

280TH Meeting

**Erskineville Town Hall
Erskineville
329246**

Wednesday, 12 September 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, 12 September 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 Furness, seconded by Councillor Shaw:-

That the minutes of the Ordinary Meeting of Council of 29 August 2001, be taken as read and confirmed.

At the request of Councillor Mallard, and by consent, the minutes of 29 August 2001, were amended on Page 1072 by the deletion of "clause (F)" in relation to Item 15 of the Planning and Development Committee and the insertion in lieu thereof of the following new "clause (F)", namely:-

- (F) That the Council prosecute the developer/owner for breaching the Environmental Planning and Assessment Act.

Minutes, as amended by consent, were then confirmed.

MINUTE BY THE MAYOR

12 September 2001

PUBLIC RELATIONS – CIVIC AFFAIRS – RECENT EVENTS IN USA (2004380)

I address council on the recent terrorist attacks in the city of New York and in Washington.

This event was an act of war, but not one nation against another. It was an attack against civil society. Thousands of civilians going about their daily business were killed. The perpetrators attacked the free passage of people, closed businesses including the exchange and threatened symbols of civic life.

It is this that I would draw to the attention of council. This barbarous and cowardly act hidden under the treacherous cloak of absolutist theocracy must be challenged. This attack is on the very essence of any civilisation; it attacks the market place, the citadel and thus the city and its citizens.

Councillors will know that many of the victims are the very people who we all rely on in times of crisis: firemen, police and ambulance workers. The number of casualties will not be known for some time but all are citizens, some residents and others, workers of the city.

I ask councillors will join, now in a minute silence for the victims of last night's events.

GENERAL MANAGER

RECOMMENDATION:

It is recommended that a letter of condolence expressing the support and warmest wishes of the councillors and mayor on behalf of the citizens of the City of South Sydney be forwarded to the Mayor of New York.

Councillor John Fowler (SGD)
Mayor

Moved by the Mayor, seconded by Councillor Mallard:-

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

At the request of Councillor Harcourt, and by consent, the motion be amended by the deletion of the words "under the treacherous cloak of absolutist theocracy" where appearing in the third paragraph of the Minute.

At the request of Councillor Pooley, and by consent, the motion be amended by a letter of Condolence being also forwarded to the Consular General of the U.S.A. in Sydney.

Motion, as amended by Councillors Harcourt and Pooley, carried.

MINUTE BY THE MAYOR

12 September 2001

**PERSONNEL - MR. NORM COOK, MAYOR'S ORDERLY –
RETIREMENT (2015505)**

Mr. Norm Cook, Mayor's Orderly will be retiring from the Council on 21 September 2001.

Norm commenced his service with Sydney City Council as a Youth in October 1960, and then worked as a groundsman in the Parks Department until he resigned in 1975.

Norm then joined South Sydney Municipal Council in 1976 as a depot hand in the Parks Department.

In 1991, Norm was appointed to the position of Mayor's Orderly, South Sydney Council and has occupied that position ever since.

Norm over many years, has given outstanding service to the Council and to the Community of South Sydney,

GENERAL MANAGER

I would like to extend to Norm my appreciation and thanks for the excellent service he has given to myself and the Councillors of South Sydney Council, both past and present. His friendship and dedication will be sadly missed when he retires.

Recommendation:

That a letter be forwarded to Mr. Norm Cook, expressing Council's appreciation and thanks for the dedicated services he has given to the Mayor and Councillors and to the Community of South Sydney Council.

Councillor John W Fowler (SGD)

Mayor

Moved by Councillor Harcourt, seconded by Councillor Bush:-

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

Carried.

The Mayor and Councillors wished Mr. Norm Cook and his wife Violet, who were present at the Council Meeting, all the best on his retirement.

MINUTE BY THE MAYOR

12 September 2001

PLANNING – PROVISION OF LIGHT RAIL (P59-00007)

COUNCILLORS

The need for Government to plan and make provision for more sustainable forms of transport has never been greater. If inner City Council's and their communities are to be expected to continue to embrace urban consolidation it must be coupled with quality of life. Central to this are sustainable transport choices.

It is commonly recognised that simply building more roads will not help to address these issues, and that more innovative solutions are required. Light rail can be a part of the solution to the city's public transport woes, due to its environmental benefits and relatively high carrying capacity. However, it is essential to reserve light rail corridors as a matter of priority to contain construction costs, and ensure their future viability.

There have been many studies carried out to date by various groups and organisations regarding possible light rail routes. Where there was once a concerted

GENERAL MANAGER

effort by the Light Rail Association to promote the development of light rail corridors around Sydney, over recent years this seems to have become factional, with smaller groups former to push a particular route as an individual entity. This has served to dilute the profile of the light rail lobby. There is a need to re-energise the debate. There are several proposals with merit, especially for residents of the South Sydney area.

A corridor between the city and Randwick/Coogee has previously received the support of Council, due to the benefits offered to inner city residents of Darlinghurst and Surry Hills, and the mass carrying ability to attractors such as the Sydney Football Stadium, Sydney Cricket Ground and Fox Studio's. This route is still supported, especially as there are large tracts of former tramway reservation lands that could be used to develop a corridor. Further, I believe that light rail has a central role to play in the development of the Green Square area. Current development trends suggest that initial resident and employment trends are likely to be exceeded in the long term. The viability of the Airport heavy rail line, could be enhanced by a radial network linking heavy rail and other destinations. I believe that it is essential for Government to be acting now on this issue.

RECOMMENDATION:

- (1) The Mayor write to the Minister for Transport, the Minister for Planning and the Director General of the Department of Urban Affairs and Planning to request a study be initiated into light rail to connect the CBD, the old showgrounds, UNSW and to link Green Square east to this corridor. And that further, a future link to the west from Green Square be reserved to the Botany goods line so that a connection can be to Summer Hill. Here it will link to the Lilyfield extension of the light rail. This will create an orbital light rail linking South Sydney, with the inner eastern suburbs and substantial 'collection' points with those inner western areas designated for future urban consolidation. Such a study would need to determine the preferred corridors so that any necessary land reservation can be made as a matter of urgency.
- (2) As the future viability of any light rail system will depend largely upon the ability to penetrate the Sydney CBD, that Council support the current efforts to extend, the Lilyfield to Central light rail system through to Circular Quay, or from Central to the Eastern Suburbs possibly from Hay Street to Campbell Streets, through Taylor Square.
- (3) That Council seek the support of the Southern Sydney Regional Organisation of Council's.

Councillor John W Fowler (SGD)
Mayor

Moved by Councillor Lay, seconded by Councillor Furness:-

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

Carried.

MINUTE BY THE MAYOR

12 September 2001

PLANNING – REVIEW OF DEMOLITION AND CONSTRUCTION HOURS (2025494)

In May 1997, Council adopted standard construction hours of 7.00am to 5.00pm on weekdays and 7.00am to 3.00pm on Saturdays. This brought Council into line with neighbouring Councils (Waverley, Woollahra, Leichhardt, Marrickville and Randwick) as well as Builder's Union requirements. Prior to this building work was not permitted to commence before 7.30am.

I have received a number of calls from residents, particularly in the north ward, regarding the disruption to residential amenity caused by construction noise when activity starts at 7.00am. Rather than apply the standard condition, Council in respect of the redevelopment of the Sebel Townhouse site in Ward Avenue required a noise management plan to be prepared. This approach recognised the need to balance residential amenity and construction activity.

I believe it is appropriate for Council to review its standard condition regarding construction noise and therefore request that a report be prepared for Committee outlining options for Council's consideration.

RECOMMENDATION:

That a report be prepared for Council's Committees outlining options for managing noise associated with construction activity.

Councillor John W Fowler (SGD)

Mayor

Moved by Councillor Furness, seconded by the Mayor:-

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

Carried.

PETITIONS

1. The Mayor tabled a petition received by the General Manager with approximately 8 signatures appended requesting Council to close off sections of Nelson Lane in Waterloo with chain – mesh infilled gates.

Received.

2. The Mayor tabled a petition received by the General Manager with approximately 89 signatures appended objecting to the Development Application to use No. 5 Mandible Street, Alexandria as a 24 hour truck base.

Received.

3. The Mayor tabled a petition received by the General Manager with approximately 25 signatures appended objecting to the Development Application to use No. 11 Ward Avenue, Kings Cross as a convenience store.

Received.

4. Councillor Lennon tabled a critique regarding No. 11 Ward Avenue, Kings Cross, regarding use as a convenience store, and the validity of signatures on a petition presented to Council.

Received.

QUESTIONS WITHOUT NOTICE

1. **DEVELOPMENT - REGULATIONS – ROLLER SHUTTERS ON SHOPFRONTS - QUESTION WITHOUT NOTICE BY COUNCILLOR FURNESS (2025490, U01-00339)**

Question:

Could the Director of Planning and Building please provide a report to Committee advising the planning controls which currently exist to restrict new roller shutters from being used in retail precincts, such as the Redfern and Regent Streets shopping precinct and advising on planning controls which could be adopted to achieve this same objective?

GENERAL MANAGER

Further, could advice also be provided on possible means to require and/or encourage removal of roller shutters currently in place in favour of alternative security devices?

Answer by the Mayor:

I will ask the Director of Planning and Building to provide a report through the Councillors Information Service.

2.

**TRAFFIC - STREET CLOSURES – EAST SURRY HILLS AREA -
QUESTION WITHOUT NOTICE BY COUNCILLOR FURNESS (T52-00223)**

Question:

I have received a letter from two residents of Central Ward requesting closure of or traffic calming devices for Devonshire Street, Surry Hills, between Elizabeth and Riley Streets. Could this matter be referred to the Traffic Committee for consideration or a report prepared for the Councillors Information Service advising on any recent consideration of this matter, as appropriate?

Answer by the Mayor:

I will ask the Council Officers to provide a report through the Councillors Information Service.

3.

**DEVELOPMENT APPLICATION - ALBION STREET, NO. 24, PADDINGTON
– QUESTION WITHOUT NOTICE BY COUNCILLOR HARCOURT (U00-
00900)**

Question:

I understand letters have been sent to the Planning and Development Department regarding a Court decision on a development at No. 24 Albion Avenue. Residents are concerned that the decision will lead to the loss of more kerb side parking space. Is it necessary as they suggest to strengthen our Development Control Plan to further control the proliferation of driveways across footpaths in West Paddington and elsewhere?

Answer by the Director of Planning and Building:

The Judgement actually endorses Council's position that there should in fact be no off-street parking in that particular development for both heritage and conservation reasons, and also for swapping one on-street space, for one off-street space.

4.

DEVELOPMENT - PARKING CONTROLS – NON-ISSUE OF RESIDENT PARKING PERMITS - QUESTION WITHOUT NOTICE BY COUNCILLOR HARCOURT (2012972)

Question:

The Mayor, by e-mail and personally, has several times raised with me the issue of reviewing our parking codes, particularly in relation to new developments and resident parking schemes. Today the Minister, Dr. Refshauge, released a study which urges Councils to increase parking charges and limit spaces to cut back on car travel. In view of this, I agree with the Mayor and we should review our policy and adjust it to meet current conditions.

May we have a report to initiate this discussion?

Answer by the Mayor:

I will ask the Director of Public Works and Services to prepare a report for Council and Committee.

5.

CLEANING - COMPLAINTS – CLEANING PROCEDURES OF “THE BLOCK” - QUESTION WITHOUT NOTICE BY COUNCILLOR POOLEY (C56-00032)

Question:

I refer to an e-mail I received from Mr. Michael Gravener who expressed his concern about the number of needles littering “The Block” and his particular concerns about the subsequent safety of children.

He suggests the development of a cleaning contract, run by local indigenous people as the most appropriate response. Could this idea be investigated and a response provided please?

Answer by the Mayor:

I will ask the Director of Public Works and Services to prepare a report on how often the area is cleaned and a report submitted through the Councillors Information Service.

6.

CLEANING - LITTER BINS – RESTORATION OF LITTER BINS IN REDFERN STREET AND ELIZABETH STREET, WATERLOO - QUESTION WITHOUT NOTICE BY COUNCILLOR POOLEY (C56-00027)

Question:

You'll recall at the recent Waterloo community consultation the restoration of bins both on Redfern Street and Elizabeth Street at Waterloo was raised. Is it possible to get some kind of time frame on the placement of those bins?

Answer by the Director of Public Works and Services:

The bins have been ordered and are scheduled to be installed by the Trades Section as a high priority.

7.

STREETS – STREET AND PARK FURNITURE – REMOVE, REPLACE OR REPAIR DAMAGED ITEMS - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (2001974)

Question:

Could Council staff do an audit of street and park furniture and remove, replace or repair where appropriate as a matter of urgency? I would note that there is a seat outside No. 200 King Street which is damaged and another in the Harry Noble Reserve on Swanson Street, Erskineville.

There is also a solar light in Green Bans Park which has the light removed.

Answer by the Mayor:

I will ask the Director of Public Works and Services to report through the Councillors Information Service.

8.

SIGNS – TRAFFIC - UPGRADING REQUESTS – CORNER COULSON STREET AND MITCHELL ROAD, ALEXANDRIA - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (2008555)

Question:

Could Council's Traffic Committee please investigate the possibility of a driver advisory sign warning of pedestrians for the left turn from Coulson Street into Mitchell Road, Alexandria?

Answer by the Mayor:

Please e-mail your request and I will have it put on the Traffic Committee Agenda.

9.

STREETS - PALMER STREET, DARLINGHURST – FOOTPATH AND ROADWORK DAMAGE - QUESTION WITHOUT NOTICE BY COUNCILLOR MALLARD (S56-00781)

Question:

On inspections last Saturday, I noted the breaking up of the road surface outside Republic 2 development on Palmer Street. I suspect the damage has been caused by the heavy construction vehicles.

Can staff investigate and report on the damage and whether Council can recover repair costs from the developer?

Answer by the Mayor:

I will ask the Director of Public Works and Services to report through the Councillors Information Service.

10.

TRAFFIC MANAGEMENT - COWPER WHARF ROADWAY, WOOLLOOMOOLOO – INSTALLATION OF SPEED CAMERAS AND OTHER DETERRENTS - QUESTION WITHOUT NOTICE BY COUNCILLOR MALLARD (2017370)

Question:

Again, I raise the issue of speeding and dangerous vehicles on Cowper Wharf Roadway, Woolloomooloo. I spoke with Councillor Kathryn Greiner today about both Councils applying pressure to the Police and Roads and Traffic Authority for speed cameras and other deterrents on the road.

Could this matter be referred to the Traffic Committee for consideration and Council liaise with Councillor Greiner, City of Sydney, to achieve a positive outcome?

Answer by the Mayor:

It has been to Committee as a report and being monitored by the Kings Cross Police and the matter would be better dealt with through both Traffic Committees, but if we can get some street calming measures, will certainly investigate.

11.

**HEALTH – PIGEONS ROOSTING IN PLACES ALONG KING STREET -
QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (2012165)**

Question:

Could Council investigate the problem of pigeons roosting in a number of places along King Street, under the awnings?

Answer by the Mayor:

I will ask the Director of Health and Community Services to investigate.

12.

**PARKING – RESTRICTIONS - BOUNDARY STREET, NOS. 15 – 19,
DARLINGHURST – REQUESTS - QUESTION WITHOUT NOTICE BY
COUNCILLOR LENNON (5275927)**

Question:

Could a possible Loading Zone be erected at Nos. 15 – 19 Boundary Street, Darlinghurst?

Answer by the Mayor:

I will ask the Director of Public Works and Services to refer back to the Traffic Committee. Examining parking controls in Boundary Street.

13.

**DEVELOPMENT - CONDITIONS – NON-ISSUE OF RESIDENT PARKING
PERMITS - QUESTION WITHOUT NOTICE BY COUNCILLOR LENNON
(2012972)**

Question:

Mr. Harrison, with the new developments that go through in the North Ward, do the new residents get street parking, as well as off-street parking?

Answer by the Director of Planning and Building:

No.

14.

COMMUNITY FACILITIES - WOOLLOOMOOLOO AREA – PLAYGROUND IMPROVEMENTS AND LANDSCAPING – NAMING COMPETITION - QUESTION WITHOUT NOTICE BY COUNCILLOR SHAW (2022733)

Question:

Prior to the opening of the Woolloomooloo Community Playground and Garden, a report came to Council outlining a competition within the Woolloomooloo community seeking a name for the newly finished garden and park. Can a report come to Committee providing information as to the outcome of this process?

Answer by the Mayor:

I will ask the appropriate officer to report to Committee.

15.

PUBLIC TRANSPORT - CONTROLS – HIRE CARS IN THE SOUTH SYDNEY AREA - QUESTION WITHOUT NOTICE BY COUNCILLOR SHAW (2025492)

Question:

Can a report for the Councillors Information Service be prepared in relation to any controls South Sydney City Council has on the delivery and pick up of hire cars in the East Sydney/Woolloomooloo Precinct? Particularly in the Palmer Street area and particularly in relation to restrictions on the hours for this activity, seven days a week.

Answer by the Mayor:

I will ask the Director of Public Works and Services to report through the Councillors Information Service.

16.

DEVELOPMENT APPLICATION - ABERCROMBIE STREET, CHIPPENDALE – ALTERNATIVE SECURITY MEASURES - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (U01-00339)

Question:

I table a letter from Mr. Andrew Packham regarding the removal of shutters. It has been brought to my attention and I would like it brought to the Planning and Building Department's attention, that shopkeepers won't be eligible for insurance if they don't put the shutters on their shops.

Answer by the Director of Planning and Building:

There are other security measures that the Council endorse, such as axed security grills across windows and the other alternative is the expandable lockable security grill.

17.

STREETS - LANEWAY, REAR OF NOS. 336 – 342 VICTORIA STREET, DARLINGHURST - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2025491)

Question:

I table a letter from Bill Anton of B & A Anton Pty Limited. Could a meeting with the Mayor and the Properties Manager be organised to resolve the:-

- (a) long term problem with drug addict needles, rubbish and burglaries;
- (b) question of the purchase of the laneway as detailed in their letter?

Answer by the Mayor:

Yes.

18.

SIGNS - ADVERTISING BANNERS – POSSIBLE LOCATIONS ON HIGH STREETS, COMMERCIAL STRIPS AND MAJOR TRAFFIC ROUTES - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2004473)

Question:

Could the Director of Public Works and Services report on the possible locations with regard to the Streetscape Masterplan for banner and flag poles on high streets, commercial strips and major traffic routes? The Streetscape Masterplan outlines the possible use of flag and banner poles in high streets, commercial strips and major traffic routes.

Could the Director of Public Works and Services identify possible locations and numbers?

Answer by the Mayor:

This will be part of the Masterplan of the Streetscape for DCP. The Director of Public Works and Services to respond through the Councillors Information Service.

19.

**COMMITTEES - NEW ADMINISTRATION BUILDING TASK FORCE -
QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2008384)**

Question:

The Administration building dilemma remains unresolved. High rent and an expiring lease makes this matter urgent. Many hours of committee meetings by Council have not resolved where, how much and when! Reference to past reports conclude there are four options.

Could the General Manager bring forward a report to Council that initiates the process?

Two or three reputable institutions such as K.P.M.G./Macquarie Bank/Jones Lange Hassalle could be approached for an expression of interest in moving this process forward. Indecision, elections, Sproats Inquiry and political influences would be alienated from such a process that has inhibited progress.

Answer by the Mayor:

I will have that report come to Committee in relation to the joint venture of the future Civic Administration Building.

REPORT OF THE FINANCE COMMITTEE

5 September 2001

PRESENT

Councillor Shayne Mallard (Chairperson)

Councillors – Peter Furness, Tony Pooley, Gregory Shaw

At the commencement of business at 6.56 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 5 September 2001, be received and the recommendations set out below for Items 1 to 6, inclusive, 8 to 14.2, inclusive, 14.4 to 14.6, inclusive, 14.8, 14.9 and 14.12, be adopted. The recommendations for Items 7, 14.3, 14.7, 14.10, 14.11 and 14.13 having been dealt with as shown immediately following such Items.

Carried.

GENERAL MANAGER

The Committee **recommended** the following:-

1.

2001 AUSTRALIAN MAYORAL AVIATION COUNCIL – CONFERENCE – ATTENDANCE OF MAYOR

That approval be given to the Mayor or his nominee attending the 2001 Annual Conference of the Australian Mayoral Aviation Council to be held in Perth, Western Australia from 10th to 12 October 2001, and that any registration fees, accommodation and out of pocket expenses for conveyance and subsistence in travelling be borne by the Council, for which funds are available in the 2001/2002 Revenue Estimates.

Carried.

2.

MEDIA AND PUBLIC RELATIONS UNIT – 2001 BUDGET OVERRUN IMPACT OF SPROATS' INQUIRY AND ADVERTISING CHANGES (2022331)

That the matter be deferred for the submission of a financial report by the Director of Finance.

Carried.

3.

FINANCE – SECTION 356 DONATIONS REPORT – 12 MONTHS TO 30 JUNE 2001 (2024098)

That the report by the Director of Finance dated 24 August 2001, regarding Section 356 Donations for 12 months to 30 June 2001, be received and noted.

Carried.

4.

DONATIONS – REQUEST FOR FREE USE OF ERSKINEVILLE TOWN HALL – NSW LOCAL GOVERNMENT ABORIGINAL NETWORK (P56-00410)

That approval be given to the NSW Local Government Aboriginal Network for the free use of Erskineville Town Hall on 15th September 2001, and under the provisions of Section 356, Council agrees to forgo \$350 in income and \$50 in costs, to allow NSW Local Government Aboriginal Network to conduct an Executive Meeting.

(A/DCS Report 27.8.01)

Carried.

5.

**DONATIONS – REQUEST FOR FREE USE – ALEXANDRIA TOWN HALL
(2025074)**

That confirmatory approval be given to the Home Care Service of NSW for the free use of Alexandria Town Hall on 7th September 2001, and under the provisions of Section 356, Council agrees to forgo \$200 in income and \$100 in costs, to allow Home Care Service of NSW conduct a Seminar for Aboriginal Youth.

(A/DCS Report 27.8.01)

Carried.

6.

**PUBLIC RELATIONS – SYDNEY GAY AND LESBIAN BUSINESS
ASSOCIATION – 20TH ANNUAL DINNER – CONFIRMATORY APPROVAL
(2012703)**

That confirmatory approval be given to Council sponsoring a table at the 20th annual dinner of the Sydney Gay and Lesbian Business Association at a cost of \$855, and that such amount be charged against account code 1.51.3210.16680.0, for which funds are available.

(GM Report 31.8.01)

Carried.

7.

**SSROC INVITATION TO ASSIST FINANCIALLY TO OPPOSE A NEW
REACTOR AT LUCAS HEIGHT (M54-00004)**

This matter was submitted to Council without recommendation.

Moved by Councillor Furness, seconded by Councillor Lennon:-

- (1) That Council assists in the legal challenge to the Federal Government's decision to build a new reactor at Lucas Heights and the amount of \$5,000 be voted additional to the budget.
- (2) That a letter be forwarded under the signature of the Mayor to the Federal Leader of the opposition seeking a commitment to the blocking

of the construction of the new Nuclear Reactor at Lucas heights should he gain government at the next Federal Election.

Carried.

8.

PUBLIC RELATIONS – COMMUNITY BANK – UPDATE (2023660)

- (1) That Council Officers facilitate a meeting with the seven interested Community Banking – Steering Committee representatives to promote the concept and encourage other residents to be part of the Steering Committee;
- (2) That Council Officers submit a report to the Finance Committee on the outcome of the meeting referred to in clause (1) above;

Carried.

9.

RATES – ARREARS AS AT 30 JUNE 2001 (2004815)

That the report by the Director of Finance dated 3 September 2001, concerning arrears of rates and interest charges at 30 June 2001, be received and noted.

Carried.

10.

COMMUNICATIONS – COMMUNICATIONS AUDIT 2001 – APPROVAL OF FUNDS (2025043)

That approval be given to add up to \$14,000 to the Media Estimates (1.55.3305.16620) for the 2001-2002 financial year to fund the Communications Audit 2001.

(MM Report 31.8.01)

Carried.

11.

RATES – NON-RATEABILITY OF VARIOUS LANDS WITHIN THE BOUNDARIES OF SOUTH SYDNEY CITY COUNCIL (2021416)

That arising from consideration of a report by the Director of Finance dated 30 August 2001, detailing items (1) to (12) of land which has been determined

as non-rateable, approval be given to the appropriate amendments to the Rate Book and consequential refund of rates where applicable.

Carried.

12.

**ANNUAL LOCAL GOVERNMENT TOUCH FOOTBALL CARNIVAL
14TH OCTOBER 2001 – PARTICIPATION BY SOUTH SYDNEY
COUNCIL(329687)**

That approval be given to the amount of \$1,000 being allocated to the South Sydney Council Touch Football Club to allow Council employees to participate in the Annual Local Government Touch Football Competition to be held by Kogarah Council on 14th October, 2001, and that the amount be added to the 2001/2002 Budget.

(CAM/PO Report 3.9.01)

Carried.

13.

**STREETS – DALMENY AVENUE, ROSEBERY – PROPOSED TRAFFIC
CALMING SCHEME, MID BLOCK RAISED THRESHOLDS AND BICYCLE
ROUTE (T52-00016)**

- (A) That Council endorses the proposed traffic calming management plan and pavement line marking of bicycle paths in Dalmeny Avenue, Rosebery, between Epsom Road and Kimberley Grove.
- (B) That approval be given for the expenditure of funds for the construction of:
 - (1) two mid-block raised thresholds on Dalmeny Ave, Rosebery between Epsom Road and Kimberley Grove to an amount of \$48,500 for which funds are available in the item "Miscellaneous Traffic Measures, Minor Works" section (41-016) of the 2001/02 Engineering Works Programme;
 - (2) the linemarking and associated works to create the section of endorsed cycleway along Dalmeny Ave Rosebery between Epsom Road and Kimberley Grove to an amount of \$36,000 for which funds are available in the item "Suburban Amenity Improvements-Bicycle Projects RTA" section (41-024) of the 2001/02 Engineering Works Programme (DPWS report 31.8.01).

Carried.

14.

**REPORT OF THE PROPERTIES SUB-COMMITTEE - WEDNESDAY,
5 SEPTEMBER 2001 COMMENCING AT 6.20 PM**

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

That it be resolved that the undermentioned recommendations of the Properties Sub-Committee of its meeting of 5 September 2001, be approved and adopted.

14.1.

**PROPERTIES – NO. 94 EPSOM ROAD, ROSEBERY – COUNCIL'S FLEET
MANAGEMENT AND GARAGE OFFICES – ACCEPTANCE OF TENDER
FOR ALTERATIONS AND ADDITIONS (2022793)**

That approval be given to accept the tender submitted by Gold Key Building Services to carry out the alterations and additions to the Fleet Management and Garage offices at No. 94 Epsom Road, Rosebery in the amount of \$238,428 (excluding GST) and the provision of \$35,764 (15% of the contract value) as a contingency for unforeseen works, for which funds are available in the 2001/2002 Public Works Support Works Programme (Account Code: 21035 .801.16630).

(A/DCS Report 29.05.01)

Carried.

14.2.

**LEASING – NO. 66 OXFORD STREET, SUITE 4 LEVEL 2, DARLINGHURST
RENEWAL OF LEASE TO FARRINGTON CORPORATION SERVICES PTY.
LTD. (2008998)**

That approval be given to Farrington Corporate Services Pty Ltd exercising their Option for a further two (2) year lease of Council owned premises, Suite 4, Level 2, 66 Oxford Street, Darlinghurst, at a rental of \$34,050 per annum gross *inclusive* of outgoings (\$2,837.50 per month) *plus* the Goods and Services Tax, together with one (1) car space, commencing on 6 October, 2001, under the same terms and conditions as the existing lease and subject to the following conditions, namely:-

- (1) That Council retains the existing Bank Guarantee of \$5,758;
- (2) That the rent be reviewed on the 2nd term by CPI;
- (3) That the lessee is to provide unconditional Personal Guarantees for the term of the lease;

- (4) 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;
- (5) 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;
- (6) 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;
- (7) That all relevant documents are to be executed by Council's Attorney;
- (8) 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 30.8.01)

Carried.

14.3.

PROPERTIES – LEASING – NO. 84, OXFORD STREET, DARLINGHURST – RENEWAL OF LEASE – BETTY'S SOUP KITCHEN (I52-00174)

This matter was submitted to Council without recommendation.

Moved by Councillor Mallard, seconded by Councillor Furness:-

That approval be given to Betty's Soup Kitchen Pty Ltd being granted a 5 year lease with an option to lease the premises for a further term of 5 years of Council premises Basement and Ground, 84 Oxford Street, Darlinghurst at a commencement rental of \$95,060 per annum gross, inclusive of outgoings, commencing on 1 September 2001 subject to the provisions of the existing lease and the following conditions, namely:-

- (1) That the rental be reviewed annually in accordance with the Consumer Price Index (All Ordinaries) Sydney for the term of the lease and option period;

- (2) That the rent to be reviewed to market at the commencement of the option period;
- (3) That the Lessee is responsible for the payment of the Goods and Services Tax;
- (4) That the Lessee is to provide a Bank Guarantee or Bond equivalent to three (3) months rental at the increased rate;
- (5) That Lessee is to provide unconditional Personal Guarantees for the term of the lease;
- (6) 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;
- (7) That any proposed alterations or Development Applications for the leased premises including refurbishment, fit-out 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;
- (8) 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;
- (9) That all relevant documents are to be executed by Council's Attorney;
- (10) 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.

(A/DCS Report 21.8.01)

Carried.

14.4.

PROPERTIES – ASBESTOS REMOVAL AT NO. 136-140 JOYNTON AVENUE, ZETLAND – ACCEPTANCE OF TENDER (2022596)

That Council accepts the tender submitted by Ronnies Demolitions P/L to carry out the Asbestos Removal to Council's old Administration Buildings at 136 & 140 Joynton Avenue, Zetland in the amount of \$317,152 (excluding GST) and the provision of \$47, 573 (15% of the contract value) as a

contingency for unforeseen works, for which funds are available in the 2001/2002 Properties Management Programme (Account Code: 71501 .801.16630).

(A/DCS Report 29/05/01)

Carried.

14.5.

PARKING – COPE STREET CAR PARK - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2016576)

That the matter be deferred and that:-

- (a) the Acting Director of Corporate Services contact a State Rail Authority to ascertain if they would be interested in using the car park in connection with their park and ride scheme;
- (b) That Council's Consultants investigating car parking controls in the South Sydney area, be requested to look at the matter of the Cope Street Car Park being utilised as a public car park.

Carried.

14.6.

LEASING – NO. 112 OXFORD STREET, DARLINGHURST – RENEWAL OF LEASE TO MR. DUC HONG NGUYEN AND MS. KOMONWAN SANDY HOMKLIN (I52-00201)

That approval be given to Mr Duc Hong Nguyen and Ms Komonwan Sandy Homklin exercising their option for a further five (5) year lease plus an additional five (5) year option of Council owned premises shopfront and basement 112 Oxford Street, Darlinghurst at a rental of \$4,825 per month (\$57,900 per annum) gross inclusive of outgoings plus the Goods and Services Tax commencing on 1st December 2001 under the same terms and conditions as the existing lease and subject to the following conditions, namely:-

- (1) That the rental be reviewed on the 2nd, 3rd, 4th and 5th terms of the lease by the Consumer Price Index (CPI). At the commencement of the option period, if exercised, a review to market be carried out;
- (2) That the Lessee is to provide a Bank Guarantee or Bond equivalent to three (3) months rental
- (3) 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;

- (4) 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;
- (5) 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;
- (6) That all relevant documents are to be executed by Council's Attorney;
- (7) 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;
- (8) That the lessee is responsible for the payment of the Goods and Services Tax.

(A/DCS Report 30.08.01)

Carried.

14.7.

PROPERTIES – LEASING – WATKIN LANE 3, NEWTOWN – LEASE TO THE WOMENS' LIBRARY INC (201553)

That Council receives and notes the report by the Acting Director of Corporate Services dated 30 August 2001.

At the request of Councillor Pooley, and by consent, the motion was amended by the addition of the words "and that the Womens' Library Inc be granted a six monthly lease of No. 3 Watkin Lane, Newtown, pending the resolution of Council on the review of its properties.

Motion, as amended by consent, carried.

14.8.

PARKS – VIADUCT RESERVES, WOOLLOOMOOLOO – BOUNDARY ALIGNMENT (L52-00145)

That the report by the Director of Public Works and Services dated 30 August 2001, regarding Viaduct Reserves, Woolloomooloo, be received and noted, and further:-

- (1) Council supports the boundary alignment with Mr. Robert Hutcheon's property;

- (2) Council supports the State Rail Authority leasing the residual “axe handle” portion of land, subject to the submission of a Development Application;
- (3) the Director of Public Works and Services be requested to prepare a landscape treatment for the area.

Carried.

14.9.

LICENSING – NO. 322, VICTORIA ROAD, DARLINGHURST – PROPOSED FOOTWAY LICENCE (5275286)

That approval be given to:-

- (1) the rescission of the Approval of Council dated 8 December 1999 with King Pig Pty Ltd (A C N 088 222 066) and Peter Joanne Pty Limited (A C N 088 233 327) over an area of 9.9 square metres of the footway of Victoria Street, adjacent to Bar Coluzzi at No. 320-324 Victoria Street, Darlinghurst;
- (2) the granting of a licence to Jerry and George Mitzinis (ABN 93 214 967 212) over an area of 9.9 square metres of the footway of Victoria Street, Darlinghurst as shown stippled on Plan No.S4-130/513A and subject to the conditions in the attached schedule;
- (3) the approval of (1) terminating on 26 April 2001 and the licence in (2) commencing on 27 April 2001;
- (4) 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 metres (payable monthly in advance) set by the annual Scale of Fees and Charges adopted by Council;
- (5) the licence commencing only following the satisfactory compliance with conditions 7 and 8 attached, the Licensee executing the licence agreement, and the issuing of written permission to occupy the site;
- (6) the execution of all-relevant documents and plans by Council's Attorney;
- (7) the Licensee paying Council's legal costs and disbursements incidental to the preparation, execution and stamping of the licence agreement;
- (8) this approval lapsing three 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 Condition 7 and 8, or failed to execute the licence agreement;

- (9) any rent that falls due as a result of commencing the footway licence is paid by the due date;
- (10) the licensee submitting plans to the satisfaction of the Director of Public Works and Services showing details of how the tables and stools are to be attached to the footway;
- (11) the installation of the fixtures for the fixed tables and stools being completed within 3 months from the date of this approval otherwise the approval will lapse (DPWS 17/8/01).

Carried.

14.10.

LEASING – LEVEL 2, NO. 94, OXFORD STREET, DARLINGHURST – SYDNEY GAY AND LESBIAN COMMUNITY PUBLISHING LTD. (I52-00232)

This matter was submitted to Council without recommendation.

Moved by Councillor Mallard, seconded by Councillor Furness:-

That approval be given for Gay & Lesbian Community Publishing Limited to continue to occupy Council premises 19,2,21,33 and 34, 94 Oxford Street Sydney on a month to month basis for a term of 12 months commencing from 1 September 2001 under provisions of the existing lease and subject to the following conditions, namely:-

- (1) That the Lessee provides Council, free of charge, a half page Mayoral Column styled as advertising, in each weekly edition for the term of the rent free period, 1 September 2001 to 28 February 2002;
- (2) That Council donates an amount of \$24,660.00 (plus GST) under Section 356 of the Local Government Act representing rent for the six month period from 1 September 2001 to 28 February 2002;
- (3) That the rent for the remainder six months term be at a rate of \$24,660.00 per annum gross (plus GST);
- (4) That the Lessee be given the option to lease the premises at expiration of the 12 month period for a further five years ie from 1 September 2002;
- (5) That if the option is exercised, the rent is to be reviewed market with annual CPI increases throughout the term of the option period;
- (6) That the Lessee 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 Lessee against any claims that may arise during the term of the lease;

(7) That the Lessee is to provide Personal Guarantees.

(A/DCS Report 31.8.01)

Carried.

14.11.

**PROPERTIES – NO. 83A, STEWART STREET, PADDINGTON –
PROPOSED PURCHASE OF VACANT LAND FROM CALDISC PTY LTD
FOR USE AS OPEN SPACE (2016809)**

This matter was submitted to Council without recommendation.

Moved by Councillor Mallard, seconded by Councillor Furness:-

- (A) That approval be given to the purchase of vacant land, No. 83A Stewart Street, Paddington, from Caldisc Pty Ltd, at a cost of \$905,000 *inclusive* of the GST, based on the Margin Scheme, of which funds are available from the Section 94 Contribution Fund and General Reserve for the GST component.
- (B) That the streetscape matter be referred to the Director of Public Works and Services for the development of an urban design plan to demonstrate the extent of existing streetscape improvements including road closures and open space areas.

Carried.

14.12.

**PROPERTIES/REG BARTLEY OVAL GRANDSTAND AND DEPOT
BUILDING- ACCEPTANCE OF QUOTATION FOR PREPARATION AND
PAINTING AND ADDITIONAL FUNDS (2023820)**

That approval be given:-

- (1) to accept the quotation from Basecoat Pty Ltd in the amount of \$46,675.00 (excluding GST) to carry out the removal of lead-based paint and repainting of the Reg Bartley Oval Grandstand and Depot buildings;
- (2) for the provision of \$7,002 (15% of the contract value) as a contingency for unforeseen works;
- (3) for additional funds of \$25,677 (exclusive of GST) to be revoted to the 2001/2002 Parks Works Programme for the removal of lead-based

paint and repainting of the Reg Bartley Oval Grandstand and Depot buildings. (Project No. 21052.801.16630).

Carried.

14.13.

LEASING – NOS. 212-222 KING STREET, NEWTOWN – REPRESENTATIONS BY THE NEWTOWN NEIGHBOURHOOD CENTRE (2017561)

This matter was submitted to Council without recommendation.

Moved by Councillor Mallard, seconded by Councillor Furness:-

That Council receives and notes the report by Acting Director Corporate Services dated 4 September 2001 concerning the representations from Newtown Neighbourhood Centre.

Carried.

The Properties Sub-Committee Meeting terminated at 6.55 p.m.

The Finance Committee Meeting terminated at 7.24 p.m.

REPORT OF THE COMMUNITY SERVICES COMMITTEE

5 September 2001

PRESENT

Councillor Peter Furness (Chairperson)

Councillors –Tony Pooley, Shayne Mallard and Gregory Shaw

At the commencement of business at 7.25 pm those present were -

Councillors:- Furness, Pooley, Mallard and Shaw.

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

That the Report of the Community Services Committee of its meeting of 5 September 2001, be received and the recommendations set out below for Items 1 and 3 to 5, inclusive, be adopted. . The recommendations set out

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below for Items 2 and 6 having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

1.

COMMUNITY SERVICES – NATIONAL YOUTH ROUNDTABLE (C57-00016)

That the report by the Director of Health and Community Services dated 28 August 2001, be received and noted.

Carried.

2.

HEALTH – STORMWATER TRUST GRANTS FOR APPOINTMENT OF STORMWATER EXTENSION OFFICERS (2008765)

That arising from the report of the Director of Health and Community Services dated 30 August 2001, it is recommended that:

- (1) Council provides, in principal, support for the employment of a stormwater extension officer for the Georges River-Botany Bay Catchment and Sydney Harbour-Parramatta River catchment.
- (2) Council, in its 2002-3 budgetary planning process, will consider the allocation of funds towards the funding of the stormwater extension officer during that period.

At the request of Councillor Furness, and by consent, the motion was amended by the addition of the following clause (3), namely:-

- (3) arising from consideration of the "Discussion Paper – Stormwater Levy" any resolution taken be referred to South Sydney Development Corporation and Southern Sydney Regions of Councils to note. (DPWS Report 5.9.01)

Motion, as amended by consent, carried.

In response to a question raised by Councillor Lennon, the Mayor asked the Director of Public Works and Services to provide details in relation to blocked drains in the Kings Cross area.

3.

COMMITTEES – HOMELESSNESS, MARGINAL AND AFFORDABLE HOUSING COMMITTEE – MINUTES FROM MEETING OF 30 JULY 2001 (2023331)

That the minutes of the meeting of the Homelessness Marginal and Affordable Housing Committee held on 30 July 2001, be received and noted, and that the Director of Health and Community Services be requested to:-

- (a) submit a report on Beehive Industries wanting to start food distribution to the homeless;
- (b) circulate the report by the Society of St. Vincent's de Paul to all Councillors.

Carried.

4.

PARKS – SPRINGFIELD PRECINCT – APPROVAL TO EXHIBIT DETAIL DESIGN MASTERPLAN AND ARTWORK ELEMENTS (2022689)

That approval be given to:

- (1) the exhibition of the Concept Plan (Attachment A to the Director of Public Works and Services' report) in Council's One Stop Shop, the Kings Cross Library and on site at the two existing signboards in Springfield Gardens and Llankelly Place, for the period from Monday 17 September 2001 to Friday 18 October 2001, to seek community comment;
- (2) the exhibition being advertised in the local Wentworth courier;
- (3) a further report being submitted to Council to report on the Exhibition and seek adoption of the Concept Design prior to Construction Documentation for which funds are available in 2001/2002 (Project No. 21056) (Budget ref: 45-015)

(DPWS Report 30.8.01)

Carried.

5.

**PARKS – ARTHUR MCELHONE RESERVE, ELIZABETH BAY –
APPROVAL TO ADOPT THE DRAFT HERITAGE STUDY AND REVIEW OF
PROPOSED LANDSCAPE MASTER PLAN OF THE MCELHONE RESERVE
(2022689)**

- (A) That approval be given to the adoption of the Draft Heritage Study and Proposed Landscape Master Plan of the Arthur McElhone Reserve accompanying the Director of Public Works and Services report dated 21 August 2001.
- (B) That the Director of Public Works and Services be requested to prepare a report on the time frame for the implementation of landscaping in the reserve.

Carried.

6.

**ADMINISTRATION – STREET LIGHTING ISSUES – RESOLUTION FROM
SOUTH SYDNEY REGIONS OF COUNCILS (SSROC) (S56-00386)**

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 Public Works and Services dated 5 September 2001 in regard to street lighting issues, Council endorse the recommendations of SSROC and support strategies therein including the cooperation in providing information

Carried.

The Community Services Committee Meeting terminated at 7.50 p.m.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

5 September 2001

PRESENT

The Mayor, Councillor John Fowler (Chairperson)

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

At the commencement of business at 6.54 pm, those present were -

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

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

That the Report of the Planning and Development Committee of its meeting of 5 September 2001, be received and the recommendations set out below for Items 1, 5, 6, 8, 9, 11 and 12, be adopted. The recommendations for Items 2 to 4, inclusive, 7 and 10 having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

1.

PLANNING – OXFORD STREET REFERENCE GROUP – MINUTES FOR MEETINGS 1 AND 2 (2023456)

That Council endorse the minutes of the June and July 2001 meetings of the Oxford Street Reference Group.

(DPB Report 29.8.01)

Carried.

2.

WARD AVENUE, NO. 11, POTTS POINT – CHANGE OF USE OF FOUR INDIVIDUAL SHOPS TO CREATE A SINGLE CONVENIENCE STORE TO OPERATE 24 HOURS DAILY – DEVELOPMENT APPLICATION (U01-00625)

This matter was submitted to Council without recommendation.

Moved by Councillor Mallard, seconded by Councillor Furness:-

(A) That the Council refuses to grant its consent under the Environmental Planning and Assessment Act, 1979 to the development application submitted by ABC Planning Pty Ltd, with the authority of SP 14156, to amalgamate four shops into one and establish a 24 hour convenience store, for the following reasons, namely:-

- (1) That the proposal will have adverse amenity, social and economic impacts on the area and is inconsistent with the objectives of the Mixed Use Zone in LEP 1998 and is deemed as prohibited development;

- (2) That the proposal would adversely impact on residential amenity by way of operating hours, noise, vehicular and pedestrian traffic and does not comply with the objectives and performance criteria in Part E of DCP 1997;
 - (3) That the proposal would cause adverse economic and social impacts such as loss of employment opportunities and loss of community social interaction and is inconsistent with Part D of DCP 1997;
 - (4) That the proposal is not consistent with the planning intent of Part F of DCP 1997 relating to the provision of vibrant non-residential uses that provide a buffer between mixed and residential areas;
 - (5) That the proposal is not in the public interest.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

At this stage and at 7.50 pm, it was moved by Councillor Bush, seconded by Councillor Mallard:-

That the Council resolve to meet as a Committee of the Whole with Press and Public excluded to discuss the foregoing matter, as it dealt with a legal matter regarding the Development Application.

Carried.

Those present at the meeting of the Committee of the Whole being:

The Mayor and Councillors Bush, Furness, Harcourt, Lay, Lennon, Mallard, Pooley and Shaw.

At 8.00 pm the Council Meeting resumed.

The Mayor then asked the Supervising Committee Clerk to read out the recommendation of the Committee of the Whole.

The Supervising Committee Clerk read out the following recommendation, namely:

That the recommendation for refusal in the report by the Director of Planning and Building dated 12 September 2001, be approved and adopted.

The recommendation of the Committee of the Whole was then put and carried.

3.

CHALLIS AVENUE, NO. 31, POTTS POINT – ALTERATIONS TO EXISTING PRIVATE HOTEL INCLUDING RENDERING OF BRICK FAÇADE AND INSTALLATION OF A CAFÉ AT GROUND FLOOR – DEVELOPMENT APPLICATION (U99-00882)

This matter was submitted to Council without recommendation.

Moved by Councillor Mallard, seconded by Councillor Furness:-

- (A) That the Council grant its deferred commencement consent pursuant to Section 80(3) OF the Environmental Planning and Assessment Act, 1979 to the development application submitted by Angela Heracleous with the authority of Despina and Nicos Heracleous for alterations to an existing private hotel including the installation of a ground floor cafe; subject to the following conditions, namely:-
- (1) That the consent shall not operate until the application has provided details responding to the following matters, which shall be submitted within 3 months of the date of this deferred commencement consent and shall be to the satisfaction of, and approved in writing by the Director of Planning and Building prior to the approval of the construction certificate;
 - (a) Scaled details of the proposed awning, including details of materials and colours;
 - (b) Details of mechanical ventilation and exhaust system in accordance with condition 9;
 - (c) Details of the window frames for the Challis Avenue elevation in accordance with condition (37);
 - (2) That prior to issuing a Construction Certificate, it will be necessary to lodge with Council a fee of \$870 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;
 - (3) That prior to issuing the Construction Certificate, it will be necessary to produce evidence of the payment of the levy, or the first installment of the levy, required under the Building and Construction Industry Long Service Payments Act 1986, and ensure that the plans are suitably endorsed. The levy, to the value of \$116, or first installment (as applicable), can be paid to

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the Council, providing that a completed levy payment form accompanies the payment;

- (4) That the façade of the building above the proposed awning shall not be rendered or painted;
- (5) That the development shall be generally in accordance with plans dated 6th November 1999;
- (6) That the hours of operation shall be restricted to between 7am to 11pm daily;
- (7) That the proposed brickwork shall match the existing brickwork, to be detailed with the application for a Construction Certificate;
- (8) That the new doors in the front elevation shall be constructed in timber joinery;
- (9) That a separate development application shall be submitted at the appropriate time for any proposed signs;
- (10) That at no time shall the pedestrian footpath be blocked by garbage or vehicles;
- (11) That ventilation shall be provided in accordance with the requirements of Part F4 of the BCA;
- (12) That the storage cupboard under the stairs shall be deleted;
- (13) That the existing front doorway shall remain to give direct discharge from the building;
- (14) That any alteration or addition to any essential fire safety measure shall result in the system being made to comply with the requirements of the building code of Australia;

and the following standard conditions:

- (15) Builders hoarding permit ¹⁰⁰⁸
- (16) Vehicular footway crossing ³¹⁰³
- (17) Delivery of construction materials ³¹⁰⁴
- (18) Refuse skips ⁶¹⁰²
- (19) Construction hours ⁹¹⁵¹
- (20) Works Within Boundary ⁹⁹¹⁵²

- (21) Compliance with building code of Australia⁸⁵⁰¹
 - (22) Issue of occupation certificate⁹¹⁰¹
 - (23) Building/demolition noise control⁹¹⁵⁶
 - (24) Maintain existing building in a stable condition⁹¹⁵⁷
 - (25) Excavations and backfilling⁹¹⁵⁹
 - (26) Support for neighbouring buildings⁹¹⁶³
 - (27) Protection of openings in dwellings⁹³³⁰
 - (28) Maintaining unobstructed access to exits⁹⁴²⁶
 - (29) Coverage of fire fighting equipment⁹⁴²⁸
 - (30) Altering exit door in the direction⁹⁴²²
 - (31) Portable fire extinguishers be installed⁹⁵⁰²
 - (32) Fire blanket be installed⁹⁵⁰³
 - (33) Protection of walls and floors in wet areas (class 2 to 9)⁹⁶⁰¹
 - (34) Mechanical ventilation (class 2 to 9)⁹⁶¹⁵
 - (35) Construction of external walls for dampness (class 2 to 9)⁹⁶²³
 - (36) Weighted sound reduction indices floor wastes⁹⁶²²
 - (37) That the new aluminium window frames for the Challis Avenue elevation shall have a wide profile and be powder coated in a colour sympathetic to the building.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

At the request of Councillor Harcourt, and by consent, condition (4) in the recommendation being amended to read:-

- (4) That only the front façade of the building above the proposed awning shall not be rendered or painted;

Motion, as amended by consent, carried.

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

4.

BURREN STREET, NO. 2, ERSKINEVILLE – CONSTRUCT FIRST FLOOR ADDITIONS WITH SKILLION ROOF AND THREE DORMER WINDOWS – DEVELOPMENT APPLICATION (U01-00565)

This matter was submitted to Council without recommendation.

Moved by Councillor Mallard, seconded by Councillor Furness:-

- (A) That the Council grants its deferred commencement consent pursuant to Section 80(3) of the Environmental Planning and Assessment Act, 1979 to the development application submitted by Lyn Parry (owner) to the “Construction of a first floor addition with a skillion roof and three dormer windows”, subject to the following conditions, namely:-
- (1) That the consent shall not operate until the applicant has provided details to Council responding to the following matters, which shall be submitted within 3 months of the date of this deferred commencement consent and shall be to the satisfaction of the Director of Planning and Building and approved in writing by the Director of Planning and Building prior to approval of a Construction Certificate:
 - (a) Amended plans showing compliance with Conditions (9), (10), and (11), as detailed below;
 - (2) 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;
 - (3) That prior to issuing the Construction Certificate, it will be necessary to produce evidence of the payment of the levy, or the first installment of the levy, required under the Building and Construction Industry Long Service Payments Act 1986, and ensure that the plans are suitably endorsed. The levy, to the value of \$100, or first installment (as applicable), can be paid to the Council, providing that a completed levy payment form accompanies the payment;
 - (4) That the development shall be generally in accordance with the plans listed in the table below, marked in red by Council, stamped approved by Council, and held in Council’s file U01-00565, except as conditioned elsewhere:

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Drawing No.	Amendment	Dated	Drawn by
01 A	A	July 2001	A Holman
02 A	A	July 2001	A Holman
03 A	A	July 2001	A Holman
04 A	A	July 2001	A Holman
05 A	A	July 2001	A Holman

- (5) That the dwelling shall be retained as a single dwelling;
- (6) That plans shall be submitted to the satisfaction of Council showing the skillion extension, including windows facing west, being set back 900mm from the western property boundary.
 - (a) fire rated, non-openable windows in accordance with the requirements of the Building Code of Australia;
- (7) That an acoustic report prepared by a qualified acoustic engineer shall be submitted to the satisfaction of Council showing the following:
 - (a) That vibration from rail operations in the roof space do not exceed Curve 1.4 as defined in AS2670.2-19 on the floor of any habitable space; and
 - (b) That the $L_{10(20\text{ min})}$ noise level and the $TL_{(\text{rail traffic})}$ in the roof extension with windows normally open (ie at least 5% of the floor area of the room) is less than 50dBA. This requirement may be satisfied by the alternative provision of either a mechanical or natural ventilation system or a special acoustic design solution. (NOTE: This requirement is not necessary for bathrooms or storage areas);
- (8) That the applicant shall submit to the satisfaction of Council details showing either compliance with the following conditions or provide an alternative solution illustrating how the relevant performance requirements can be satisfied:
 - (a) 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;
 - (b) That minimum ceiling heights of rooms or spaces in buildings shall comply with the requirements of Part 3.8.2 of the BCA;
 - (c) 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;

- (9) 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) Smoke alarms⁹⁵²³
 - (b) Stairs and Balustrades⁹⁴¹⁹
 - (c) Protection of walls and floors in wet areas⁹⁶⁰²
 - (d) Clothes washing, drying and cooking facilities⁹⁶⁰⁴
 - (e) Damp and weather proofing⁹⁶⁰⁵
 - (f) Ceiling heights of rooms⁹⁶¹¹
 - (g) Natural light and ventilation⁹⁶¹³
 - (h) Mechanical ventilation to internal bathrooms and laundries⁹⁶¹⁶
 - (i) Construction of External Walls for Dampness⁹⁶²⁴
 - (j) Protection of External Walls⁹³²³ (with specific attention directed to the proposed western external wall of the attic level);

and the following standard conditions:

- (10) Compliance with BCA⁹¹⁰⁴
- (11) Construction Certificate required⁹¹⁵⁵
- (12) Stormwater details⁹⁰⁰³
- (13) Structural Design Certificate⁹⁰⁰⁶
- (14) Comply with the WorkCover Authority⁹¹⁰⁵
- (15) Construction hours⁹¹⁵¹
- (16) Building/demolition noise control⁹¹⁵⁶
- (17) Maintain existing building in a stable condition⁹¹⁵⁷
- (18) Works to be within allotment boundaries⁹¹⁵⁸
- (19) Demolition to comply with Australian standard⁹¹⁶¹

- (20) Glazing provisions⁹³²⁹
- (21) Obstruction of the public way³¹⁰¹
- (22) Delivery of construction materials³¹⁰⁴
- (23) Stormwater (general)⁴¹⁰¹
- (24) Refuse skips⁶¹⁰²
- (25) Works Within Boundary⁹⁹¹⁵²
- (26) Soil and sediment control⁷⁰⁸⁵

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

Carried.

5.

CLEVELAND STREET, NO. 305, REDFERN – PROVISION OF ENTERTAINMENT AND EXTENSION HOURS OF NORFOLK HOTEL – DEVELOPMENT APPLICATION (U01-00178)

NOTE:

That pursuant to resolution of Council of 9 February 2000, this matter was unanimously approved by the Planning and Development Committee under delegation, subject to the conditions in the report by the Director of Planning and Building dated 31 August 2001.

Carried.

6.

MANDIBLE STREET, NOS. 25 – 33, ALEXANDRIA – SECTION 96 AMENDMENT TO DEVELOPMENT APPLICATION FOR 24 HOUR A DAY OPERATION/7 DAYS A WEEK OF CONCRETE BATCHING PLANT (U96-00456)

NOTE:

That pursuant to resolution of Council of 9 February 2000, this matter was unanimously refused by the Planning and Development Committee under

delegation for the reasons in the report by the Director of Planning and Building dated 31 August 2001.

Carried.

7.

PALMER STREET, NOS. 234 – 236 & 238, EAST VILLAGE HOTEL – ALTERATIONS AND ADDITIONS INCLUDING RENOVATION OF ROOFTOP TERRACE STRUCTURE AND CREATION OF AN INTERNAL LINKAGE BETWEEN THE MAIN GROUND FLOOR AND ADJOINING COMMERCIAL SPACE FOR ADDITIONAL SEATING – DEVELOPMENT APPLICATION (U01-00336)

This matter was submitted to Council without recommendation.

Moved by Councillor Mallard, seconded by Councillor Furness:-

(A) That the Council grants its deferred commencement consent pursuant to Section 80 (3) of the Environmental Planning and Assessment Act 1979, to the development application submitted by Emerald Logic Pty Ltd, with the authority of Retemu Pty Ltd for permission to carry out alterations and additions to the existing hotel including the use of the roof top terrace as bar and the erection of associated structures, the extension of the hotel into the ground floor of 238 Palmer Street and its use as a bistro, subject to the following conditions, namely:-

- (1) That the consent shall not operate until the applicant has provided details responding to the following matters, which shall be provide within 3 months of the date of this deferred commencement consent and shall be approved in writing by the Director of Planning and Building prior to the commencement of works:
 - (a) Details of the Security Management Plan as required by condition no. 4;
 - (b) Details of materials as required by condition no. 8;
 - (c) Details of the roof terrace balustrade as required by condition no. 9;
 - (d) Evidence that the unauthorised seating attached to the ground floor facade has been removed as required by condition no. 10;
 - (e) Details of the additional stair as required by condition (11);

- (2) That the use of the roof top terrace shall cease 12 months from the date that an occupation certificate is issued in respect of this Development Consent. A further application may be lodged to continue the operation of the roof top terrace a maximum of 3 months before the end of the 12-month trial period for Council's consideration. Such consideration will be based on, inter alia, the performance of the operator in complying with the development consent conditions, and any complaints received and any views expressed by the Police and/or the community. If any subsequent development application for the use of the roof area as a bar is refused, the rooftop structure, the subject of this application, shall be removed;
- (3) That the development shall be generally in accordance with drawings no. 1 of 2 and 2 of 2 by Avalon Drafting Services dated April 2001, except where amended by the plans dated 11 July , 2001 faxed by Emerald Logic to Council, except where amended by the conditions below;
- (4) That the applicant shall prepare and submit a Security Management Plan, which specifies security patrol, surveillance and other security and response methods and security management of the public and private domain within and surrounding the site. The plan shall be submitted to Council and shall be to the satisfaction of the Director of Planning and Building;
- (5) That the maximum number of patrons on the subject premises at any one time shall not exceed 164 (including no. 238 Palmer Street);
- (6) That the hours of operation of the premises be confined to 11.00 am to 12.00 midnight, Mondays to Saturdays and 11.00 am to 10.00 pm, Sundays;
- (7) That the ground floor of the premises currently known as 238 Palmer Street shall be used for restaurant purposes only (maximum 24 persons) and no gaming devices, amusement devices or the like are permitted to be installed in any part of the ground floor premises currently known as 238 Palmer Street. Use of the premises 238 Palmer Street as a Class 6 use shall be restricted to the ground floor only;
- (8) That samples of materials and finishes to be used on the exterior of the building shall be submitted to and approved by the Director of Planning and Building;
- (9) That further details of the balustrade treatment detailed in the faxed plans dated 11 July, 2001 shall be submitted to Council and approved by the Director of Planning and Building;

- (10) That the unauthorised seating attached to the ground floor facade of the hotel shall be removed;
- (11) That details of the secondary staircase as required by Clause D1.2(iv) of the BCA shall be submitted to Council and approved by the Director of Planning and Building;
- (12) That the licensee shall ensure that all patrons using the roof of the East Village Hotel are contained within the roof structure approved. No patrons are permitted to traffic the other areas of the roof including the areas adjacent to the parapet of the building;
- (13) That the Plan of Management and the Security Management Plan required by this consent shall be complied with at all times except where with at all times except where amended by conditions of this consent;
- (14) 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;
- (15) That prior to issuing the Construction Certificate, it will be necessary to produce evidence of the payment of the levy, or the first installment of the levy, required under the Building and Construction Industry Long Service Payments Act 1986, and ensure that the plans are suitably endorsed. The levy, to the value of \$100, or first installment (as applicable), can be paid to the Council, providing that a completed levy payment form accompanies the payment;
- (16) 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) Access to exits⁹⁷¹³
 - (b) Exit doors installed in a path of travel to an exit⁹⁴²¹
 - (c) Handrails and balustrades⁹⁷¹⁵
 - (d) Edges of treads of stairs⁹⁷¹⁹

- (e) Curtains or blinds⁹⁷²²
- (f) Fabric used for chairs⁹⁷²³
- (g) Fuel burning stoves prohibited⁹⁷²⁵
- (h) Separation of entertainment area⁹⁷²⁶
- (i) Separation of storerooms⁹⁷²⁹
- (j) Electric mains installation⁹⁷³⁴
- (k) Protection of openings⁹³⁰⁷
- (l) Doorways in fire-isolated stairways⁹³¹¹
- (m) Material and lining fire hazard properties⁹³²⁷
- (n) Material and lining fire hazard properties⁹³²⁸
- (o) Enclosing walls in fire-isolated stairways⁹³¹³
- (p) Height of travel path in exit⁹⁴⁰³
- (q) Portable fire extinguishers be installed⁹⁵⁰¹
- (r) Portable fire extinguishers be installed⁹⁵⁰²
- (s) Fire blanket be installed⁹⁵⁰³
- (t) Hose reels be installed⁹⁵⁰⁶
- (u) Hydrants be installed⁹⁵⁰⁷
- (v) Emergency lighting⁹⁵¹⁸
- (w) Exit signs⁹⁵¹⁹
- (x) Directional signs⁹⁵²⁰
- (y) Number of toilets to be provided⁹⁶⁰⁸
- (z) Mechanical ventilation (class 2 to 9)⁹⁶¹⁵
- (aa) Ceiling heights of rooms or spaces (class 2 to 9)⁹⁶¹²
- (bb) Existing stair to be enclosed⁹⁸⁰²

- (cc) That an additional exit shall be provided to serve the storeys used as an auditorium in a place of public entertainment pursuant to Clause D1.2(iv) of the BCA;
 - (dd) That the underside of all timber floor/ceilings shall be protected by lightweight material having a resistance to the incipient spread of fire to the space above of 60 minutes. Alternatively, the building shall be protected throughout by an automatic sprinkler system comply with AS 2118.1;
 - (ee) That smoke hazard management shall be provided to the proposed entertainment area in accordance with the requirements of Part E2 of the BCA;
 - (ff) That the access ladder/stair to the basement area shall meet with the requirements of Clause D2.18 of the BCA;
 - (gg) That the capacity for the public entertainment area shall accord with condition 911) of development consent U00-00037 of 6 June 2000;
 - (hh) That the maximum capacity of the upper two levels of the building shall be 64 persons, allowing the total capacity of the premises to be 164 persons;
 - (ii) That any exit door shall not shall not incorporate a step or ramp at any point closer to the doorway than the width of the door in accordance with Clause D2.15 of the BCA (reference is directed to the exit door to the roof level);
 - (jj) That the storage of goods or storage areas shall not be directly accessed via the fire stair or located within the fire stair;
- (17) Construction certificate required⁹⁷⁰⁶
 - (18) Construction hours⁹¹⁵¹
 - (19) Construction Certificate required⁹¹⁵⁵
 - (20) Maintain existing building in a stable condition⁹¹⁵⁷
 - (21) Works to be within allotment boundaries⁹¹⁵⁸
 - (22) Commencement of structural works⁹²⁰²
 - (23) Display of approval⁹⁷⁰¹
 - (24) Maintenance of premises⁹⁷⁰⁴

- (25) The premises, in particular internal rooms not provided with adequate natural ventilation complying with the requirements of Part 3.8.5 of the Building Code of Australia, shall be mechanically ventilated in accordance with the requirements of the Building Code of Australia;
- (26) The construction, fitout and finishes of the bar areas shall comply with the National Code for Construction and Fitout of Food Premises;
- (27) That the sanitary compartments located on the ground floor, first floor, second floor and roof level not provided with an airlock being provided with an airlock a minimum of 1.1m² in area and the doors opening to and from the airlocks being self-closing. Alternatively, the necessity for an airlock is obviated provided that the sanitary compartments are ventilated by a mechanical exhaust system to comply with AS1668.2-1991. If mechanical exhaust ventilation is provided the entry doors into the sanitary compartments shall be adequately screened from view;
- (28) Any mechanical exhaust ventilation systems provided to the sanitary compartments shall extract at least 10 l/s per square metre of floor area but not less than 25 l/s per sanitary fixture;
- (29) Wastewater arising from the bar areas, commercial kitchen and trade waste facilities shall be directed to the sewers of the Sydney Water Corporation (SWC) under a Trade Waste License Agreement. The applicant is advised that pre-treatment of wastewater may be a requirement of the Corporation prior to the discharge to the sewer. Details of the Corporation's requirements should be obtained prior to the commencement of work;
- (30) The storage and handling of garbage and recyclable materials shall comply with the requirements of Council's Waste Management/Minimisation Fact Sheets;
- (31) That a garbage/recyclable materials room or garbage/recyclable materials storage area shall be provided within the site and constructed in accordance with the requirements of Council's Waste Management/Minimisation Fact Sheets;
- (32) That noise and vibration from the use and operation of any plant and equipment and/or building services associated with the premises shall not give rise to "offensive noise" as defined under the Protection of the Environment Operations Act, 1997;
- (33) 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 commencement of any works:

No	Health Aspect	Standard or Requirement
(i)	All proposed and altered mechanical ventilation systems.	Building Code of Australia and AS1668.
(ii)	The garbage room or garbage receptacle storage area.	SSCC Waste Management/ Minimisation Fact Sheets.
(iii)	The layout, disposition and method of installation of fixtures and fittings, together with wall, floor, and ceiling finishes to the bar areas.	The Food Regulation, 2001 and the National Code for Construction and Fitout of Food Premises.

- (34) That no public entertainment shall occur on the 2nd floor, roof top terrace area (3rd floor) or ground floor of 238 Palmer Street without first obtaining development consent under the Environmental Planning and Assessment Act and approval under the Local Government Act.

NOTE 1: 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.

NOTE 2: Your attention is drawn to the requirements of the Smoke-Free Environment Act, 2000, which prohibits smoking in all enclosed public spaces. An enclosed public space means a place having a ceiling or roof and, except for doors and passageways, completely or substantially enclosed, whether permanently or temporary. Under the Act there is an onus of responsibility on both individual and occupiers of premises to refrain from and prevent smoking within defined smoke-free areas. (Some exemptions do apply.)

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

- (C) That the licensee provide an undertaking, within 14 days of the date of communication of this resolution that there will be no public entertainment on the ground and first floor until such time as the conditions of consent U00-0037 have been complied with, including an approval under the Local Government Act.
- (D) That the licensee be advised that failure to remove the unauthorised structures on the roof top and seating on the façade of the building within 3 months may result in Council commencing action in the Land and Environment Court.

Carried.

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

8.

COMMONWEALTH STREET, NOS. 106 – 112, SURRY HILLS – USE PREMISES AS RESTAURANT/CAFÉ – DEVELOPMENT APPLICATION (U01-00011)

At the Planning and Development Committee Meeting the application was withdrawn by the applicant in letter dated 5 September 2001.

Carried.

9.

O'RIORDAN STREET, NOS. 84 – 92, ALEXANDRIA – ERECT BULKY GOODS RETAIL CENTRE – DEVELOPMENT APPLICATION – CONTRIBUTION INCLUDED IN CONSENT (U01-00392)

NOTE:

That pursuant to resolution of Council of 9 February 2000, this matter was unanimously approved by the Planning and Development Committee under delegation, subject to the conditions in the report by the Director of Planning and Building dated 31 August 2001.

Carried.

10.

MACKEY STREET, NO. 48, SURRY HILLS – DEMOLITION AND RECONSTRUCTION OF VARIOUS EXTERNAL AND INTERNAL WALLS – DEVELOPMENT APPLICATION (U00-00424)

- (A) That the Council as responsible authority grants its consent under the Environmental Planning and Assessment Act 1979 to the Section 96 modification submitted by Cracknell and Lonergan Architects Pty Ltd, with the authority of R, J.V, R.P and R.A Wimbush, for permission to

vary a consent granted to *“Demolish and reconstruct the rear portion of the cottage and add a second storey”* by:

- (1) Deleting Condition 3 and replacing it with the following condition:
 - (a) Condition (3): “That the development shall be generally in accordance with Plan DA1/2 issue B, dated August, 2000 and titled ‘48 Mackey Street amended alterations and additions to existing cottage’, as amended by plans numbered CC00 and CC01, drawn by Cracknell and Lonergan Architects Pty Ltd and dated June 2001;”
- (B) That the persons who made representations in respect of the proposal be advised of Council’s decision.

Carried.

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

11.

MACLEAY STREET NO.2, POTTS POINT - SYDNEY CITY COUNCIL – DEVELOPMENT APPLICATION – NOTIFICATION (2020564)

That Council unanimously give confirmatory approval:-

- (A) That the Planning and Development Committee endorse this report.
- (B) That the report be forwarded to Sydney City Council as a submission opposing the Development Application.
- (C) That a copy of the report be forwarded to the NSW Heritage Office and the Australian Heritage Commission.

(DPB Report 4.9.01)

Carried.

12.

PARKS – SUBMISSION TO CENTENNIAL PARKLANDS IN RELATION TO “CENTENNIAL PARKLANDS – DRAFT TRANSPORT, ACCESS AND PARKING PLAN” AND “CENTENNIAL PARKLANDS – DRAFT MOORE PARK SOUTH MASTERPLAN AND PLAN OF MANAGEMENT” (T53-00743)

- (A) That approval be given to send Attachment A and Attachment B to Centennial Parklands to provide comment on Centennial Parklands – Draft Transport, Access & Parking Plan and Centennial Parklands – Draft Moore Park South Masterplan and Plan of Management.

- (B) That the fourth paragraph on page 3 of the draft submission on transport access and parking plan being amended to read:-

The aim to reduce on-grass, special event parking at Moore Park East should be stronger. The commitment should be remove the on grass parking. As a public open space asset, the integrity of the Parklands should not be sacrificed by allowing a commercial venture to take precedence over the environmental value of the area. Much of this parking demand could be accommodated in the new underground car park proposed for the ES Marks Field; park-and-ride shuttle service from the Moore Park Supa Centa; and increased usage of the train/bus shuttle from Central and Bondi Junction Stations.

(DPWS Report 5.9.01)

Carried.

The Planning and Development Committee Meeting terminated at 8.45 p.m.

The Council Meeting terminated at 8.11 p.m.

Confirmed at a meeting of South Sydney City Council
held on2001

CHAIRPERSON

GENERAL MANAGER

GENERAL MANAGER