deficit to remain at \$122,409.
- (3) That the relevant pages of the Management Plan be changed to reflect the reduced Income and transfer from reserves.

J. W. Bourke (SGD)
General Manager

Moved by Councillor Furness, seconded by Councillor Pooley:-

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

Carried.

MINUTE BY THE GENERAL MANAGER

27 June 2001

PROPERTIES - UNIT 7, 8-10 BURROWS ROAD, ST PETERS - UPGRADING OF MEALS DISTRIBUTION CENTRE – COUNCIL'S MEALS-ON-WHEELS FACILITY – (2013456)**INTRODUCTION**

Council's Management Plan (Program 46) identifies the Upgrade – Meals Distribution Centre as a key objective. Following completion of plans and specifications the Council approved on 8 August, 2000 the calling of tenders for Upgrade to Council Meals on Wheels Distribution Centre at Unit 7, 8-10 Burrows Road, St Peters.

REPORT

Tenders closed on Tuesday, 26 June, 2001, and submissions were received from 11 companies whose details are listed below:

| Company Name | Amount (\$) Excluding GST | GST Amount | Amount (\$) Including GST | Program |
|--|----------------------------------|-------------------|----------------------------------|----------------|
| Barbro Constructions Pty Ltd | \$237,705 | \$23,771 | \$261,476 | 12 weeks |
| Baxter Constructions & Refurbishment Pty Ltd | \$261,897 | \$26,189 | \$288,086 | 13 weeks |
| Seven Ways Constructions Pty Ltd | \$270,473 | \$27,047 | \$297,520 | 12 weeks |
| M. Bruton Building Co. | \$289,116 | \$28,911 | \$318,027 | 10 weeks |
| Gold Key Building Services | \$298,938.13 | \$29,893 | \$328,831.94 | 10 weeks |
| Sedcan Constructions Pty Ltd | \$309,100 | \$30,910 | \$340,010 | 10 weeks |
| AMFM Constructions Pty Ltd | \$310,874 | \$31,087 | \$341,961 | 10 weeks |
| Les Moore Projects | \$324,076 | \$32,407 | \$356,483 | 14 weeks |
| Wintertons Constructions Pty Ltd | \$325,355 | \$32,535 | \$357,890 | 13 weeks |
| Eastpark Constructions Pty Ltd | \$445,919 | \$44,591 | \$490,510 | 14 weeks |
| John Cameron Construction | \$543,900 | \$54,390 | \$598,290 | - |

The lowest tender was received from Barbro Constructions Pty Ltd for the sum of \$237,705 (excluding GST).

On the basis of cost, programmed time for completion of the works, previous experience of similar scaled projects and time, it is recommended that Barbro Constructions Pty Ltd be engaged to carry out the alterations and additions to the Meals-on-Wheels Distribution Centre.

GENERAL MANAGER

Due to the nature of the work, it is necessary that a contingency amount of \$35,656 (15% of the contract value) be provided to cover for any unforeseen works necessary to complete the project.

Funds are currently available in the 2000/2001 Properties Management program to carry out the work at Unit 7, 8-10 Burrows Road, St Peters in the amount of Four Hundred and Twenty Five Thousand Dollars (\$425,000) (Account Code: 71014. 801. 16630).

FINANCIAL SUMMARY

| Description: Alterations & Additions to Depot | Total: |
|--|-------------------|
| <u>Costs:</u> | |
| Cost excluding GST | 237,705 |
| GST amount | <u>23,771</u> |
| Price (includes GST) | 261,476 |
| GST Credit | <u>- 23,771</u> |
| Contract Cost to Council | 237,705 |
| Required Contingency (excl. GST) | <u>35,656</u> |
| Potential Net Cost to Council | 273,361 |
| <u>Available Funds</u> | |
| 2000/2001 Budget | 425,000 |
| Reserve (specify) | - |
| Reserve (specify) | - |
| Additional Budget Funds required | <u>NIL</u> |
| <u>Budget Information:</u> | |
| Operating, Works or Plant: | Works |
| Oper. A/C No. or Capital Budget Ref: | 71014. 801. 16630 |

RECOMMENDATION:

That approval be given to accept the tender submitted by Barbro Constructions Pty Ltd to carry out the alterations and additions to the Meals On Wheels Distribution Centre at Unit 7, 8-10 Burrows Road, St Peters in the amount of \$237,705 (excluding GST) and the provision of \$35,656 (15% of the contract value) as a contingency for unforeseen works, Funds are available in the 2000/2001 Properties Management Program (Account Code: 71014. 801.16630)

J. W. Bourke (SGD)
General Manager

Moved by Councillor Pooley, seconded by Councillor Harcourt:-

GENERAL MANAGER

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

Carried.

PETITIONS

1.

The Mayor tabled 3 petitions which were received by the General Manager with approximately 5 signatures appended from residents of Forbes Street, Woolloomooloo, requesting that the fence around the Forbes Street Woolloomooloo Reserve under the railway viaduct, not be removed.

Received.

2.

Councillor Lennon tabled a petition with approximately 282 signatures appended from residents of Elizabeth Bay and surrounding areas, opposing the proposed development of the north west corner of Rushcutters Bay Park, specifically of a coffee shop kiosk where the existing tennis courts now stand.

Received.

QUESTIONS WITHOUT NOTICE

1.

PLANNING – STUDIES – SUSTAINABLE ENERGY – RENEWABLE SOURCES – SOUTH SYDNEY COUNCIL- QUESTION WITHOUT NOTICE BY COUNCILLOR FURNESS (P54-00140)

Question:

At the Council meeting of 7 February 2001, I asked if advice could be sought from the Sustainable Energy Development Authority on ways that South Sydney Council could derive its energy from renewable sources and reported to Committee. Could this report be prepared for the next Committee meetings on 25 July 2001?

Answer by the Mayor:

I will ask the Director of Health and Community Services to submit a report to the first Committee meeting after the recess period.

GENERAL MANAGER

2

PUBLIC RELATIONS – CALLAN PARK ROZELLE – SAVING – LETTER OF SUPPORT - QUESTION WITHOUT NOTICE BY COUNCILLOR FURNESS (2015361)

Question:

At a recent Community Consultation meeting it was asked if this Council could join neighbouring Councils in lobbying the State Government to save Callan Park, Rozelle from sale and development. Could a letter be sent to Leichhardt Council offering our support for their efforts to save Callan Park and a copy sent to the Minister for Health and Member for Port Jackson?

Answer by the Mayor:

I am happy to do that.

3.

SPORTS – HARRY NOBLE RESERVE, ERSKINEVILLE – CHILDREN'S CYCLE TRACK AROUND PERIMETER - PROVISION - QUESTION WITHOUT NOTICE BY COUNCILLOR FURNESS (S54-00147)

Question:

Residents have raised with me the possibility of installing a children's cycle track around the perimeter of Harry Noble Reserve, Erskineville. I believe this may have been proposed in the past, but I am not certain of this.

Could a report be prepared for the Councillors Information Service on such a cycle track for Harry Noble Reserve?

Answer by the Mayor:

I will ask Council Officers to investigate the past history and submit a report in the Councillors Information Service.

4.

SPORTS – VICTORIA PARK SWIMMING POOL COMPLEX CRECHE- ALLOCATION OF TIMES - QUESTION WITHOUT NOTICE BY COUNCILLOR FURNESS (S54-00144)

Question:

A resident has suggested to me that the system of allocating time in the creche at Victoria Park Pool creche could be improved so that a greater number of parents are able to make use of it. Could a report be prepared for the Councillors Information Service advising the current system and discussing

other potential systems such as, for example, restricting the ability to book months in advance?

Answer by the Mayor:

I will ask that a report be prepared for the Councillors Information Service.

5.

**ANTI-SOCIAL ACTIVITIES – FITZROY GARDENS, KING CROSS –
LIAISON BY COUNCIL'S ABORIGINAL LIAISON OFFICER - QUESTION
WITHOUT NOTICE BY COUNCILLOR LENNON (2024714)**

Question:

A group of Aboriginal people are living in and around Fitzroy Gardens at Kings Cross. There have been a number of reports of violence amongst the Aboriginals living in the park and also between Aboriginals and passers by. In an attempt to minimise the violence and discuss and resolve a number of issues arising from this situation, can Council's Aboriginal Liaison Officer arrange to meet with the group of Aboriginal people living in Kings Cross and have ongoing communications with them?

Answer by the Mayor:

I will arrange for a letter to be forwarded to the Police asking for their Police Liaison Officer to communicate with the group.

6.

**LEASING- OXFORD STREET, NOS.114-120, DARLINGHURST –
RETAINING FOR LOW COST HOUSING - QUESTION WITHOUT NOTICE
BY COUNCILLOR LENNON (2005828)**

Question:

Tenants at Nos. 114 – 120 Oxford Street, Darlinghurst, are concerned that these premises are to be leased or sold by Council at market value when they could have been used as low cost housing for more than a decade. We all know there is a desperate need for low cost housing in the inner city.

Can the Director of Finance confirm that these premises will be retained for use as low cost housing?

Answer by the Mayor:

This is operational land not to be used for public housing. I will ask the Acting Director of Corporate Services to report on the issues you raised.

7.

PROPERTY FILE – LIVERPOOL STREET, NO.270 DARLINGHURST – LISTING AS HERITAGE BUILDING, USE AS A MULTI FUNCTIONAL COMMUNITY SPACE AND POSSIBLE PURCHASE BY COUNCIL - QUESTION WITHOUT NOTICE BY COUNCILLOR LENNON (2005660)

Question:

Can Council Officers make inquiries and report on:-

- (a) whether the NSW Heritage Council has listed the entire building, The First Church of Christ Science at No. 270 Liverpool Street, Darlinghurst, on the State Heritage register;
- (b) the suitability of the building being used as a multi-functional community space and meeting venue;
- (c) the possibility of Council purchasing the First Church of Christ Science building?

Answer by the Mayor:

I will ask the Director of Planning and Building to report in the Councillors Information Service.

8.

PARKS – ROSLYN STREET PARK, KING CROSS – FALLING DOWN OF EUCALYPTUS TREE – RETENTION OF BOND MONEY FOR PARK WORKS - QUESTION WITHOUT NOTICE BY COUNCILLOR LENNON (2019931)

Question:

In Roslyn Street Park there is a eucalyptus tree that fell down and the foreman said there was a \$10,000 bond on the tree. If this is the case, maybe we may be able to put that money back into the Park.

Answer by the Mayor:

This matter of the Park will be looked at by the Director of Public Works and Services and he will get back to you.

9.

**DONATIONS – KINGS CROSS CULTURAL FESTIVAL – ADVERTISING
OPTIONS THROUGH J.C.DECAUX- QUESTION WITHOUT NOTICE BY
COUNCILLOR LENNON (2017151)**

Question:

Can a report be prepared for the next Committee meeting to be held on 25 July 2001, advising options for promoting the Kings Cross Cultural Festival through our community allocation received from J C Decaux?

Answer by the Mayor:

When the matter was raised last year, I asked the Council Officer to report on the scheduling of the bookings that Council can make use of. I will ask the Director of Public Works and Services to report so that the information can be given to you and the community groups in relation to booking those advertising spots.

10.

**TRAFFIC – MANAGEMENT – INTERSECTION OF COWPER WHARF
ROADWAY AND BOURKE STREET, WOOLLOOMOOLOO – VARIOUS
ISSUES - QUESTION WITHOUT NOTICE BY COUNCILLOR SHAW (T02-
00178)**

Question:

Could the Traffic Committee look at the intersection of Cowper Wharf Road Way and Bourke Street, Woolloomooloo, regarding:-

- Traffic speeding;
- Illegal parking at bus stop, Cowper Wharf Road opposite the Finger Wharf and into Bourke Street.
- Buses problems turning into and out of Bourke Street;
- Pedestrian safety;
- Illegal U turns Bourke Street to Harry's Café on Cowper Wharf Road Way

Answer by the Mayor:

I will have the matter referred to the Traffic Committee. I might raise the matter with the Lord Mayor of Sydney. He is very keen on car parking controls.

11.

TRAFFIC – MANAGEMENT – ROSEBUD LANE, PADDINGTON BETWEEN OXFORD STREET AND NAPIER STREET – ILLEGAL ONE WAY TRAFFIC - QUESTION WITHOUT NOTICE BY COUNCILLOR SHAW (2023373)**Question:**

Could the Traffic Committee look at Rosebud Lane, between Oxford Street to Napier Street, Paddington? One-way traffic going in wrong direction on a regular basis – accident risk.

Answer by the Mayor:

I will have the matter referred to the Traffic Committee.

12.

PLANNING - PROPOSAL TO DIVERT TRAFFIC FROM SOUTH DOWLING STREET, DARLINGHURST TO FLINDERS STREET THEN INTO OXFORD STREET – UPDATING OF CENTRAL AND NORTH WARD COUNCILLORS- QUESTION WITHOUT NOTICE BY COUNCILLOR SHAW (2023373)**Question:**

Can the Mayor update Central and North Ward Councillors on the proposal to divert traffic from South Dowling Street to Flinders Street then right into Oxford Street's northbound traffic, by e-mail or the Councillors Information Service?

Answer by the Director of Planning and Building:

The Council has commissioned a Consultant to carry out a study as to whether we can accommodate the right turn from Flinders Street into Oxford Street. The preliminary results of that will be out this week. I understand that the Roads and Traffic Authority are not philosophically opposed to accommodate that right hand turn movement and that will then be a matter for Council to determine whether the Taylor Square Redevelopment Scheme will include or not include a right turn bay. This will be a matter that will come before Council.

13.

PROPERTIES – MANAGEMENT – ERSKINEVILLE TOWN HALL – QUESTION OF USE ON 2 JULY 2001 FOR A PUBLIC MEETING - QUESTION WITHOUT NOTICE BY COUNCILLOR POOLEY (P56-00126)**Question:**

My question relates to the alleged "NSW Legislative Council community consultation" that was held in this building last Sunday afternoon.

As we all now know, the meeting was no such thing. But rather, just a stunt for the NSW Liberal Party. I'm wondering on what basis you were led to place the ad that Council placed in three local newspapers last week.

While we are all very keen to support local residents on this issue, I'm most concerned about the false and misleading advertising.

Now while I recognise that the NSW Liberals need as much support as we can give them, I'm worried about Council's obligations given that we were a partner in this deception.

I wonder whether we could check with the NSW Electoral Commission on whether we have an obligation to notify this extravagance as a donation to the NSW Liberal Party.

And I also request a report, in the Councillors Information Service, on the cost of this particular meeting, so we can alert constituents of the extent of the siphoning off of ratepayers funds for the purpose of propping up this discredited and virtually defunct entity.

Answer by the Mayor:

The question was raised by Councillor Mallard in terms of consultation which every community group had noted was not being done on the schools issue. The consultation was a chance for people to view and air their concerns which the people who attended on that day did.

I will have all of those questions answered for you appropriately.

14.

PROPERTIES – MANAGEMENT – BROADWAY PROPERTIES – SIGNING OFF OF CARETAKER LEASE - ACKNOWLEDGMENT - QUESTION WITHOUT NOTICE BY COUNCILLOR HARCOURT (2023331)

Question:

On Wednesday, 27 June 2001, the Broadway squatters and Australand-Walker signed off on the first Caretaker Lease in Australia. This marked the culmination of many months of dedication and hard work on the part of the young people involved, and also considerable input by various Council staff and members of the Homelessness Committee. There will be a celebration of the successful campaign at UTS tomorrow.

I would like to record Council's congratulations to the squatters and Australand, and acknowledge the significance of this achievement.

Answer by the Mayor:

How are you going to do that Councillor?

Answer by Councillor Harcourt:

I will go down there and record our congratulations.

Answer by the Mayor:

You do that.

15.

EARL PLACE, KING CROSS – ENTRANCES OPENING ONTO - LEGAL OR ILLEGAL - QUESTION WITHOUT NOTICE BY COUNCILLOR MALLARD (2003257)**Question:**

I believe most Councillors received a letter from Mr. Nick Hobson of Earl Place, Kings Cross, regarding the EP1 nightclub and up to six sex on premises venues that he claims all operate entrances onto Earl Place. Could the Director of Planning and Building confirm that these entrances are indeed legal or are they operating without consent? If it is the latter, could he advise what action Council can take to have the entrances onto Earl Place closed?

With the view that we have recently approved a large apartment complex opposite the entrance to EP1 in Earl Place, can Council have the nightclub entrance and all other similar entrances relocated to Darlinghurst Road?

Answer by the Mayor:

There are a number of long detailed developments that the Director of Planning and Building will have to go back a long time to find the information. A number are in the City of Sydney archives as they relate to City of Sydney approvals.

Answer by the Director of Planning and Building:

I know that a number of premises have fire exits onto Earl Place and cannot be closed, but I do recall that some of them have conditions for fire exit only and are not public entrances. Also, has the complainant who has written identified the premises as this will assist us, otherwise, it involves a long trawl through the street.

Answer by the Mayor:

I will have the response to that letter circulated in the Councillors Information Service.

16.

**LANDMARKS – FOOTPATH DISCS – PLACING IN NORTH WARD
OUTSIDE AT NOMINATED HISTORICAL SITES - QUESTION WITHOUT
NOTICE BY COUNCILLOR MALLARD (2023809)**

Question:

Could staff report on the feasibility of historical interpretative footpath discs or similar being placed outside selected or nominated historical sites in North Ward, particularly Kings Cross, Potts Point and Elizabeth Bay to create a historical walking tour of the area? Obviously this proposal would need consultation and commitment from the community and historical groups.

Answer by the Mayor:

This has been raised on a number of occasions and will be looked at by the Heritage Committee with some assistance from the Planning Department.

17.

**PARKING – FORBES STREET AND BOURKE STREET,
WOOLLOOMOOLOO – AUDIT OF PARKING SPACES AND
RESTRICTIONS OPERATING - QUESTION WITHOUT NOTICE BY
COUNCILLOR MALLARD (2012795)**

Question:

I am receiving numerous calls and letters from residents of Woolloomooloo concerning growing on-street parking problems. These not only relate to Alpha Beta College students, but also people who park in Woolloomooloo and walk to the city for work or a day trip. There also seems to be a problem with residential parking schemes ending at 7.00 p.m.

Can Council staff do an audit of the parking spaces and restrictions operating in Woolloomooloo, particularly around Forbes and Bourke Streets with a view to toughening the restrictions on non-resident parking?

Answer by the Mayor:

I understand that it is being undertaken as part of an Audit Study of residential car parking controls. I don't know whether that has to go out to a Consultant, but Councillors will be informed. It is a priority at the moment.

18.

PLANNING - SEPP NO. 65 – BUILDING DESIGN – SUBMISSION BY COUNCIL - QUESTION WITHOUT NOTICE BY COUNCILLOR MALLARD (2024847)

Question:

I see the State Government is proposing another SEPP (SEPP65) dealing with assessment of building design for flats of three storeys or more. It seems the proposal has some merit as I often wonder why as Councillors we are not provided with an image of how a finished building would look. Design quality is integral to the quality of residential and commercial environments we approve for building.

Could the Director of Planning and Building prepare a report for Councillors on SEPP65 and consider making a submission through Council on the proposed policy? The exhibition period with DUAP closes on 18 August 2001.

Answer by the Mayor:

I will have a report on that matter submitted to Committee.

19.

PARKING – FORBES STREET, WOOLLOOMOOLOO BETWEEN BURTON STREET AND LIVERPOOL STREET – INSTALLATION OF ANGLE PARKING - QUESTION WITHOUT NOTICE BY COUNCILLOR MALLARD (2006360)

Question:

Back on parking issues, a resident of Forbes Street, Darlinghurst, has written to me asking if Council could reconsider a proposal to build angle parking along Forbes Street, between Burton and Liverpool Streets. It seems a reasonable request to me as that section of street is exceedingly wide and must be the only block without angled parking bays.

Could the Director of Public Works and Services respond on this issue?

Answer by the Mayor:

I will have a response prepared for the Councillors Information Service.

20.

GOODS AND EQUIPMENT – CROWN STREET PUBLIC SCHOOL – RESURFACING OF PLAYGROUND- QUESTION WITHOUT NOTICE BY COUNCILLOR MALLARD (2017768)**Question:**

A parent from Crown Street Public School who lives in Waterloo has asked me if Council can assist the parents who are trying to have the bitumen playground surface repaired/upgraded at the school. The area comprises about 1500 square metres.

Can the Director of Community Services make contact with the school to discuss what we can do to either assist or pressure the State Government in repairing this area? Perhaps the Director of Public Works and Services could investigate whether one of Council's footpath contractors might be prepared to extend the contract rate applicable to our work for the parents at the school?

Answer by the Mayor:

I will take on writing to the Council of the School in relation to your question.

21.

BAPTIST STREET, NOS. 2 – 38 REDFERN, SHOPPING MALL – REVIEW OF PARKING RESTRICTIONS - QUESTION WITHOUT NOTICE BY COUNCILLOR MALLARD (2010447)**Question:**

A local resident and businesswoman has contacted me with a concern over a noted increase in 'car park rage' related to the car park at Surry Hills shopping mall (once proudly called Redfern Mall). She is concerned that elderly people are becoming victims of the fight for limited parking. I don't believe that this car park is a Council property, however, could the Council take this matter up with the shopping centre management and perhaps assist in reviewing the management of parking restrictions and vehicle flows in this car park?

Answer by the Mayor:

I will ask the Director of Public Works and Services to respond in the Councillors Information Service.

22.

**MEMBERSHIP – BUSINESS COMMUNITY COUNCIL – ESTABLISHMENT
IN SOUTH SYDNEY LOCAL GOVERNMENT AREA - QUESTION WITHOUT
NOTICE BY COUNCILLOR BUSH (2024848)**

Question:

The Botany B.E.C. has made indications that they fully intend opening a B.E.C. in South Sydney. Can Councillors study the document prepared by Mr. MacNamara and myself which relates to the formation of a Business Community Council? This group will be a broad Community Business Council that would involve itself in a much deeper extensive range of youth and cultural activities supported by the business community.

Can interested Councillors forward comments to myself and the Mayor with the view of forming and supporting a Business Community Council?

Answer by the Mayor:

This matter will come to the first Committee in July or the first Committee in August on the issue of the State Government involvement and what steps are to be taken for the establishment of a B.E.C. in South Sydney.

23.

**SPORTS FACILITIES – CRICKET – TURRUWUL PARK AND PERRY PARK
- INSTALLATION OF SYNTHETIC CRICKET PITCHES - QUESTION
WITHOUT NOTICE BY COUNCILLOR BUSH (2024848)**

Question:

The Junior South Sydney Cricket Association has written to me on the basis that they cannot have a junior cricket competition in South Sydney due to the lack of suitable cricket pitches. As a matter of urgency, can the Director of Public Works and Services investigate synthetic cricket pitches at Turruwul and Perry Parks?

Answer by the Mayor:

I will have the Director of Public Works and Services prepare a report for the Sports Committee to consider.

24.

HEALTH – DOGS – DEFECATING IN PUBLIC PLACES - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2024640)

Question:

Can the Director of Health and Community Services investigate the cost and staff requirements needed to on a casual basis, photograph the offending dog owners who allow their animals to defecate in public places without making any attempt to abide by our regulations? Offenders can be fined and their photos be published on our web site.

Answer by the Mayor:

I will ask the Director of Health and Community Services to submit a report to Committee in terms of a policy direction for Council.

25.

DEVELOPMENT APPLICATION – RUSHCUTTERS BAY TENNIS COMPLEX - MISINFORMATION RE DEVELOPMENT APPLICATION - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (U00-01246)

Question:

It has been brought to my attention that there have been a number of dubious claims made in regard to Council's own Development Application with regard to Rushcutters Bay Tennis Courts.

The false claims include:

- (1) a loss of park land;
- (2) there will be less grass;
- (3) more concrete, garbage, noise and traffic.

Can the Parks Design Department be advised that correct and true information in regard to Council's Development Application be given to those misinformed people?

Answer by the Mayor:

I can assure you that one of the things Council Officers instill is the correct information to the community.

26.

**PROPERTIES – SAUSAGE SIZZLES – SUPPLYING OF ITEMS -
QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (P56-00126)****Question:**

Can the Mayor organise sausage sizzles to investigate Councillor Pooley's claims of Liberal Party rorting? Possibly you can show your support for the squatters by supplying personal hygiene products or chip-free products?

Answer by the Mayor:

Councillor, I am not an Avon Lady.

REPORT OF THE FINANCE COMMITTEE

26 June 2001

PRESENT**Councillor Shayne Mallard (Chairperson)****Councillors – Peter Furness, Tony Pooley, Gregory Shaw**

At the commencement of business at 6.45 pm, those present were -

Councillors – Furness, Mallard, Pooley and Shaw.

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

That the Report of the Finance Committee of its meeting of 26 June 2001, be received and the recommendations set out below for Items 1 to 5, inclusive, 7 to 13, inclusive, 16 to 16.4, inclusive, 16.6 and 16.7, be adopted. The recommendations for Items 6, 14, 15, 16.5, 16.8 and 16.9, having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

At this stage and at 7.34 p.m. the Finance Committee meeting reconvened.

GENERAL MANAGER

1.

FINANCE – PAYMENT OF CREDITORS - ELECTRONIC FUNDS TRANSFER (2021717)

That for the reasons set out in the report by the Director of Finance dated 19 June 2001, approval be given to the implementation of Electronic Funds Transfer for the payment of Creditors and Option 2 - Commonwealth Bank "Payables Direct" - Full Outsourcing (Cheques/EFT) as detailed in the beforementioned report, funds for which have been provided in the 2001/2002 Budget.

Carried.

2.

DONATIONS – 2001/2002 COMMUNITY GRANTS PROGRAM – FINANCIAL ASSISTANCE GRANTS AND SUBSIDISED ACCOMMODATION GRANTS (2012703/2016721)

(At the Donation Sub-Committee and Council Meeting, Councillor Pooley declared an interest in Item 3, Beehive Industries, under the heading Subsidized Accommodation Grant and left the Council Chamber and did not take part in discussions or voting on the Item.)

That arising from consideration of a joint report by the Director of Health and Community Services and the Acting Director of Corporate Services dated 20 June 2001, it be resolved that:-

- (1) the recommendations for funding for the 2001/2002 Community Grants Program, as outlined in the beforementioned report, be approved with funds to cover this expenditure available in the 2001/2002 Budget Estimates, subject to the conditions identified in the beforementioned report, considered by Council's Donations Sub Committee;
- (2) Council approve an additional payment for GST on the financial (cash) grants, if appropriate;
- (3) any leases expiring during the 2001/2002 financial year be carried over on a month to month lease only, pending the finalisation of a review of the Subsidised Accommodation Program and the development of a Comprehensive facilities Plan, and that a further report be submitted to Council outlining the recommendations of the review and plan;
- (4) any new leases entered into in the 2001/2002 financial year to be limited to the 2001/2002 financial year pending the finalisation of a review of the Subsidised Accommodation Program and the development of a comprehensive Facilities Plan for Council;

GENERAL MANAGER

- (5) the findings and recommendations of the review of Council's arrangements with Kindergarten Union and Sydney Day Nursery be submitted in a separate report to Council;
- (6) the findings and recommendations of the review of specific accommodation subsidies requested by Council be submitted in a separate report to Council, with the affected organisations and groups paying their current rent until Council has considered the report.

At the request of Councillor Mallard, and by consent, the motion was amended only insofar as will provide for the subsidy to Beehive Industries Pty Ltd be amended from \$84,825 per annum gross to \$99,000 per annum gross with the actual rent payable being amended from \$108,000 per annum gross to \$93,825 per annum gross whereby increasing the actual subsidy by \$14,175 per annum gross, due to increased business running costs.

Motion, as amended by consent, carried.

3.

PARKS – SYDNEY PARK WETLANDS STAGE 1 WORKS – ADDITIONAL FUNDS TO COMPLETE (2022665)

- (1) That for the reasons set out in the report by the Director of Public Works and Services dated 21 June 2001, the amount of \$264,867 (GST exclusive) be added to the 2001/2002 Works Programme estimates for Sydney Park Wetlands (Budget Ref: 45-016);
- (2) That the amount of \$264,867 be funded on the following basis:

| | |
|---------------------|---|
| 90% Section 94 | = \$ 238,380 |
| 10% General Revenue | = \$ 26,487 which is available in estimates for the 2001/2002 Budget under Sydney Park Ancillary Works (Budget Ref: 45 – 018) |

Carried.

4.

CLEANING – GARBAGE – WASTE SERVICES – PROVISION OF GARBAGE BINS, CRATES AND DRUM GARBAGE BINS - NEW SERVICE 2001 – ACCEPTANCE OF TENDERS (2024228)

That the contract for the provision of Garbage Bins and Crates as detailed in the report by the Director of Public Works and Services dated 14 June 2001, be awarded to Visy Recycling for tenders A, B, C, & D. This contract is for a two year period commencing 1st August 2001 to a total value of \$332,605

(GST inclusive). The funding is available from Waste Services Branch accounts as indicated in the beforementioned report.

Carried.

5.

GOODS AND EQUIPMENT – SUPPLY AND DELIVERY OF READY MIXED CONCRETE 2001/2002 – EXERCISING OF ONE YEAR OPTION (5244162)

That further to resolution of Council of 9 June 1999 approving tenders for the supply and delivery of concrete in quantities varying from 0.2 cubic metres and greater by way of mini mixers and standard trucks for a two-year period, with an option of a further one-year, as per specification (Tender No. S5005/99) approval be given to exercise the one-year option for the supply and delivery of concrete from the current suppliers and in accordance with the schedules accompanying this report.

(DPWS Report 19/6/01)

Carried.

At this stage and at 6.45 p.m. the Finance Committee meeting commenced at this Item.

6.

ADMINISTRATION – PARKING METERS – KING STREET, NEWTOWN – SUPPLY, INSTALLATION AND COMMISSIONING - ACCEPTANCE OF TENDER (2019990)

This matter was submitted to Council without recommendation.

Moved by Councillor Mallard, seconded by Councillor Bush:-

That arising from consideration of a report by the Acting Director of Corporate Services dated 21 May 2001, approval be given to the acceptance of the tender submission of Reino International Pty Ltd for the supply, installation and commissioning of thirty-nine (39) Multi-Bay Electronic Parking Meters in King St, Newtown, with mains power connection at a cost of \$360,701.55 as detailed in the "Financials" in the beforementioned report, funds for which are available in the 2001/2002 Budget Estimates.

Negatived.

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

That Council convene a meeting of King Street traders at the Brown Street Hall, Newtown, on Monday 16 July 2001, to discuss the installation of parking

meters on King Street and that this meeting be advertised by a letterbox distribution to King Street traders.

Carried.

At this stage and at 7.10 p.m. the Finance Committee meeting adjourned.

7.

**TRAFFIC – MANAGEMENT - EASTERN DISTRIBUTOR LOCAL AREA
IMPROVEMENT PLAN PACKAGE G – MOORE PARK ROAD -
ACCEPTANCE OF TENDER TO CONSTRUCT (2023888)**

That Council:-

- (1) accept the tender submission from J A Bradshaw Pty Ltd for the Eastern Distributor Local Area Improvement Plan Package G - Moore Park Road construction works for a sum of \$612,566.08 GST Inclusive;
- (2) provide a contingency amount of \$61,000 to cover latent conditions during the Contract;

-funds of \$673,566.08 are available in the 2001/2002 Works Programme as part of the approved Eastern Distributor LAIP (Budget Reference 43 - 004).

- (3) receive and note the report dated 26 June 2001 by the Director of Public Works and Services that was circulated prior to the commencement of the Committee meeting.

(DPWS Report 22/6/01)

Carried.

8.

**TRAFFIC – MANAGEMENT - EASTERN DISTRIBUTOR LOCAL AREA
IMPROVEMENT PLAN PACKAGE D – DARLINGHURST (STANLEY
STREET) - ACCEPTANCE OF TENDER TO CONSTRUCT (2023884)**

That Council:-

- (1) accept the tender submission from Civil Systems Pty Ltd for the Eastern Distributor Local Area Improvement Plan Package D - Darlinghurst (Stanley Street) construction works for a sum of \$256,740.00 GST Inclusive;
- (2) provide a contingency amount of \$25,000 to cover latent conditions during the Contract;

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-funds of \$281,174.00 are available in the 2001/2002 Works Programme as part of the approved Eastern Distributor LAIP (Budget Reference 43 - 004).

- (3) receive and note the report dated 26 June 2001 by the Director of Public Works and Services that was circulated prior to the commencement of the Committee meeting.

(DPWS Report 22/6/01)

Carried.

9.

STREETS – 2001/2002 PUBLIC WORKS AND SERVICES ENGINEERING WORKS PROGRAMME – MILL AND RESHEET PROGRAMME (2023181)

That arising from consideration of a report by the Director of Public Works and Services dated 21 June 2001, approval be given to carry out the works listed in the report to a total amount of \$270,000 as Stage 1 of the Mill and Resheet Programme (Budget Ref. 41-005) of the 2001/2002 Engineering Works Programme Budget.

Carried.

10.

ADMINISTRATION – WORKS PROGRAMME – FOOTWAY RECONSTRUCTION PROGRAM 2001/2002 (2015562)

That Council adopts Part 1 of the Footpath Reconstruction Programme of \$1,488,000 in accordance with the schedule accompanying the Director's report, such funds are available in the 2001/2002 Works Programme (Ref: 41.004).

(DPWS Report 22.6.01)

At the request of Councillor Mallard, and by consent, the motion was amended by the deletion of the totals figure "\$1,488,000" and the insertion in lieu thereof of the totals figure "\$1,351,500".

Motion, as amended by consent, carried.

11.

TRAFFIC – MANAGEMENT - EASTERN DISTRIBUTOR LOCAL AREA IMPROVEMENT PLAN PACKAGE H – BOURKE STREET BETWEEN FOVEAUX STREET AND PHILLIP STREET, REDFERN/WATERLOO - ACCEPTANCE OF TENDER TO CONSTRUCT (2023889)

That Council:-

- (1) accept the tender submission from Civil Systems Pty Ltd for the Eastern Distributor Local Area Improvement Plan Package H - construction works for a sum of \$539,550 GST Inclusive;
- (2) provide a contingency amount of \$54,000 to cover latent conditions during the Contract;

-funds of \$593,550 are available in the 2001/2002 Works Programme as part of the approved Eastern Distributor LAIP (Budget Reference 43 - 004).

- (3) receive and note the report dated 26 June 2001 by the Director of Public Works and Services that was circulated prior to the commencement of the Committee meeting.

(DPWS Report 22/6/01)

Carried.

12.

PERSONNEL – 2001 SALARIED AND WAGES AWARDS –AWARD NEGOTIATIONS (2024670)

That arising from consideration of a report by the Director of Organisational Development dated 20 June 2001, approval be given to:-

- (1) implement a 3.2% increase in the rates of pay and tool allowance to be applied as and from the first full pay period following agreement reached with the unions, namely 23 June 2001;
- (2) make applications to the Industrial Relations Commission of New South Wales (IRC) for new salaried and wages awards embracing the changes relevant to Item 1. The term of these awards shall commence as and from the date approved by the IRC and remain in force for a period of one (1) year;
- (3) approval be granted to adding \$250,000 to the 2001/2002 labour budget.

Carried.

13.

FINANCE – MONTHLY INVESTMENTS REPORT - PERIOD ENDING 30 APRIL 2001 (2015594)

That arising from consideration of a report by the Director of Finance dated 25 June 2001, it be resolved that:-

- (1) the details of the April 2001 Investments in the report, be received and noted;
- (2) the Investment Policy be changed as per Attachment 3 accompanying the beforementioned report dated 25 June 2001;
- (3) the Policy be reviewed again in four months time in accordance with a previous Council resolution to consider Ethical and Socially Responsible Investments.

Carried.

14.

GOODS AND EQUIPMENT – PARKS AND STREETS – WEED CONTROL – ACCEPTANCE OF TENDER (G51-00280)

This matter was submitted to Council without recommendation.

Moved by Councillor Mallard, seconded by Councillor Pooley:-

That arising from consideration of a report by the Director of Public Works and Services dated 21 June 2001, it be resolved that Council accept:-

- (a) the Tender Submission from Agserv Pty Ltd for the supply of a Weed Control Service to South Sydney Council in the amount of \$86,720 (plus GST \$8,672), a total amount of \$95,392;
- (b) plus a Contingency amount of \$17,825.45 (plus GST \$1,782.54), a total amount of \$19,608 for grass verges at the rates submitted;
- (c) a total of \$115,000 (incl. GST) for a period of 12 months until 30 June 2002 with the option of a further 12 months period at Council's discretion;
- (d) provision for the expenditure total of \$115,000 exists in the 2001-2002 departmental estimates for Public Works and Services (Account Code 1.45.2704.16630.0).

It was moved as an amendment by Councillor Lennon, seconded by Councillor Furness, that the matter be deferred and referred to the Environmental Steering Committee for consideration of the "Get it Green" Policy.

Amendment, negatived.

Motion carried.

15.

PUBLIC RELATIONS –TAYLOR SQUARE - MEN’S UNDERGROUND CONVENIENCE - ARTIST IN RESIDENCE – PROPOSED USE AS A GROTTO (2023373)

This matter was submitted to Council without recommendation.

Moved by Councillor Lennon, seconded by Councillor Shaw:-

That arising from consideration of a report by the Civic Affairs Manager/Public Officer dated 26 June 2001, Council agrees to support the Gary Carsley artist in residence project “Grotto to Go-Go” to be exhibited in the Underground Men’s Lavatories at Taylor Square in September 2001 and that funds of \$10,000 be voted to the 2001/2002 Forward Estimates to support the project.

Carried.

16.

REPORT OF THE PROPERTIES SUB-COMMITTEE - TUESDAY, 26 JUNE 2001 COMMENCING AT 6.16 PM

At the commencement of business those present were the Mayor, Councillor John Fowler (Chairperson) and the Councillors Furness, Mallard and Pooley.

That it be resolved that the undermentioned recommendations of the Properties Sub-Committee of its meeting of 26 June 2001, be approved and adopted.

16.1.

LICENSING – ROSEHILL STREET, NO. 88, REDFERN – PROPOSED FOOTWAY LICENCE (2024443)

That approval be given to:-

- (1) the granting of a licence to Michel Lebarbier and Wendy Gindart over an area of 6 square metres of the footway of Rosehill Street adjacent to ‘Beluga’ at No. 88 Rosehill Street, Redfern, as shown stippled on Plan No S4-130/815A and subject to the conditions in the schedule accompanying the Director’s report;
- (2) the licence being for a period of 5 years under Part 9 Division 1 of the Roads Act 1993 at a weekly rental per square metre (payable monthly in advance) set by the annual Scale of Fees and Charges adopted by Council;
- (3) the licence commencing only following the satisfactory compliance with conditions 7 and 8 in the schedule accompanying the Director’s report, the Licensee executing the licence agreement, and the issuing of written permission to occupy the site;

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- (4) the execution of all relevant documents and plans by Council's Attorney;
- (5) the Licensee paying Council's legal costs and disbursements incidental to the preparation, execution and stamping of the licence agreement;
- (6) this approval lapsing twelve months from the date of Council's approval to the granting of the licence if the applicant has failed to provide the security deposit and/or public risk insurance as required by Conditions 7 and 8 in the schedule accompanying the Director's report, or failed to execute the licence agreement;
- (7) any rent that falls due as a result of commencing the footway licence is paid by the due date.

(DPWS Report 12/06/01)

Carried.

16.2.

PROPERTIES - NEW FIRE ALARM SYSTEM – LEASING AND INSTALLATION - COUNCIL OWNED PROPERTIES (2024285)

That approval be given to the acceptance of the tender submitted by Brooks (Australia) Limited, at a cost of \$105,156 (including the GST component) or \$18,920 per annum, with funds available in the current financial year for installation, including a one-off connection, with next years costs included in the 2001-2002 Budget Estimates.

Carried.

At this stage and at 6.23 p.m. Councillor Shaw came in to the meeting when this Item was being discussed.

16.3.

LEASING – ELIZABETH STREET, SURRY HILLS – ADJACENT TO NOS. 491 – 493 – PROPOSED LEASE OF PART (L02-00378)

That approval be given to:-

- (a) Brian William Adams being granted a lease under Part 10 Division 2 of the Roads Act 1993, over part of Elizabeth Street, Surry Hills, as shown stippled on Plan No S4-130/460A, for a period of 5 years, and subject to the conditions in the schedule accompanying the Director's report;
- (b) the date of commencement of the lease being 15 August 2000;
- (c) all relevant documents and plans being signed by Council's Attorney;

GENERAL MANAGER

- (d) this approval lapsing 3 months from the date of Council's approval to the granting of a lease if the applicant has failed to sign the lease agreement;
- (e) payment of the outstanding advertising costs by the applicant before the lease agreement is signed.

(DPWS Report 18.6.01)

Carried.

16.4.

**PROPERTIES – WARATAH STREET, NO. 5, RUSHCUTTERS BAY –
RESIDENTIAL LEASE TO MATTHEW AND CHERYL CLARKE (L52-00077)**

That approval be given to Mr and Mrs Clark being offered a weekly lease of the residential premises, No. 5 Waratah Street, Rushcutters Bay, from a date to be determined, at a rental of \$500 per week (\$26,000 per annum) gross subject to the following conditions, namely:-

- (1) That the lease will be subject to the consent by The Minister for Land and Water Conservation;
- (2) That the Department of Land and Water Conservation advises Council of their future intended use of the premises;
- (3) That the existing bond of \$1,400 lodged with the Rental Bond Board (Receipt No. 5694436-0 for \$1,120 and \$280) be increased by \$600 to equal \$2,000, which is equivalent to four (4) weeks rent;
- (4) That the rental is to be increased to \$500 per week. Mr and Mrs Clarke will be given sixty (60) days notice in writing of the increase in rent. Such increases should take effect in early September, 2001;
- (5) That the tenant shall indemnify and keep indemnified the landlord and the Minister for Land and Water Conservation against all actions, suits, claims, debts, obligations and other liabilities during the continuation of the lease and further, the tenant shall take out a Public liability insurance Policy with a reputable Insurance office approved by the landlord in the names of the tenant, the landlord and the Minister assuring them against such of the said matters as can be assured against in such office in the sum of not less than Ten Million Dollars (\$10,000,000) and shall produce at any time when required by the landlord or the Minister, the last renewal receipt for payment of such premiums thereon;

- (6) That the tenant shall also indemnify the Minister and the landlord in respect of any claim, which may arise out of the tenant's use and/or occupation of the area;
- (7) That the tenant shall not sublet, assign or otherwise deal with the demised premises without the consent of the landlord and the Minister;
- (8) That this lease is subject to the provisions of the Crown Lands Act, 1989, including Section 109 of that Act;
- (9) That all relevant documents are to be executed by Council's Attorney and the Minister.
- (10) That the rental period be for a period of 12 months and at the expiration of this period the matter be reviewed;
- (11) That a further report be submitted in respect of a Council Officer liaising with the Department of Land and Water Conservation to determine options available to excise this site from the park proper to enable ongoing leasing for income.

(A/DCS Report 18.6.01)

Carried.

At this stage and at 6.17 p.m. Councillor Lennon came into the Committee meeting as an observer.

16.5.

PROPERTIES – LICENSING – ORWELL STREET, NOS. 5 – 15, POTTS POINT (FRONTING SPRINGFIELD GARDENS) – PROPOSED FOOTWAY LICENCE – SPRINGFIELD RETAIL PTY LTD (2024272)

This matter was submitted to Council without recommendation.

Moved by Councillor Mallard, seconded by Councillor Lay:-

That approval be given to:-

- (1) the granting of a footway licence to Springfield Retail Pty Limited over an area of 32m² of the footway of Orwell Street, Potts Point (fronting Springfield Gardens at 5-15 Orwell Street, Potts Point, as shown on the attached Plan between the hours 7:00am – 11:00 pm Sundays to Thursdays (inclusive) and 7:00 am to 1:00 am Fridays and Saturdays and subject to the terms and conditions in the schedules accompanying the Director's report;

- (2) the footway licence is for a period of five (5) years, at a weekly m² rental (payable monthly in advance) set by the annual Scale of Fees and Charges as adopted by Council;
- (3) the footway licence is only to commence following the satisfactory compliance with Conditions 7 and 8 in the Footway Restaurant Licence Conditions accompanying the Director's report together with the licensee executing the footway licence agreement and the issuing of written permission to occupy the site;
- (4) the licensee is to provide Council with a Public Liability Insurance Policy in an amount of not less than Ten Million Dollars (\$10,000,000) indemnifying both the Council and the licensee against any claims that may arise during the term of the licence;
- (5) all legal costs associated with the preparation and execution of the necessary footway licence documents and plans by Council's Legal Officer are to be borne by the licensee;
- (6) all relevant documents are to be executed by Council's Attorney, if required;
- (7) this approval lapses three (3) months from the date of Council's approval to the granting of this footway licence, if the applicant has failed to execute this footway licence;
- (8) this footway licence is subject to the Goods and Services Tax.

(A/DCS Report 20.6.01)

Carried.

16.6.

LEASING – ADELAIDE STREET, SURRY HILLS – PROPOSED STRATUM LEASE OF PART (2002630)

That approval be given to:-

- (1) the granting of a lease to Readers Digest (Australia) Pty. Limited or their successors in title under Part 10 Division 1 (Section 149) of the Roads Act 1993, over part of Adelaide Street, Surry Hills as shown stippled on Plan No. S4-130/541 for a period of 5 years at a rental of \$3,200 per annum and subject to the conditions in the schedule accompanying the Director's report;
- (2) the date of commencement of the lease in (1) above being 1 January 2001;
- (3) all relevant plans and documents being signed by Council's Attorney.

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- (4) this approval lapsing 3 months from the date of Council's approval to the granting of a lease if the applicant has failed to sign the Lease Agreement;
- (5) the lessee must pay any outstanding advertising or valuation fees before the lease is signed;
- (6) the lessee submit to Council a structural Engineering Report on the condition of the structure and abutments before the lease is signed;
- (7) the rental is subject to annual CPI adjustments.

Carried.

16.7.

PROPERTIES – REG MURPHY HALL – NO. 19 GREENKNOWE AVENUE, POTTS POINT – FACADE UPGRADING – ALLOCATION OF FUNDS (2022933)

That approval be given for:-

- (1) funds of \$80,000 to be allocated to the 2001-2002 Property Works Programme for the external refurbishment of the Reginald Murphy Hall and Kings Cross Activity Club, No. 19 Greenknowe Ave, Potts Point;
- (2) the unexpended funds of \$51,100 for renewal of the roof membrane above the Reginald Murphy Hall are to be carried forward to the 2001-2002 Property Works Programme.

(A/DCS Report 8.6.01)

Carried.

At this stage and at 6.25 p.m. Councillor Lennon left the meeting.

16.8.

PROPERTIES – VICTORIA STREET, NOS. 8 – 10, NEWTOWN – LEASE TO CENTRAL SYDNEY AREA HEALTH SERVICES (2023583)

This matter was submitted to Council without recommendation.

Moved by Councillor Pooley, seconded by Councillor Shaw:-

That approval be given to the Central Sydney Area Health Service being offered a five (5) year lease with one subsequent five (5) year option (5+5), of the William Mitchell Activity Club, Cnr Rose and Victoria Streets, Newtown, at

a rental of \$39,748.50 gross, per annum *including* the GST component (\$764.40 per week gross), commencing from 1st July, 2001, subject to the following terms and conditions, namely:-

- (1) That the rental be reviewed by Consumer Price Index annually and market rental reviews at the start of each five (5) year term;
- (2) That a 25% subsidy be applied off all rents for the period of the lease, under Section 356 of the Local Government Act, 1993, (\$11,250 in the first twelve (12) month period);
- (3) That the Premises are to be leased in an "as is" condition and no demands are to be made on Council to undertake any repairs and/or maintenance to the building;
- (4) That the lessee is to provide unconditional Personal Guarantees for the term of the lease;
- (5) That the lessee is to provide Council with a Public Liability Insurance Policy in an amount of indemnity of not less than Ten Million Dollars (\$10,000,000) indemnifying both the Council and the lessee against any claims that may arise during the term of the lease;
- (6) That any proposed alterations or Development Applications for the leased premises including refurbishments, fit-outs etc by the lessee during the term of the lease period, must first be submitted to the Property Branch Manager *prior* to any submission of plans etc to Council's Planning and Building Department for Statutory approvals;
- (7) That all legal costs associated with the preparation and execution of the necessary lease documents by Council's Legal Officer, are to be borne by the lessee;
- (8) That all relevant documents are to be executed by Council's Attorney;
- (9) That this approval lapses in three (3) months from the date of Council's approval to the granting of this lease, if the lessee has failed to provide the security deposit and/or Public Liability Insurance Policy as required, or has failed to execute the lease documents;
- (9) That the lessee is responsible for the payment of the Goods and Services Tax.

(A/DCS Report 25.6.01)

Negatived.

It was thereupon moved by the Mayor, seconded by Councillor Mallard, that the recommendation of the Acting Director of Corporate Services dated 20 June 2001, be approved and adopted, subject to the deletion of Clause (2).

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Carried.

At a later stage of the meeting, it was moved by Councillor Lay, seconded by Councillor Harcourt, that the matter be re-committed.

Carried.

It was moved by Councillor Lay, seconded by Councillor Pooley, that the foregoing motion moved by the Mayor be deleted and that the following new motion be inserted in lieu thereof, namely:-

That the report by the Acting Director of Corporate Services dated 20 June 2001, be approved and adopted and that it be noted that it is Council's view that this valuable service should be maintained.

Motion as moved by Councillor Lay, carried.

16.9.

PROPERTIES – STIRLING STREET, NOS. 2 – 4, REDFERN – QUESTION OF USE AS OPEN SPACE (U98-00917)

That the matter be deferred to the next Properties Sub-Committee meeting to be held on 25 July 2001, for a further report.

Carried.

The Properties Sub-Committee Meeting terminated at 6.41 p.m.

The Finance Committee Meeting terminated at 8.16 p.m.

REPORT OF THE COMMUNITY SERVICES COMMITTEE

26 June 2001

PRESENT

Councillor Peter Furness (Chairperson)

Councillors – Tony Pooley, Shayne Mallard and Gregory Shaw.

At the commencement of business at 7.12 p. m those present were -

Councillors:- Furness, Mallard, Pooley and Shaw.

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

That the Report of the Community Services Committee of its meeting of 26 June 2001, be received and the recommendations set out below for Items 1 to 6, inclusive, be adopted. The recommendations set out below for Items 7 and 8 having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

1.

TREES –REVISED STREET TREE MASTERPLAN - EXHIBITION (534454)

At this stage and at 8.17 p.m. the Community Services Committee reconvened.

At the recommencement of the Community Services Community meeting Councillor Mallard was not present, but came into the meeting when the undermentioned item was being discussed.

- (1) That the draft Street Tree Masterplan be publicly exhibited for a period of 28 days to gain community comment.
- (2) That a further report be submitted to Council outlining the comments received and with a view of adopting the revised Street Tree Masterplan.

(DPWS Report dated 8.6.01)

Carried.

2.

MEMBERSHIP - SYDNEY COASTAL COUNCILS GROUP – SYDNEY WATER/MANLY COUNCIL PARTNERSHIP - MEMORANDUM OF UNDERSTANDING (2024238)

That arising from consideration of a the report by the Director of Health and Community Services dated 12 June 2001, approval be given to Council supporting the Sydney Coastal Council Group to become a signatory to the Sydney Water/Manly Council Partnership Memorandum of Understanding.

Carried.

3.

**PARKS – SYDNEY PARK - COMMUNITY TREE PLANTING DAY –
PARTICIPATION IN PLANET ARK NATIONAL TREE PLANTING DAY,
29 JULY 2001 (2001186)**

That arising from consideration of a report by the Director of Public Works and Services dated 15 June 2001, approval be given to the conduct of a community planting day at Sydney Park on 29 July 2001 and registering the event with Planet Ark as part of National Tree Day.

Carried.

4.

**MEMBERSHIP - THE NSW MEALS ON WHEELS ASSOCIATION
INC.(2011513)**

That arising from consideration of a report by the Director of Health and Community Services dated 19 June 2001, approval be given to Council joining the NSW Meals on Wheels Association Inc.

Carried.

5.

**FINANCE - GRANTS – INTERNATIONAL YEAR OF THE VOLUNTEER
(2012114)**

That arising from consideration of a report by the Director of Health and Community Services dated 19 June 2001, approval be given to:-

- (1) support the expo/photographic exhibition on 12 September 2001, currently being coordinated by the Volunteer and Service Training organisation for the Eastern Sydney region for which funds are available in 1.26.6675.16680.
- (2) a further report being submitted on costs in coordinating a local International Year of the Volunteer event on 2 December 2001, (for example, a Volunteer Picnic), followed by participation in the Volunteer Spectacular Parade.

Carried.

At this stage and at 7.12 p.m. the Community Services Committee meeting commenced at this Item.

6.

PARKS –FORBES STREET, RESERVE WOOLLOOMOOLOO - UNDER RAILWAY VIADUCT– QUESTION OF REMOVAL OF FENCE (L52-00145)

(At the Committee and Council meetings, Councillor Shaw declared an interest in the matter as he is a resident of Forbes Street, Woolloomooloo, and left the Committee Room and Council Chamber during discussions and voting on the Item.)

- (1) That the information contained in this report, be received and noted.
- (2) That Council does not currently support the removal of existing fencing at the Viaduct Reserve, Forbes Street, Woolloomooloo.
- (3) That Council communicate its response to the multi-agency Steering Committee for the Woolloomooloo Outreach Project.

(DPWS Report 6.6.01)

Carried.

At this stage and at 7.32 p.m. the Community Services Committee adjourned.

7.

COMMITTEES – STREET PROSTITUTION WORKING PARTY - FORMATION (2023605)

(Also listed as Item No. 8 on the Planning and Development Committee).

This matter was submitted to Council without recommendation.

Moved by Councillor Furness, seconded by Councillor Mallard:-

That arising from consideration of a report by the Director of Planning and Building dated 4 July 2001, it be resolved that:-

- (1) the Street Prostitution Working Party consists of:-

The Mayor
 Interested Councillors
 A representative of SCEGGS
 A representative of the NSW Police Service
 The Member for Bligh Clover Moore
 A representative of the Kirketon Road Centre
 A representative of SWOP
 Eve Cook representing the Sex Workers Safety Initiative Network

and the following Community Representatives

Ewen Samway (Forbes Street, Darlinghurst)
Neil Burling (O'Briens Lane, Darlinghurst)
Veronica Heron (Stanley Street, Darlinghurst)
Sid Rauwendaal (Rose Street, Chippendale)

With the Working Party to be assisted by appropriate Council staff from the Planning and Building and the Health and Community Services Department.

- (2) invitations be sent to the members of the Working Party for the first meeting of the group to be held on Tuesday evening 17 July 2001, 7.30 am to 9.00 pm at the meeting room at SCEGGS, Forbes Street, Darlinghurst.
- (3) unsuccessful nominations be thanked for their interest.

Carried.

At this stage the Mayor asked Councillor Harcourt if she had a conflict of interest in this item.

Councillor Harcourt indicated that she has no conflict of interest in the item, only an academic interest.

8.

**COMMITTEES – ARTS AND CULTURAL COMMITTEE – MINUTES OF
5 JUNE 2001 MEETING**

This matter was submitted to Council without recommendation.

Moved by Councillor Furness, seconded by Councillor Mallard:-

That the report by the Director of Health and Community Services dated 26 June 2001, and the accompanying minutes of the Arts and Cultural Committee Meeting held on 5 June 2001, be received and noted.

The Community Services Committee Meeting terminated at 8.25 p.m.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

26 June 2001

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

At the commencement of business at 6.43 pm, those present were:-

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

Moved by the Chairperson (the Mayor, Councillor Fowler), seconded by Councillor Harcourt

That the Report of the Planning and Development Committee of its meeting of 26 June 2001, be received and the recommendations set out below for Items 2,7 to 10 inclusive, be adopted. The recommendations for Items 1,3 to 6 inclusive having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

1.

RILEY STREET, NO. 415, SURRY HILLS – USE OF EXISTING TERRACE HOUSE AS THREE FLATS – DEVELOPMENT APPLICATION (U00-00908)

This matter was submitted to Council without recommendation.

Moved by Councillor Mallard, seconded by Councillor Bush:-

- (A) That the Council as the responsible authority grants its consent to the development application submitted by J.B. Smith and K. Johnson for permission to convert an existing development containing two flats so as to increase the number of flats to three, subject to the following conditions, namely:-
- (1) That the conversion shall be in accordance with plans 7, 8, 9 & 10 dated 22 November, 1998 and date stamped 908/00 7 August, 2000 as amended in accordance with these conditions of consent;
 - (2) That the layout of the upper floor of the rear building shall be in accordance with approved building plans Q98-00737 drawing 07 as approved and date stamped on 13 November 1998;

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- (3) That the first floor windows in the eastern elevation of the rear building shall be fixed and glazed with obscure glass;
- (4) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and AS1668 Part 2;
- (5) 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 Operation Act, 1997*;

NOTE: The applicant and/or employees, agents or subcontractors may be liable to prosecution under the Environmental Planning & Assessment Act, 1979 for a breach of a condition, or *Protection of the Environment Operations Act, 1997* for a pollution offence if sediment, including soil, excavated material, building materials or other materials are allowed to fall, descend, percolate, be pumped, drained, washed or allowed to flow to the street, stormwater system or waterways or be placed in a position where any of the aforementioned may occur which results in, or is likely to result in pollution. The applicant shall ensure that its employees, agents or subcontractors provide and maintain sediment control measures and suitable site practices to protect the stormwater system or waterways from the ingress of sediment. A warning notice shall be erected on the site in a clear and conspicuous position and is available from Council.

- (6) 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:

| No | Health Aspect | Standard or Requirement |
|-----|---|---|
| (i) | All proposed mechanical ventilation systems | Building Code of Australia and AS1668, Parts 1 & 2. |

- (7) That the rear courtyards shall be separated by a screen having a height of not less than 1.5m;
- (8) That the level 4 deck is to be reduced in its dimensions to 3m x 3m and 1.8m high solid screens are to be constructed along the northern and southern sides of the deck to protect the privacy of adjoining properties. Details to be shown on the construction certificate application and the works carried out prior to the issuing of an occupation certificate.

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

Carried.

2.

QUEEN STREET, UNIT 1, NO. 147, BEACONSFIELD – RETAILING OF CLOTHING AND SPORTS GOODS INVOLVING SHOPPERS BUS TOURS – DEVELOPMENT APPLICATION (U99-00874)

- (A) That the Council refuses to grant its consent under the Environmental Planning and Assessment Act, 1979 to the Development Application submitted by AGAF Pty Ltd, with the authority of I Eisenberg for permission to continue to use part of Unit 1 for the retailing of clothing, sporting goods and accessories, for the following reasons, namely:-

- (1) That the retailing, in particularly the shopper's bus tours, would adversely affect the amenity of the area in relation to traffic, parking, noise, and litter;
- (2) That the increase in the number of buses and the hours of operation of such would be undesirable in that the premises do not have off street bus parking with consequent impacts for residential amenity during weekends and surrounding businesses during the week.

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

Carried.

3.

WILSON STREET, NO. 372 ,DARLINGTON – DEMOLISH EXISTING REAR GARAGE AND CONSTRUCT NEW SINGLE GARAGE WITH FIRST FLOOR STUDIO – DEVELOPMENT APPLICATION (U01-00432)

This matter was submitted to Council without recommendation.

Moved by Councillor Mallard, seconded by Councillor Harcourt:-

- (A) That the Council grants its consent under the Environmental Planning and Assessment Act, 1979 to the development application submitted by Victoria Monk and Elizabeth Hayes, with the authority of Victoria Monk, to demolish existing rear garage and construct new single garage with first floor studio, subject to the following conditions, namely:-

- (1) That prior to issuing a Construction Certificate, it will be necessary to lodge with Council a fee of \$412.50 in the form of

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Cash or non expiry Bank Guarantee being the building damage deposit for the public way. This deposit will be returned upon the satisfactory completion of the work approved under this application and the submission of all relevant certificates provided that there is no damage to the public way. A written request shall be made to the Council for the return of the deposit;

- (2) That the development shall be generally in accordance with plans numbered DA/1E & DA/2E both dated 10 May, 2001;
- (3) That the studio shall be used in conjunction with the main dwelling;
- (4) That the property shall not be subdivided;
- (5) That the proposed windows shall be timber framed;
- (6) That the developer shall make an application to the Public Works and Services Department for the issuing of new alignment levels to be adopted for the design of the building and other on-site works, prior to work commencing (Warning – To ensure that future vehicular or pedestrian access is possible you should not fix any boundary levels, either physically or in design drawings, until the alignment levels are issued);
- (7) That prior to the release of the Construction Certificate (and any excavation or building work on the public way), a Road Opening Permit shall be obtained from Council's One Stop Shop (required for approval under the Roads Act 1993);
- (8) That the cost of signposting for alteration of any kerbside parking restrictions required to complement the new development shall be borne by the developer/owner. The work shall be done by the Council, unless other arrangements are approved in writing by the Director of Public Works and Services;
- (9) That the developer shall accept responsibility for the cost of construction of any consequential roadworks in the nature of kerbing, guttering, drainage etc. The work shall be done by the Council, unless other arrangements are approved in writing by the Director of Public Works and Services;
- (10) That prior to the release of the construction certificate, the developer/owner shall make an application to the Director of Public Works and Services for the provision of the necessary footway crossing and also bear the cost of the crossing and reinstatement of the footpath where any existing crossings adjacent to the site are no longer required (such approval is required under the Roads Act 1993). The work shall be done by

the Council, unless other arrangements are approved in writing by the Director of Public Works and Services;

- (11) That during demolition, excavation and building work, the public way shall not be obstructed by building materials or materials from the site in any way;
- (12) That all loading and unloading of construction materials shall take place off street at all times unless the South Sydney Local Traffic Committee approves an on-street Construction Zone;
- (13) That stormwater shall not be connected to the sewerage system and shall be disposed from the site in accordance with Council's standard requirements for stormwater discharge. Stormwater shall not be connected to the sewerage system. All details of stormwater discharge shall be approved by a Council-registered stormwater certifier prior to the approval of the construction certificate;
- (14) That only refuse skips by approved suppliers who comply with Council's Code for the Placement of Waste containers on the Public Way shall be delivered and placed on the public way (contact Council's One Stop Shop for a list of approved suppliers);
- (15) That natural light and ventilation shall be provided in accordance with requirements of Parts 3.8.4 and 3.8.5 of the BCA respectively;
- (16) That all relevant sections of the BCA shall be complied with;
- (17) That an application for a construction certificate, with supporting plans, specifications and details demonstrating compliance with conditions of this consent and the Building Code of Australia shall be lodged and no building or excavation work shall be commenced until that application has been approved and at least two days written notice of the intention to commence work has been given to the Council;
- (18) That a Survey Certificate shall be submitted from a Registered Surveyor to the effect that the proposed building has been set out so that the dimensions and location on the site are in accordance with the approved plan prior to the foundation excavations being commenced;
- (19) That a Survey Certificate shall be submitted at the completion of the building work from a Registered Surveyor certifying the location of the building in relation to the boundary lines of the allotment;

- (20) That structural drawings and certificate from a qualified structural engineer, certifying that the design is in accordance with the relevant Australian Standards and design codes shall be submitted prior to commencement of work;
- (21) That all excavation, demolition and building work in connection with the proposed development shall only be carried out between the hours of 7.00am and 5.00pm on Mondays to Fridays, and 7.00am and 3.00pm on Saturdays and no work shall be carried out on Sundays or public holidays;
- (22) That a building or part of a building shall not be occupied until a occupation certificate has been issued in respect of the building or part;
- (23) That building/demolition work in connection with the proposed development shall only be carried out between the hours of 7.00 am and 5.00 pm on Mondays to Fridays, inclusive, and 7.00 am and 3.00 pm on Saturdays and no work shall be carried out on Sundays or public holidays, where applicable, these restrictions do not apply to the maintenance of site cranes nor to the use of mobile cranes which stand and operate from a public road, provided that a permit has been obtained from the Director of Public Works and Services Department for the use of a mobile crane;
 - (a) mobile cranes operation from the roadway shall not be accepted as a method of constructing the proposed buildings;
 - (b) for special operations, such as the hoisting of plant and equipment or the erection and dismantling of on-site tower cranes, which warrant the on-street use of mobile cranes outside the approved hours of building work, permits shall be obtained 48 hours beforehand from the Police Traffic Branch and the Director of Public Works and Services Department;
- (24) That despite any works to the public way implicit in the approval or anything indicated on the plans, no work is to be undertaken on the public way without a separate application to, and approval by, the Director of Public Works and Services;
- (25) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
- (26) That the existing building shall be maintained in a stable condition during construction and/or demolition work to Council's approval;

- (27) That new work including footings shall not project beyond the street alignment or boundaries of the allotment;
- (28) That all excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards;
- (29) That all excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property;
- (30) That the demolition work shall comply with Australian Standard 2601-1991;
- (31) That if the soil conditions require it:
 - (a) retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided; and
 - (b) adequate provision must be made for drainage;
- (32) That if an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
 - (a) must preserve and protect the building from damage,
 - (b) if necessary, must underpin and support the building in an approved manner,
 - (c) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

-the owner of the adjoining allotment of land is not liable for any part of the cost carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

-in this condition, allotment of land includes a public road and any other public place;
- (33) That if the work involved in the erection or demolition of a building:

- (a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed to rendered inconvenient; or
- (b) building involves the enclosure of a public place a hoarding or fence must be erected between the work site and the public place.

If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

Any such hoarding, fence or awning is to be removed when the work has been completed;

- (34) That a sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
 - (a) stating that unauthorised entry to the work site is prohibited; and
 - (b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.

Any such sign is to be removed when the work has been completed.

This clause does not apply to:

- (a) building work carried out inside an existing building, or
 - (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out;
- (35) That the applicant shall be advised that this application has not been assessed for compliance with the BCA;
 - (36) That the lower opaque glazed panels of the south facing double hung windows are to be fixed in a closed position.

NOTE: That the applicant and/or employees, agents or subcontractors may be liable to prosecution under the Environmental Planning & Assessment Act, 1979, for a breach of an approved condition, or Protection of the Environment Operations Act, 1997 for a pollution offence if sediment, including soil, excavated material, building materials or other materials are allowed to fall, descend, percolate, be

pumped, drained, washed or allowed to flow to the street, stormwater system or waterways or be placed in a position where any of the aforementioned may occur which results, in, or is likely to result in pollution. The applicant shall ensure that its employees, agents, or sub-contractors provide and maintain sediment control measures and suitable site practices to protect the stormwater system or waterways from the ingress of sediment. A warning notice shall be erected on the site in a clear and conspicuous position and is available from Council.

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.

4.

UNION STREET, NO. 107, ERSKINEVILLE – ALTERATIONS AND ADDITIONS TO THE REAR OF EXISTING DWELLING – DEVELOPMENT APPLICATION (U00-01227)

This matter was submitted to Council without recommendation.

Moved by Councillor Mallard, seconded by Councillor Lay:-

- (A) That the Council grants its consent under the Environmental Planning and Assessment Act, 1979 to the development application submitted by Jamie Sims & Lucy Lyons for the alterations and additions to the rear of dwelling at 107 Union Street, Erskineville 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 \$660 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 development consent, it will be necessary to produce evidence of the payment of the levy, or the first instalment 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 \$140, or first instalment (as applicable), can be paid to the Council, providing that a completed levy payment form accompanies the payment;

- (3) That the development shall be in accordance with plan labeled by Council DA 01, DA 02, DA 03, DA 05, DA06A, DA06B and DA06C dated by Council stamp 18 April 2001, except as conditioned elsewhere;
- (4) That the vertically proportioned rear window shall be timber framed and louvred;
- (5) That the side window over the staircase on the northern elevation of the first floor shall be of obscure glass;
- (6) That the applicant 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 Termite Risk Management in accordance with part 3.1.3 of the BCA;
 - (b) That the external walls closer than 900mm from a side boundary shall be of masonry or masonry-veneer construction or having a fire resistance level of not less than 60/60/60, in accordance with Part 3.7.1.5(a) of the Building Code of Australia;
 - (c) That suitable smoke alarm systems shall be provided in accordance with the requirements of Part 3.7.2 of the BCA;
 - (d) That the stairs serving habitable rooms including external stair shall comply with 3.9.1.2(a) of the BCA and balustrades in accordance with Part 3.9.2 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;

- (h) That minimum ceiling heights of rooms or spaces in buildings shall comply with the requirements of Part 3.8.2 of the BCA;
 - (i) That natural light and ventilation shall be provided in accordance with requirements of Parts 3.8.4 and 3.8.5 of the BCA respectively;
 - (j) That all internal bathrooms and laundries shall be mechanically ventilated in accordance with requirements of F4.5 of the BCA;
 - (k) That the external walls must be so constructed as to prevent rain or dampness penetrating to the inner parts of a building in accordance with the requirements of Part 3.3.4 of the BCA;
- (7) That all relevant sections of the BCA shall be complied with;
 - (8) That a Survey Certificate shall be submitted from a Registered Surveyor to the effect that the proposed building has been set out so that the dimensions and location on the site are in accordance with the approved plan prior to the foundation excavations being commenced;
 - (9) That a Survey Certificate shall be submitted at the completion of the building work from a Registered Surveyor certifying the location of the building in relation to the boundary lines of the allotment;
 - (10) That existing and proposed stormwater details and certificate shall be submitted and approved prior to the commencement of any building work;
 - (11) That structural drawings shall be accompanied with a compliance certificate to the certifying authority, certifying that the design is in accordance with the relevant Australian Standards and design codes;
 - (12) That the requirements of the Work Cover Authority shall be complied with;
 - (13) That all excavation, demolition and building work in connection with the proposed development shall only be carried out between the hours of 7.00am and 5.00pm on Mondays to Fridays, and 7.00am and 3.00pm on Saturdays and no work shall be carried out on Sundays or public holidays (where applicable, these restrictions do not apply to the maintenance of site cranes nor the use of mobile cranes which stand and operate from a public road,

provided that a permit has been obtained from the Director of Public Works and Services Department for the use of a mobile crane);

- (14) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
- (15) That the existing building shall be maintained in a stable condition during construction and/or demolition work to Council's approval;
- (16) That in accordance with the requirements of Clause 34 of the Local Government (Approvals) Regulation, 1993, a person excavating below the level of the base of the footings of a building on an adjoining allotment of land (includes a public road and any other public place) must comply with the following:-
- (17) That the metal pipes penetrating a wall, floor or ceiling shall be constructed in accordance with Specification C3.15-3 of the BCA and the gaps must be fire-stopped in accordance with Specification C3.15-7 of the BCA;
- (18) That all loading and unloading of construction materials shall take place off street at all times unless the South Sydney Local Traffic Committee approves an on-street Construction Zone;
- (19) That stormwater shall not be connected to the sewerage system and shall be disposed from the site in accordance with Council's standard requirements for stormwater discharge. Stormwater shall not be connected to the sewerage system. All details of stormwater discharge shall be approved by a Council-registered stormwater certifier prior to the approval of the construction certificate;
- (20) That only refuse skips by approved suppliers who comply with Council's Code for the Placement of Waste containers on the Public Way shall be delivered and placed on the public way (contact Council's One Stop Shop for a list of approved suppliers);
- (21) That all proposed work shall be wholly within the boundaries of the site;
- (22) That despite any works to the public way implicit in the approval or anything indicated on the plans, no work is to be undertaken on the public way without a separate application to, and approval by, the Director of Public Works and Services;

NOTE: That the applicant and/or employees, agents or subcontractors may be liable to prosecution under the Environmental Planning & Assessment Act, 1979, for a breach of an approved condition, or Protection of the Environment Operations Act, 1997 for a pollution offence if sediment, including soil, excavated material, building materials or other materials are allowed to fall, descend, percolate, be pumped, drained, washed or allowed to flow to the street, stormwater system or waterways or be placed in a position where any of the aforementioned may occur which results, in, or is likely to result in pollution. The applicant shall ensure that its employees, agents, or subcontractors provide and maintain sediment control measures and suitable site practices to protect the stormwater system or waterways from the ingress of sediment. A warning notice shall be erected on the site in a clear and conspicuous position and is available from Council.

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

Carried.

5.

MACLEAY STREET, NO. 87, POTTS POINT – CHANGE OF USE OF GROUND FLOOR SHOP TO PROVIDE REVISED BEDROOM ACCOMMODATION FOR BLUE PARROT BACKPACKERS – DEVELOPMENT APPLICATION (U01-00138)

NOTE:

That pursuant to resolution of Council of 9 February 2000, this matter was unanimously refused by the Planning and Development Committee under delegation, for the reasons in the report by the Director of Planning and Building dated 21 June 2001.

Carried.

6.

LAWRENCE STREET, NOS. 74-86, MCEVOY STREET, NOS. 141-167 MCEVOY STREET, ALEXANDRIA, MIXED USE DEVELOPMENT – MASTERPLAN AND TWO DEVELOPMENT APPLICATION (U01-00398, U01-00075)

This matter was submitted to Council without recommendation.

Moved by Councillor Mallard, seconded by Councillor Lay:-

- (A) That Council endorse the Masterplan redevelopment of the site known as Nos. 141-167 McEvoy Street and Nos. 74-86 Lawrence Street, Alexandria for the construction of a mixed use development, comprising 43 residential units, 100 sqm of commercial floor space, a community

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room, 6 terraces, on-site car parking and associated open space, subject to the following recommendations, namely:-

- (1) That the maximum FSR for the site shall not exceed 1.25:1, of which the 0.25:1 above the base of 1;1 is subject to an agreed package of public domain works;
 - (2) That further discussions be held with the proponent to refine the proposed package of public domain works;
 - (3) That the proposed dwelling fronting Lawrence Street located immediately adjacent to 68-72 Lawrence Street is reconfigured to reduce any adverse impact on the amenity of the adjacent dwelling;
 - (4) That the proposed garbage room be relocated in accordance with the requirements of the Director of Public Works and Services.
- (B) That consideration of development applications U01-00075 and U01-00398 be deferred to allow the applicant to submit information required by items (3) and (4) above and for the renotification of development application U01-00398.

Carried.

(Councillor Lennon requested that her name be recorded as voting against the foregoing motion)

7.

PLANNING – GREEN SQUARE TEAM – EXTENSION TO TERMS OF TEMPORARY POSITIONS (2021170)

- (1) That Council endorse the establishment of the Green Square Project Team.
- (2) That the recently vacated Social Planner position within the Green Square Team be advertised as a 3-year temporary position.
- (3) That the terms of the three other temporary positions within the Green Square Team be extended so as to be for a 3-year period from the date of appointment of the Social Planner

(DPB, DHCS & DPWS Report 22 .6.01)

Carried.

8.

COMMITTEES – FORMATION OF STREET PROSTITUTION WORKING PARTY (2023605)

(Also listed as Item No. 7 in the Community Services Committee)

- (1) That Council increase the number of community representatives on the Street Prostitution Working Party from 1 to 3 and that those community representatives be:-
 - Neil Burling
 - Jane Anderson
 - Ewen Samway
 - Sid Rauwendaal
- (2) That the Kirketon Road Centre and Clover Moore M.P. be invited onto the Working Party and Ms. Eve Cook from the Sex Workers Initiative Network.
- (3) That invitations be sent to the members of the Working Party for the first meeting of the group to be held on Tuesday evening July 17, 2001, 7.30 am to 9.00 pm at the meeting room at SCEGGS, Forbes Street, Darlinghurst.
- (4) That unsuccessful nominations be thanked for their interest.

At the request of the Chairperson, the Mayor, Councillor John Fowler, it be noted that at the Planning and Development Committee meeting, Councillor Bush moved that Councillor Harcourt should have declared an interest regarding the above matter.

At this stage and at the direction of the Mayor, it be noted that Councillor Harcourt rose at the Council Meeting to declare that she had an academic interest only and not a conflict of interest in this matter.

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

- (1) That the Street Prostitution Working Party consists of:-

The Mayor
 Interested Councillors
 A representative of SCEGGS
 A representative of the NSW Police Service
 The Member for Bligh Clover Moore
 A representative of the Kirketon Road Centre
 A representative of SWOP
 Eve Cook representing the Sex Workers Safety Initiative Network

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and the following Community Representatives:-

Ewen Samway (Forbes Street, Darlinghurst)
 Neil Burling (O'Briens Lane, Darlinghurst)
 Veronica Heron (Stanley Street, Darlinghurst)
 Sid Rauwendaal (Rose Street, Chippendale)

with the Working Party to be assisted by appropriate Council staff from the Planning and Building and the Health and Community Services Department.

- (2) That invitations be sent to the members of the Working Party for the first meeting of the group to be held on Tuesday evening 17 July 2001, 7.30 pm to 9.00 pm at the meeting room at SCEGGS, Forbes Street, Darlinghurst.
- (3) That the unsuccessful nominees be thanked for their interest.

(DPB Report dated 4 July 2001)

Motion, as amended by consent, carried.

9.

BOURKE STREET, NOS. 563-565, SURRY HILLS – CARRINGTON HOTEL – STATUS OF BUILDING WORKS (U00-1238)

That the report by the Director of Planning and Building dated 25 June 2001, be received and noted, and that a further report be submitted to Council once further advice has been received by Council's Solicitors, in respect of the matter.

Carried.

10.

PLANNING – TAYLOR SQUARE – RESPONSE TO THE PUBLIC EXHIBITION OF THE REVISED DRAFT MASTER PLAN (2020343)

That Council endorse:-

- (a) the following design principles developed through the charette process as the vision and framework for design development:-
 - Provide civic space suitable for both local and global community events;
 - Develop themes to unify the places of Taylor Square;
 - Respect for the character and local heritage of the space;
 - Provide a well serviced public space;
 - Create a space where public access and pedestrian movements are a priority;

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- Provide a space where everyone feels safe and welcome;
- (b) the creation of an unobstructed view of the centre-line axis of the State significant Darlinghurst Courthouse building as a long-term objective for the Square;
- (c) the continued operation of the news stand within the Precinct and its location in a facility appropriate to the commercial, social and security functions it performs;
- (d) the referral to TRACT for briefing purposes public comments detailed above for provision of a specific response to each comment in a Statement of Design Intent to be provided in conjunction with the Concept Design;
- (e) the public exhibition of the draft Taylor Square Footway License Policy at Attachment C, accompanying the report and the consideration of all current and future Footway License applications within the Taylor Square Precinct in accordance with those draft guidelines.

(DPB & DPWS Joint Report 25.6.01)

It was moved by Councillor Lennon, seconded by Councillor Furness, that the motion be amended by the addition of a clause (f) to the recommendation, namely:-

- (f) That the existing eucalyptus trees at Taylor Square be retained.

Negatived.

Motion carried.

The Planning and Development Committee Meeting terminated at 7.30 p.m.

NOTICE OF MOTION

1.

MEDIA - INNER CITY NEWS – COUNCILLORS' COLUMN (2014543)

Moved by Councillor Lennon, seconded by Councillor Bush:-

In the interests of further democratising South Sydney City Council, each Councillor, apart from the Mayor who has a column, shall be given the opportunity to write a 250 word report to the community for inclusion in each edition of Council's newsletter, Inner City News. Each Councillor shall be

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given at least one week's notice of the deadline for their contribution to the newsletter.

Motion, negatived.

The Council Meeting terminated at 8.20 p.m.

Confirmed at a meeting of South Sydney City Council
held on2001

CHAIRPERSON

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