

300th Meeting

Erskineville Town Hall
Erskineville
403641

Wednesday, 19 June 2002

An Ordinary Meeting of South Sydney City Council was held at the Council Chambers, Erskineville Town Hall, 104 Erskineville Road, Erskineville, at 6.30 pm on Wednesday, 19 June 2002.

PRESENT

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

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

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GENERAL MANAGER

Confirmation of Minutes

Moved by Councillor Harcourt, seconded by Councillor Mallard:-

That the minutes of the Ordinary Meeting of Council of 19 June 2002, be taken as read and confirmed.

At the request of Councillor Furness and by consent the minutes be amended on page 605 in relation to Payment of Mayor/Councillors fees for 2002/2003 by the deletion of "Councillor Furness" as mover of the motion and the insertion of the "Mayor".

At the request of Councillor Lennon, and by consent the minutes be amended on page 625 by the addition of the words "Councillor Lennon requested her name be recorded as voting against the foregoing motion" immediately below the word "Carried" in relation to Item 14.4.

Minutes, as amended by consent, were then carried.

Leave of Absence - Councillor Pooley

A request was received from Councillor Pooley for leave of absence from the Committee meeting of 26 June 2002.

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

That leave of absence be granted to Councillor Pooley from the Committee Meeting of 26 June 2002.

Carried.

MINUTE BY THE MAYOR

19 June 2002

PUBLIC RELATIONS – DEATH OF MR JOHN ALLOTT-RODGERS (2004380)

It is with regret that I note the passing of Mr John Allott-Rodgers who died in hospital on June 6 after a short illness.

Mr Allott-Rodgers for the last 13 years had been a sales executive and writer for the *Daily Telegraph*. He was a well-known figure at the Aurora Hotel in Elizabeth Street, Surry Hills, where John and many of his co-workers often met for a drink after work.

Born in Sydney and educated at Trinity Grammar, Mr Allot-Rodgers gained a BA from the University of NSW and acted as Liaison Officer with the US Navy during the

GENERAL MANAGER

Vietnam War. He later worked in a wide variety of jobs including on cattle stations and as a photographer for Channel 7, before commencing work with *the Daily Telegraph* in 1989.

In recent years Mr Allott-Rodgers was a regular contributor to the history page of the *Telegraph*.

It is recommended that a letter under the signature of the Mayor offering the condolences of the Council, be forwarded to his wife, Mrs Margot Pitkin.

Councillor John Fowler (SGD)
Mayor

Moved by Councillor Mallard, seconded by Councillor Lay:-

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

Carried.

MINUTE BY THE GENERAL MANAGER

19 June 2002

COUNCIL - COUNCIL AND COMMITTEE MEETINGS FOR REMAINDER OF 2002 – CHANGE OF MEETING DATES (C63-00119)

To Council

The National General Assembly of Local Government is to be held in Alice Springs from Saturday 2nd to Wednesday 6 November 2002, and is to be attended by Councillors.

Committee meetings have been scheduled to be held on Wednesday evening 6 November 2002, and because of travel time constraints some Councillors may not be able to return to Sydney in time for such meetings.

It is considered therefore that the Committee Meetings set down for Wednesday 6 November should be rescheduled to the following Wednesday and further all scheduled Committee and Council meetings for the remainder of the year be put back one week with the last Council meeting for the year being held on 18 December 2002.

The Mayor's delegation would need to be amended to coincide with the rescheduled meetings.

GENERAL MANAGER

Recommendation

(a) That the Committee Meetings set down for Wednesday 6 November 2002 be now held on Wednesday, 13 November 2002 and that the previously adopted Committee and Council meeting dates for the remainder of the year be put back one week with the last Council meeting for the year being held on 18 December 2002, in accordance with the attached schedule.

(b) That resolution of Council of 12 December 2001, whereby it was decided *inter alia*:

that Council recess on the undermentioned dates:

From midnight Wednesday 23rd October to midnight Wednesday 6th November 2002.

From midnight Wednesday 11th December to midnight Wednesday 29th January 2003.

-be amended only insofar as to provide for the deletion of the recess dates and for Council to recess on the following new dates, namely:-

From midnight, 23 October to midnight 13 November, 2002.

From midnight 18 December 2002 to midnight 29 January 2003.

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

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

Michael Whittaker (SGD)
General Manager

Moved by Councillor Mallard, seconded by Councillor Furness:-

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

Carried.

MINUTE BY THE GENERAL MANAGER

18 June 2002

PERSONNEL - ORGANISATIONAL REVIEW OF COUNCIL – APPOINTMENT OF DIRECTORS (P53-00119)

In relation to this matter a minute dated 18 June 2002, by the General Manager was circulated to all councillors prior to the Council Meeting and was press and public excluded.

The reason for the press and public being excluded in this matter is in accordance with Section 10A (2)(a) "Personnel Matters concerning particular individuals" of the Local Government Act 1993.

Michael Whittaker (SGD)
GENERAL MANAGER

At this stage and at 6.38 pm, it was moved by Councillor Lay, seconded by Councillor Harcourt:-

That the Council resolve to meet as a Committee of the Whole with Press and Public excluded to discuss the matter, as it dealt with a Personnel Matter.

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

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

At 6.45 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 then read out the following recommendation of the Committee of the Whole.

That the recommendation as contained in the minute by the General Manager dated 18 June 2002, be approved and adopted.

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

GENERAL MANAGER

MINUTE BY THE GENERAL MANAGER

15 June 2002

**CONFERENCES - MANAGEMENT PLAN CONFERENCE WEEKEND –
ARRANGEMENTS (2006310)****TO COUNCIL**

At the Council Meeting held on 5 June 2002, it was resolved that suitable dates for the holding of the Management Plan Conference be circulated to all Councillors in order that a final date be determined.

The Secretariat Section under the direction of myself, e-mailed all Councillors requesting that they choose in order of preference the following dates available:-

1. 2-4 August 2002
2. 16-18 August 2002
3. 4-6 October 2002
4. 11-13 October 2002

As a result, Councillors have responded to the Secretariat Section and the results are as follows:-

- ? 3 Councillors have indicated their preference for the 11-13 October weekend
- ? 2 Councillors have indicated that any of the dates are suitable on the list
- ? 1 Councillor has indicated a preference for the dates in August, but not in October
- ? 2 Councillors indicated a preference for the 16-18 August date
- ? 1 Councillor indicated a preference for the 4–6 October date

Ron Wilcoxon, Director of City Works has indicated also that he will be unable to attend the weekend of 11-13 October 2002, due to an overseas holiday.

As a result of the varied responses from Councillors, it is still uncertain what date should be chosen in August or October, and in order to resolve the matter, I therefore recommend to Council that the date of the Conference be 15-17 November 2002, which is the usual date for the Conference. Contact has been made with Cypress Lakes Resort and they have confirmed that this date will be available for Council's Conference.

GENERAL MANAGER

RECOMMENDATION:

That further to the resolution of Council of 5 June 2002, it be resolved that the minute by the General Manager dated 27 May 2002, be adopted and amended by the date of the Management Weekend Conference being held on 15-17 November 2002.

Michael Whittaker (SGD)
GENERAL MANAGER

Moved by Councillor Harcourt, seconded by Councillor Lay:-

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

Carried.

PETITION

1.

The Mayor tabled a petition received by the General Manager with approximately 57 signatures appended from residents of the Macleay Regis Building, objecting to the proposed extension of the "Lotus" restaurant hours at No. 61 – 63 Macleay Street, Potts Point.

Received

QUESTIONS WITHOUT NOTICE

1.

**PUBLIC RELATIONS - KIMBERLEY ESTATE, ROSEBERY –
DISTRIBUTION OF INNER CITY NEWS - QUESTION WITHOUT NOTICE BY
COUNCILLOR FURNESS (2014543)**

Question:

I have once again received complaints from residents of Kimberley Estate, Rosebery, that they did not receive the most recent *Inner City News*. I have, on a number of occasions, raised this issue before.

Can a concerted effort be made to include this estate of around 800 units in all future distributions of Council literature?

Answer by the Mayor:

I will have a report come back through the Councillors Information Service.

GENERAL MANAGER

2.

PLANNING – STREET PROSTITUTION IN ST. KILDA, VICTORIA – CIRCULATION OF REPORT TO COUNCILLORS - QUESTION WITHOUT NOTICE BY COUNCILLOR FURNESS (2022943)**Question:**

I understand a report to the Victorian Government on issues surrounding street prostitution in and around St Kilda was released today. Could Council's Sex Industry Liaison officer provide a brief summary of that report for the benefit of Councillors? I also understand the question of a government owned and run safe house brothel may have been canvassed.

Could this matter also be confirmed and addressed in any report?

Answer by the Mayor:

I will have Mr Miles prepare a report for Committee.

3.

TRAFFIC – MACLEAY STREET AND WYLDE STREET, DARLINGHURST – POSSIBLE CLOSURE - QUESTION WITHOUT NOTICE BY COUNCILLOR LENNON (2005916)**Question:**

Could a report come to Council on the closing of the end of Macleay Street and the beginning of Wylde Street? It is suggested that government buses and taxis only be allowed through as the rat run is getting worse in this largely pedestrian area.

Answer by the Mayor:

I will have an Officer prepare a report for the Traffic Committee.

4.

FINANCE – COMMONWEALTH BANK OF AUSTRALIA – CASH AND INVESTMENTS – TRANSFER TO BENDIGO BANK – QUESTION WITHOUT NOTICE BY COUNCILLOR LENNON (M51-00005)**Question:**

Could Council investigate moving its \$14 million from the Commonwealth Bank to the Bendigo Bank which is on call in the next three months, as the Commonwealth Bank has a major 17% ownership of major logging in Tasmania?

Answer by the Mayor:

I will have a report come to Committee.

5.**LEASE – DOMAIN PARKING STATION – REMOVAL OF LAWN -
QUESTION WITHOUT NOTICE BY COUNCILLOR LENNON (L02-00069)****Question:**

Mr Wilcoxon, do you know what is going on above the Domain Carpark? Why has all the lawn been pulled up?

Answer by Mr Wilcoxon:

The surface is part of the Botanical Garden.

Answer by the Mayor:

Mr Wilcoxon will endeavour to find out and place the information in the Councillors Information Service.

6.**RECYCLABLE MATERIALS – USE OF COMPACTION RATE
REQUIREMENT AND INCLUSION INTO COUNCIL'S CONTRACT –
COLLECTION OF RECYCLABLE - QUESTION WITHOUT NOTICE BY
COUNCILLOR LAY (2026601)****Question:**

Could Council's Waste Services Manager please provide a report on the use of a compaction rate requirement for the collection of recyclable to ensure the quality and highest value use of materials? Further, could the report investigate the relevance of and implementation of such a criteria into Council's Contract?

Answer by the Mayor:

I will have the Waste Services Manager examine that issue.

7.

PARKING – AUTHORISED VEHICLE AND AUTHORISED DISABLED PARKING SPACES – ANNUAL REVIEW - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (P51-00420)

Question:

Could Council's Officers please establish a mechanism to annually review the currency of Authorised Vehicle and Authorised Disabled Parking spaces?

Answer by the Mayor:

I will have Mr Wilcoxon prepare a report and respond through the Councillors Information Service.

8.

PARKING – REMOVAL OF ON-STREET PARKING TO FORM OFF-STREET PARKING– FORMATION OF POLICY - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (2002804)

Question:

Could Council's Officers please provide a report with a view to developing a policy to assess requests for the removal of on-street parking to provide off-street parking, particularly in laneways?

Answer by the Mayor:

Perhaps it could include a definition of what is a community car space.

9.

PARKS – RUSHCUTTERS BAY PARK – STORMWATER DRAIN - QUESTION WITHOUT NOTICE BY COUNCILLOR MALLARD (2025650)

Question:

I have received a letter from the member of Wentworth, Mr. Peter King, regarding the amenity of the Stormwater canal that runs through Rushcutters Bay Park. The residents has suggested something in terms of appearance and its ineffectiveness in preventing pollution, by improving it and converting it into a major environmental feature, using it as an organic filtration system, incorporating boulders reeds and natural water flows, could serve as a reminder of the wetlands that give the park its name. I understand there are a number of companies that specialise in this type of technology including perpetual billabongs. This proposal is supported by local businesses like the Rushcutters Harbourside Hotel. So could we have a report based on the correspondence from Peter King regarding this proposal, whether or not it is feasible and what authorities have to be involved in it?

GENERAL MANAGER

Answer by the Mayor:

I have written to Mr King. It would be a very interesting project if it could get the whole of government approach.

10.**ANTISOCIAL ACTIVITIES – SUPPLY OF ILLEGAL SUBSTANCES – IDENTIFICATION OF SEX ON PREMISES VENUE - QUESTION WITHOUT NOTICE BY COUNCILLOR MALLARD (2013719)****Question:**

I am informed that in the past seven days there have been two overdoses in Kings Cross. I am told that a sex worker supplied heroin to two male customers, one of whom died of an overdose and the other is in a critical condition in hospital.

Can Council's Sex Industry Liaison Officer contact the Kings Cross Police and prepare a report on this matter, including identification of the sex on premises venue?

Answer by the Mayor:

I will have the General Manager make enquires with the Local Area Commander and in the second instance, I will leave it to his discretion to generate a report.

11.**DEVELOPMENT – PARKING OF BUS AND DAY TRIPPERS - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2005967)****Question:**

It has come to my attention that 87 businesses in the Central and South Ward are operating illegally by accepting coach and day trippers without accommodating for off-street parking. We need a policy to accommodate the spring vote in revitalised areas whilst not impeding through traffic, could a report be prepared?

Answer by the Mayor:

I will have the General Manager bring that matter back to the Traffic Committee.

12.

TRAFFIC – HUNTLEY, BOURKE AND HUNTLEY AND COLLINS STREETS, ALEXANDRIA – TRAFFIC PROBLEMS - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2026271)**Question:**

Can Council investigate the traffic situations on the corners of Huntley and Bourke Streets and Huntley and Collins Streets? Can this matter come to the Traffic Committee?

Answer by the Mayor:

I will ask Mr Wilcoxon to prepare a report in terms of its current status and respond through the Councillors Information Service.

13.

TRAFFIC – COWPER WHARF ROAD , WOOLLOOMOOLOO – TRAFFIC FLOW AND PEDESTRIAN AMENITIES- QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2017370)**Question:**

I have asked this question before, can Council investigate traffic flowing from Cowper Wharf Road and pedestrian amenities?

Answer by the Mayor:

The reason these questions keep appearing are that they are on boundary roads and relate to co-ordination with the Roads and Traffic Authority and City Council's Traffic Committee, and I will try to have the General Manager progress these issues.

14.

PERSONNEL – CIVIC FUNCTIONS FOR COUNCIL'S DIRECTORS - ORGANISATION - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2023875)**Question:**

Can the General Manager organise/investigate Civic Functions to recognise the valuable contributions that Directors have made to South Sydney Council?

Answer by the Mayor:

I will have him prepare a report and respond through the Councillors Information Service.

15.

**PUBLIC RELATIONS – SOUTH SYDNEY CRICKET CLUB LUNCHEON,
19 JULY 2002 – ATTENDANCE BY COUNCIL REPRESENTATIVES -
QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2023389)**

Question:

I have received an invitation from South Sydney Cricket Club to attend a fundraising luncheon at Parliament House on 19 July 2002. Could the matter go to Committee?

Answer by the Mayor:

That matter can go to Committee in order for the appropriate assessment.

16.

**DEVELOPMENT – WENTWORTH AND HAROLD PARKS – RESUMPTION
OF LAND BY STATE GOVERNMENT AND SYDNEY HARBOUR
FORESHORE AUTHORITY - QUESTION WITHOUT NOTICE BY
COUNCILLOR BUSH (2020564)**

Question:

Leichhardt Council has made representations on behalf of Wentworth and Harold Parks being resumed by the State Government and the Sydney Harbour Foreshore Authority for development. Can the Mayor write to the relevant Departments to ascertain what assistance they are asking for?

Answer by the Mayor:

I will ask the Secretariat to remind the Mayor to write to the Mayor of Leichhardt.

17.

**ELECTIONS – PARTY DECLARATION – PRESELECTION OF
COUNCILLOR MALLARD AS LIBERAL CANDIDATE IN NEXT STATE
ELECTIONS - QUESTION WITHOUT NOTICE BY COUNCILLOR POOLEY
(2027057)**

Question:

My question is to Councillor Mallard. I extend my congratulations on his recent pre-selection, could he advise Council so we can advise local residents whether he is running as a Liberal reform candidate in the State Election? If not, does he still describe himself as a Liberal Reform Councillor, while we all

understand that Liberals have many faces, could he advise the current status of the Organisation formerly known as Liberal Reform?

Answer by Councillor Mallard:

Liberal Reform lives on and is as healthy as ever, and if you happen to vote for the Liberals in the Council Election, and I know that some ex-Labor party members did, when you went into place your number in the ballot paper, it was the Liberal Party of Australia founded by Sir Robert Menzies in 1944 and that is the Party I represent.

**REPORT OF THE MANAGEMENT REVIEW COMMITTEE HELD AT
ERSKINEVILLE TOWN HALL ON 19 JUNE 2002**

At the commencement of business and at 6.05 pm those present were:-

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

The Committee recommended the following:-

**1. ADMINISTRATION – MANAGEMENT PLAN 2002/2005 – PROPOSED
ADOPTION (2026037)**

- (A) Council receives and notes the submissions.
- (B) Council adopts the 2002/2005 Management Plan as placed on public exhibition and approves:
 - 1. The replacement of pages 66, 67 and 83 dealing with financial information as in Attachment B.
 - 2. Expenditure of \$124,864,920 comprising Operating and Capital items for the Financial Year commencing 1 July 2002 as detailed on the Financial Summary contained in the Estimates.
 - 3. Determining the following categories and sub-categories (refer Map - Attachment C)

For Rateable Land categorised as Residential the following sub categories:

Residential Population Centre A - comprising of the following suburbs:

Alexandria, Beaconsfield, Centennial Park, Darlington, Erskineville, Eveleigh, Moore Park, Newtown, Paddington, Redfern, Rosebery, St Peters, Surry Hills, Waterloo and Zetland.

Residential Population Centre B - comprising of the following suburbs:

Camperdown, Chippendale and Ultimo.

Residential Population Centre C - comprising of the following suburbs:

Darlinghurst, Elizabeth Bay, Potts Point, Rushcutters Bay and Woolloomooloo.

For Rateable Land categorised as Business the following sub categories:

Business Activity Centre A - comprising of the following suburbs:

Alexandria, Beaconsfield, Centennial Park, Darlington, Erskineville, Eveleigh, Moore Park, Newtown, Paddington, Redfern, Rosebery, St Peters, Surry Hills, Waterloo and Zetland.

Business Activity Centre B - comprising of the following suburbs:

Camperdown, Chippendale and Ultimo.

Business Activity Centre C comprising of the following suburbs:

Darlinghurst, Elizabeth Bay, Potts Point, Rushcutters Bay and Woolloomooloo.

4. Making the following ad valorem Rates in the Dollar:

ZERO POINT TWO ZERO ONE CENTS IN THE DOLLAR (0.201) upon "Residential Land in Population Centre A", with a minimum of \$338.00,

ZERO POINT ONE SIX FIVE CENTS IN THE DOLLAR (0.165) upon "Residential Land in Population Centre B", with a minimum of \$327.00,

ZERO POINT ONE SIX FIVE CENTS IN THE DOLLAR (0.165) upon "Residential Land in Population Centre C", with a minimum of \$327.00,

ONE POINT ZERO SEVEN NINE CENTS IN THE DOLLAR

(1.079) upon "Business Land in Activity Centre A", with a minimum of \$476.00,

ZERO POINT NINE CENTS IN THE DOLLAR (0.9) upon "Business Land in Activity Centre B" with a minimum of \$460.00 AND

ZERO POINT NINE CENTS IN THE DOLLAR (0.9) upon "Business Land in Activity Centre C" with a minimum of \$460.00.

5. In compliance with Section 496 of the Local Government Act 1993, Council resolves to make a Domestic Waste Management Charge using a base of \$207.00 per unit per annum for regular service and using a base of \$302.00 per unit per annum for Extended Service from July 1 2002 for each dwelling for which the Domestic Waste Management Service is available.
6.
 - (a) The Rates and Domestic Waste Management Charges being payable in respect of the 2002/2003 rating year and being unpaid by the due dates as stipulated by Sections 562 (3) and (4) of the Local Government Act 1993, will incur interest on the overdue amount from the due date until date of payment.
 - (b) The Rates and Domestic Waste Management charges being payable in respect of previous rating years and being due, but still unpaid on the first day of July 2002, will incur interest on the overdue amount from the first day of July until date of payment.
 - (c) The amount of the increase in each of the above cases being a sum calculated at the rate of **NINE PER CENT (9%)** per annum on a daily simple interest basis.
7. All Rates and Domestic Waste Management Charges becoming due in 2002/2003 Rating Year by an eligible pensioner (within the meaning of Sections 575 and 577 of the Local Government Act 1993) and any extra charges relating thereto shall be written off under Sections 582 and 583 of the Local Government Act 1993, when **TEN (10)** years have elapsed since the commencement of the 2002/2003 Rating Year.

(GM Minute dated 19 June 2002)

GENERAL MANAGER

Councillor Furness requested that his name be recorded as voting against the foregoing motion in regard to the different rate charges.

2. ADMINISTRATION – STRATEGIC PLAN 2002/2007 – ADOPTION

That the minute by the General Manager dated 17 June 2002, be adopted for the Strategic Plan for 2002/2007.

3. ADMINISTRATION – MANAGEMENT PLAN – ADDITIONAL AND AMENDED FEES AND CHARGES – PROPOSED ADVERTISING

(A) That Council approves the proposed amendments to the fees and charges as detailed in the report of the Acting Director of Community Development dated 14 June 2002, being advertised for 28 days for public comments.

(GM Minute dated 17 June 2002).

(B) That a further report be submitted to Council regarding the use of Joseph Sargent Centre and other facilities by political parties.

The Management Review Committee terminated at 6.20 pm

Moved by Councillor Mallard, seconded by Councillor Bush:-

That the above recommendations of the Management Review Committee meeting held on 19 June 2002, be approved and adopted.

Carried.

Councillor Furness requested that his name be recorded as voting against the foregoing motion in regard to the different rate charges.

REPORT OF THE FINANCE COMMITTEE

12 June 2002

PRESENT

Councillor Shayne Mallard (Chairperson)

The Mayor, Councillor John Fowler and Councillors – Jill Lay and Gregory Shaw

At the commencement of business at 6:58 pm, those present were -

The Mayor and Councillors – Lay, Mallard and Shaw

GENERAL MANAGER

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

That the Report of the Finance Committee of its meeting of 12 June 2002, be received and the recommendations set out below for Items 1 to 3 inclusive, and 5 to 14.4 inclusive be adopted. The recommendation for Item 4 having been dealt with as shown immediately following such Item.

Carried.

The Committee **recommended** the following:-

1.

ELECTIONS – CONDUCT OF CONSTITUTIONAL REFERENDUMS AND REVIEW OF WARD BOUNDARIES (2021700)

That the report by the Acting Director of Corporate Services dated 28 May, 2002, in regard to Constitutional Referendums and the review of Ward Boundaries, be received and noted.

Carried.

2.

FINANCE – MONTHLY INVESTMENTS REPORT PERIOD ENDING, 30 APRIL 2002 (2015594)

That the Investment Report by the Chief Financial Officer dated 5 June 2002 and also the report dated 13 June 2002, that was circulated to Councillors before the commencement of the Council Meeting, detailing the monthly investments for the period ending 30 April, 2002 be received and noted subject to the figures on page 2 of the report in the “Closing Apr 02 Actual” column opposite the word “Parking” in the main column being altered to “ 800” and the figure of “2000” in the same column opposite the words “Vehicles and Mob. Plant (P & A) being altered to “600” and the figure of “60,696” in the same column in the “Total Cash Backed Reserves” being altered to “56,296”.

Carried.

3.

PUBLIC RELATIONS - THE GREENHOME PROPOSAL – ENERGY EFFICIENT LIGHT BULB PROPOSAL (5256737)

That arising from consideration of a report by the Director of City Environment dated 30 May 2002, it be resolved that:-

- (1) Council supports and endorses The Green Home’s 100 million, energy efficient light bulb promotion;

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- (2) appropriate media releases and promotion be arranged to coincide with the launch and implementation of the project;
- (3) a further report be prepared within six months of the launch of the Green Home's promotion outlining the progress and include options and costs for the direct purchase of compact fluorescent light bulbs for free distribution at community events.

Carried.

4.

DONATIONS – COUNCILLOR PAT DIXON MEMORIAL SCHOLARSHIP – LOCAL GOVERNMENT AND SHIRES ASSOCIATION OF NSW (2002408)

This matter was submitted to Council without recommendation.

Moved by Councillor Mallard, seconded by Councillor Bush:-

That the report by the Acting Director of Community Development dated 4 June 2002, in respect of a one off donation of \$5,000 to the Local Government and Shires Associations of NSW for the Pat Dixon Memorial Scholarship Program, be received and noted.

Motion negatived.

It was moved by Councillor Lay, seconded by Councillor Harcourt, that the whole of the above resolution be deleted and the following new resolution be inserted in lieu thereof, namely:-

Arising from the report from the Acting Director Community Development dated 4 June, 2002 that Council approves a one of donation of \$5,000 to the Local Government and Shires Associations of NSW for the Pat Dixon Memorial Scholarship Program, and that the Mayor be requested to write to the Local Government and Sires Associations of NSW advising them that Council is supporting the Councillor Pat Dixon Memorial Scholarship Programme, they be informed that Council supports affirmative action and female leadership.

Motion,carried.

5.

DONATIONS – NSW – ABORIGINAL EDUCATION CONSULTATIVE GROUP – DONATION FOR 25TH ANNIVERSARY CELEBRATION BALL (2002408)

That the report by the Acting Director of Community Development dated 4 June 2002, requesting Council give consideration to the request from the NSW Aboriginal Education Consultative Group for a donation towards co-ordination

GENERAL MANAGER

of the celebration ball to mark the 25th anniversary of the organisation, be received and noted.

Carried.

At the request of Councillor Lennon, the Mayor directed that the information on drugs that is received by the Council be circulated in the Councillors Information Service.

6.

DONATIONS – LIFE EDUCATION AUSTRALIA FOR THE CONTINUATION OF DRUG EDUCATION PROGRAM FOR CHILDREN - REQUEST FOR FINANCIAL ASSISTANCE (2002408)

That arising from consideration of a report by the Acting Director of Community Development dated 4 June 2002, approval be given to a donation of \$ 1,250 to Life Education NSW for Life Education Drug Awareness Program for primary school children in the South Sydney City Council LGA, with funds to be added to the 2001/2002 Section 356 of the Local Government Act, 1993, Donations Program, to cover this expenditure.

Carried.

7.

FINANCE – MONTHLY INVESTMENTS REPORT PERIOD ENDING, 31 MARCH 2002 (2025594)

That the Investment Report by the Chief Financial Officer dated 5 June 2002, detailing the investment report for the period ending 31 March 2002, be received and noted.

Carried.

8.

CONFERENCES – MANAGING THE RISK – THE IMPACTS AND ISSUES WITH VOLUNTEERS IN SPORT AND RECREATION – 25 AND 26 JULY 2002 – HUNTER VALLEY GARDENS LODGE, POKOLBIN – ATTENDANCE OF COUNCIL REPRESENTATIVES (2010599)

That arising from consideration of a report by the Acting Civic Affairs Manager/Public Officer dated 5 June 2002, approval be given to the Mayor, and interested Councillors, only attending the “Managing the Risk – The Impact and Issues with Volunteers in Sport and Recreation”, to be held at the Hunter Valley Gardens Lodge, Pokolbin, on 25 & 26 July 2002, and that registration fees, accommodation and out of pocket expenses for conveyance and subsistence in travelling be borne by the Council, for which funds will be available in the 2002/2003 Budget.

It was moved by Councillor Lay, seconded by Councillor Shaw that the motion be amended by the deletion of the words "Mayor and interested Councillors" where appearing in the second and third lines of the recommendation and the insertion in lieu thereof of the words "General Manager or nominated Council Officers attend the conference"

Motion, as amended, carried.

9.

**COMMUNITY SERVICES – FORMER GOLDEN FLEECE KINDERGARTEN
BLACKFRIARS STREET, CHIPPENDALE – WAIVE HIRE FEE FOR FREE
COMMUNITY MEDITATION CLASSES (2025809)**

That arising from consideration of a report by the Acting Director of Community Development dated 7 May 2002, approval be granted to waiving the current hire fees of \$11 per hour for the running of a free community access meditation class at the Golden Fleece Kindergarten for an initial period of six (6) months, on the proviso that the space available does not clash with the centre's needs and programs, and that a further report be submitted to Council after six months following an evaluation.

Motion negatived.

It was moved by Councillor Lay, seconded by Councillor Furness that the whole of the above resolution be deleted and the following new resolution be inserted in lieu thereof namely:-

That the application be refused.

During discussion on the matter Councillor Bush made a derogatory remark towards Councillor Furness and his political party. The Mayor requested that Councillor Bush withdraw his remark and apologise. Councillor Bush apologised and withdrew his remark unreservedly.

Motion, as moved by Councillor Lay, carried.

During further discussion, Councillor Bush said that he would pay the appropriate fee for the hire of the kindergarten.

The Mayor directed that this statement be recorded in the minutes.

10.

**CLEANING - GARBAGE/WASTE SERVICES – ACCEPTANCE OF LEVY
FUNDS - DEFUNCT SOUTHERN SYDNEY WASTE BOARD (2024228)**

That for the reasons set out in the report by the Director of City Works dated 5 June 2002, approval be given to:-

- (1) accept the amount of \$166,664 from the Southern Sydney Waste Board and increase the income budget (Account code 1.14.2140.35050.0);
- (2) increase the Waste Services operational expenditure budget by the amount of \$166,664 (Account code 1.14.2140.15405.0).

Carried.

11.

PERSONNEL – SENIOR STAFF – ANNUAL REPORTING OF CONTRACTS (P53-00119)

That the report by the Acting Director of Corporate Services dated 30 May 2002, reporting on the Contractual conditions of senior staff be received and noted subject to the alteration of the commencement dates for Mr R Wilcoxon being altered to 28 August 2000 and Mr Grahame Dearsley being altered to 12 March 1998.

Carried.

12.

FINANCE - AGED AND DISABILITY SERVICES – VOLUNTARY WORKERS EXPENSES (PETROL ALLOWANCE) - INCREASE (2014558)

That for the reasons set out in the report by the Acting Director of Community Development dated 4th June 2002, Council grant its approval to an increased payment for expenses for voluntary workers from \$15 per run to \$20 per run petrol allowance from 1 July 2002, for which funds are available in the Specific Donations Project Codes (61105/6/8:801:16665).

Carried.

13.

LEGISLATION – CIVIL LIABILITY BILL 2002 – PROPOSED OPPOSITION TO AMENDMENTS (L54-00049)

That arising from consideration of a report by the Acting Director of Corporate Services dated 12 June 2002, Council resolves to agree to the request by the Local Government & Shires Associations to contact the Member for Bligh and seek her support for the Civil Liability Bill, 2002, without amendment to the effective date of 20th March, 2002.

Carried.

14.**REPORT OF THE PROPERTIES SUB-COMMITTEE – WEDNESDAY,
12 JUNE 2002 COMMENCING AT 6:17 PM**

At the commencement of business those present were:-

The Mayor, Councillor John Fowler (Chairperson) and Councillors:- Lay and Shaw.

That it be resolved that the undermentioned recommendations of the Properties Sub-Committee of its meeting of 12 June 2002, be approved and adopted.

14.1.**LEASING – GROUND FLOOR, NOS. 218-222. KING STREET, NEWTOWN
(2024887)**

That the matter be deferred for the Properties Branch to consider an amount that has been offered in respect of the lease of the premises.

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

That the report by the Acting Director of Corporate Services dated 19 June 2002, that was circulated to the Councillors prior to the Council Meeting, commencing recommending that the report by the Acting Director of Corporate Services 28 May 2002, be received and noted, and a further report be prepared on the leasing on the subject premises.

Motion, as amended by consent, carried.

14.2.**PROPERTIES – PALMER STREET, NO. 306, DARLINGHURST – VACANT
LAND – PROPOSED SALE (2026602)**

That the matter be deferred and that a report be prepared by the City Works Department in conjunction with the Community Services staff in respect of:-

- (a) redesign options for landscaping the area for use by the broader Community, including the investigation of either a part or total conversion of the subject land for a Community garden;
- (b) the availability of the property on the corner of Stanley Street and Burton Street for use as open space taking into account the receipt of the remediation report.

Motion negatived.

It was moved by Councillor Mallard, seconded by the Mayor that the joint report by the Director of City Works and the Acting Director of Community Development dated 14 June 2002, that was circulated to the Councillors prior to the Council meeting commencing, be received and noted.

During discussion on the matter, the Mayor made a derogatory remark in respect of the New South Wales State Labor Government. Councillor Lay requested that the Mayor withdraw his remark and apologise.

The Mayor apologised and withdrew his remarks unreservedly.

It was moved by the Mayor, seconded by Councillor Mallard that the matter be deferred and a further report be prepared for a future Properties Sub-Committee meeting on how Council acquired the subject land and any excess Roads and Traffic Authority land in the area that Council may be interested in acquiring.

Councillor Mallard withdrew his motion to receive and note the report dated 14 June 2002.

Motion, as amended by the Mayor, carried.

14.3.

LICENSING – PALMER STREET, NOS. 191-193, DARLINGHURST – PROPOSED FOOTWAY LICENCE (NEW) (2026642)

This matter was submitted to Council without recommendation.

Moved by Councillor Mallard Seconded by Councillor Bush:-

That approval be given to:-

- (1) the granting of a licence to Bluefin Restaurants Pty. Limited over an area of 6.4 square metres of the footway of Palmer Street adjacent to "Bluefin" at Nos. 191-193 Palmer Street as shown stippled on Plan No S4-130/852A 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;
- (4) the execution of all relevant documents and plans by Council's Attorney;

GENERAL MANAGER

- (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 12 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 fall due as a result of commencing the footway licence is paid by the due date.

(DCE Report 5.6.02)

Carried.

14.4.

LICENSING – CLEVELAND STREET, NO. 433 REDFERN – PROPOSED FOOTWAY LICENCE (RENEWAL) (2013399)

That approval be given to:-

- (1) the granting of a licence to Constantine Bousgas over an area of 6 square metres of the footway of Bourke adjacent to 'Bar Cleveland' at No. 433 Cleveland Street, Redfern, as shown stippled on Plan No S4-130/655A 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;
- (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 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 Conditions 7 and 8 in the schedule accompanying the Director's report, or failed to execute the licence agreement;

GENERAL MANAGER

- (7) any rent that falls due as a result of commencing the footway licence is paid by the due date.

(DCE Report 31/05/02)

Carried.

The Properties Sub-Committee Meeting terminated at 6:57 p.m.

The Finance Committee Meeting terminated at 7:15 p.m.

REPORT OF THE COMMUNITY SERVICES COMMITTEE

12 June 2002

PRESENT

The Mayor, Councillor John Fowler (Chairperson)

Councillors – Jill Lay, Shayne Mallard, Gregory Shaw

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

The Mayor and Councillors:- Lay, Mallard and Shaw.

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

That the Report of the Community Services Committee of its meeting of 12 June 2002, be received and the recommendations set out below for Items 1 and 2, be adopted.

Carried.

The Committee **recommended** the following:-

1.

CELEBRATIONS – ABORIGINAL RECONCILIATION – STATEMENT OF COMMITMENT (2017734)

- (a) That the report by the Acting Director of Community Development dated 4 June 2002, be received and noted.
- (b) That Councillors provide comments on the draft reconciliation document.

GENERAL MANAGER

- (c) That Council's Aboriginal Liaison Officer prepare strategies to achieve reconciliation between the Council and the Community.
- (d) That a final draft on reconciliation be prepared and forwarded to Council for endorsement.
- (e) That when approved the reconciliation document be located prominently in a Council building.

At the request of Councillor Lennon, and by consent, the motion be amended by the addition of a clause (f) to the recommendation, namely:-

- (f) That the General Manager liaise with Mr P Chaffe in respect of the replacement of Council's Aboriginal Liaison Officer and consideration be given to the replacement being a female and whether they are employed full time, part time or shared employment.

Motion, as amended by consent, carried.

2.

HEALTH - COUNCIL'S IMMUNISATION CLINICS - CLOSURE (2002242)

That arising from the report of the Director of City Environment dated 4 June 2002, it is recommended that:-

- (1) the Immunisation Clinics at Kings Cross and Redfern be closed and that the clients attending these clinic be directed to their doctors;
- (2) the Central Sydney Area Health and the East Sydney Area Health Services be notified of the closures;
- (3) Council continues to maintain and develop its promotion and awareness campaigns for immunisation and that this information be placed in all Council buildings;
- (4) at the appropriate National Day/Week on Immunisation, Council dispense its own information.

Carried.

The Community Services Committee Meeting terminated at 7.25 p.m.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

12 June 2002

PRESENT**Councillor John Bush (Chairperson)****Councillors - Peter Furness, Amanda Lennon, Christine Harcourt and Tony Pooley.**

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

Councillors – Bush, Furness, Harcourt, Lennon and Pooley.

Moved by the Chairperson Councillor Bush seconded by Councillor Lennon.

That the Report of the Planning and Development Committee of its meeting of 12 June 2002, be received and the recommendations set out below for Items 4 inclusive, be adopted. The recommendations for Items 1 to 3 inclusive, 5 to 8 inclusive having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

1.

TRAFFIC – SYDNEY SIGHTSEEING PTY LTD. – PRIVATE TOURIST BUS SERVICE – DARLINGHURST, POTTS POINT AND WOOLLOOMOOLOO (2013597)

At the Committee Meeting Councillor Lennon requested that he name be recorded as voting against the foregoing motion.

That Council resolves to endorse the proposed Sydney Sightseeing Pty Ltd tourist bus service within the South Sydney LGA for a six month trial operation period with the route operating in Darlinghurst, Potts Point and Woolloomooloo as per the attached sketch accompanying the report.

It was moved by Councillor Mallard, seconded by Councillor Lennon, that 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:-

That the Council refuse the application submitted by Sydney sightseeing Pty Ltd for a practice tourist bus service in Darlinghurst, Potts Point and Woolloomooloo and that reasons for refusal be drafted for consideration of Council.

GENERAL MANAGER

It was moved by Councillor Furness, seconded by Councillor Pooley that the motion be amended by the deferment of the matter in order to assess the impact of the service in the suburbs indicated.

Negatived.

Motion, as amended by Councillor Mallard, carried.

2.

AMY STREET NO. 4 ERSKINEVILLE – DEMOLISH PART OF THE FRONT OF THE EXISTING DWELLING AND ERECT A CARPORT WITH ROLLER DOOR FRONTING AMY STREET – DEVELOPMENT APPLICATION (U01-01193)

- (A) That the Council refuses to grant its consent under the Environmental Planning and Assessment Act, 1979 to the development application for No. 4 Amy Street, Erskineville submitted by Robert Elliott, with the authority of Kate Cheney, to demolish part of the front of the existing dwelling and erect a carport with roller door fronting Amy Street, for the following reasons, namely:-
- (1) That the proposal is contrary to Clause 12 objective 1(c) of LEP 1998 in relation to building form and character of the surrounding built environment;
 - (2) That the proposal is contrary to Clause 22 – Heritage Aims objectives (e) and (f) of LEP 1998 in relation to development being sympathetic with the character of the area;
 - (3) That the proposal is contrary to the objectives of Sections 4.1.3 and 4.1.7 of DCP 1998 – Heritage Conservation in relation to site massing, alterations to a contributory building and disruption of the prominent front building line;
 - (4) That the proposal is contrary to the Performance Criteria and Controls of Part F Section 1.1.3 of DCP 1997 – Urban Design in relation to streetscape and loss of on-street parking capacity;
 - (5) That the proposal is not in the public interest, as it would set an undesirable precedent for off street parking within Heritage Conservation Areas.
- (B) That the person(s) who made representations in respect of the proposal be advised of Council's decision.

It was moved by Councillor Bush, seconded by the Mayor that the motion as amended by the deletion of the whole of the resolution and that the application be deferred for amended plans to be submitted by the applicant.

Motion, as amended, carried.

3.

BOURKE STREET NO. 4, REDFERN – NEW CARPORT AND ROLLER DOOR OF BOURKE STREET AND EXTENSION OF FRONT GABLE ROOF – DEVELOPMENT APPLICATION (U02-00142)

That the development application submitted by Martyn Calleia, with the authority of Michael Kay, to erect a carport, the extension of the front gabled roof and the provision of two car parking spaces at 4 Bourke Street, Redfern, be deferred for amended plans to be submitted by the applicant.

Carried.

4.

CARILLON AVENUE, NEWTOWN – UNIT G06 NOS. 138-140 – CONVENIENCE STORE – DEVELOPMENT APPLICATION (U02-00216)

(A) That the Council grants its consent under the Environmental Planning and Assessment Act, 1979 to the development application submitted by Yaser Alwahwah, with the authority of Carillon Place Pty Ltd, to use unit G06 of East Newtown Square as a convenience store, subject to the following conditions, namely:

- (1) That the development shall be in accordance with Council endorsed plan numbered 1474/DA/01, dated January 2002 subject to compliance with conditions below;
- (2) That prior to issuing a Construction Certificate, it will be necessary to lodge with Council a fee of \$420 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 the hours of operation shall be restricted to between 7.00am and 11.00pm, daily;
- (4) That the premises shall not be used as a café or restaurant without development consent;
- (5) That the courtyard associated with unit G06 may only be utilised between the hours of 8.00am and 9.00pm, daily;

GENERAL MANAGER

- (6) That a separate development application for signage shall be submitted to Council, unless exempt under Council's Exempt and Complying DCP 1999;
- (7) That no stickers, flags or the like shall be attached to the external façade of the building or the inside of the window;
- (8) That deliveries and servicing of the site shall only occur between the hours of 8.00 am and 5.00 pm, Mondays to Fridays;
- (9) That the intensity, colour, period of intermittency and / or hours of illumination of the premises and / or associated signage shall be varied if, at any time in the opinion of Council, injury is being caused to the amenity of the area;
- (10) That any lighting on the site shall be designed to ensure no adverse impact on amenity of the surrounding area by light overspill. Lighting shall comply with AS 4282-1997-Control of the Obtrusive Effects of Outdoor Lighting;
- (11) That the proposed signage shall;
 - (a) not flash, move, be animated, scintillate or be decorated with rotating flashing lights at any time without the consent of the Council;
 - (b) not have attached apparatus to provide any sound;
 - (c) be neatly affixed to the building (any damage caused shall be promptly repaired with matching materials);
 - (d) not cover any architectural features or windows;
 - (e) not carry a message(s) which is offensive;
- (12) That at no time shall any signs, amplification equipment, goods or the like be placed on the public way;
- (13) 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;
- (14) 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 Works Zone;
- (15) 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);

- (16) That no garbage or industrial waste shall be placed on the public way (including footpaths, roadways, plazas, reserves etc) at any time;
- (17) That a separate garbage /recycling storage facility for commercial use shall be located within the site at street level in a position approved by Council's Health Services Manager that can be accessed by a commercial contractor. Construction, containerisation and handling of garbage and recyclables shall be in accordance with Council's "Waste Management - Minimisation Fact Sheets". Details to be submitted with the application for a Construction Certificate;
- (18) That the construction, fitout and finishes of the premises shall comply with the Food Act 1989 and Regulations thereunder and the National Code for the Construction and Fitout of Food Premises;
- (19) That the premises shall not be used for the cooking of food unless an approved air handling system is installed to the cooking appliances designed in accordance with AS1668;
- (20) That designated wash hand facilities be provided in all food preparation areas, or areas where food handlers hands are likely to be a source of contamination, and be provided with an adequate supply of warm potable water supplied under pressure and mixed through a common outlet;
- (21) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia (If using deemed to satisfy provisions: AS1668, Parts 1 & 2);
- (22) That an airlock shall be provided to the toilets in accordance with the provisions of the Building Code of Australia;
- (23) That the use of the premises shall not give rise to:
 - (a) Transmission of 'offensive noise' to any place of different occupancy, and,
 - (b) A sound pressure level at any affected premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 5dB(A). The source noise level shall be assessed as an LAeq, 15min and adjusted in accordance with EPA guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content, and,

- (c) A sound pressure level at any affected premises that exceeds the recommended planning levels outlined in the NSW, EPA Industrial Noise Policy;
- (24) That the business proprietor shall enter into a contract for the removal of trade waste from the premises;
- (25) That plans and specifications demonstrating compliance with the nominated standards and requirements for the following aspects of the development shall be submitted and approved by Council or a certifying authority prior to the commencement of work:
- ? all proposed and required mechanical ventilation systems: STANDARD REQUIREMENT - Building Code of Australia. (If using deemed to satisfy provisions: AS1668, Parts 1 & 2);
 - ? the garbage room: STANDARD REQUIREMENT - SSCC Waste Management / Minimisation Facts Sheets;
 - ? the recycling storage area: STANDARD REQUIREMENT - SSCC Waste Management / Minimisation Facts Sheets;
 - ? the airlock to the toilet.
- (26) 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;
- (27) That all relevant sections of the BCA shall be complied with;
- (28) That the requirements of the Work Cover Authority shall be complied with;
- (29) 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;
- (30) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";

- (31) That the existing building shall be maintained in a stable condition during construction and/or demolition work to Council's approval;
- (32) 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 all doors serving as required exits or forming part of a required exit and any door, shutter, grille or the like which is installed in a path of travel to a required exit, shall comply with the requirements of D2.19, D2.20 and D2.21 of the BCA;
 - (b) That portable fire extinguishers shall be provided throughout the building to the requirements of E1.6 of the BCA and AS 2444;
 - (c) That a fire blanket complying with the requirements of AS3504 shall be provided in the kitchen adjacent to the cooking appliances;
 - (d) That the number of toilets within the building shall comply with the requirements of Part F2 of the BCA;
 - (e) That a refrigerated or cooling chamber which is of sufficient size to permit the entry of a person shall be provided with:-
 - (i) a door which can at all times be opened from inside without a key;
 - (ii) an approved alarm device located outside but controllable only from within the chamber;

The door referred to in paragraph (i) shall be set in an opening with a clear width of not less than 600mm and a clear height of not less than 1.5 metres in accordance with G1.3 of the BCA;

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

NOTE: 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 and prevent

smoking within defined smoke-free areas. (Some exemptions do apply).

NOTE: Development and building approvals are assessed in accordance with relevant building laws and Council development controls. Irrespective of any requirements, directives, suggestions and conditions imposed by Council, it remains the responsibility of the developer, designer or builder to investigate their possible liability and compliance with the Disability Discrimination Act.

Carried

5.

DRAFT AMENDMENTS TO SOUTH SYDNEY DEVELOPMENT CONTROL PLAN 1997, URBAN DESIGN – FLOOR SPACE BONUS PROVISIONS AND MINIMUM NATHERS RATING (2013557)

This matter was submitted to Council without recommendation.

Moved by the Mayor, seconded by Councillor Mallard:-

Part 1 – Floor Space Bonus Incentive

That Council:-

- (1) Adopt the draft amendments to South Sydney Development Control Plan 1997: Urban Design (provided as an attachment to the Planning and Development Committee report dated 4 June 2002)
- (2) In accordance with the provisions of the Environmental Planning and Assessment Regulations 2000, give public notice within 28 days of Council's resolution to adopt the amendments to Development Control Plan 1997: Urban Design;
- (3) Notify all those who lodged submissions of Council's resolution.

Part 2 – Minimum NatHERs Ratings

That Clauses 1,2 and 3 of this Part 2 be deferred in order that a legal opinion being sought on the increased rating for development to 4.5 star rating and that a report be submitted to Council by Council's Strategic Planning Manager for Council's consideration.

Carried.

6.

BILLYARD AVENUE, NO. 27, ELIZABETH BAY – SECTION 82A, REVIEW OF DETERMINATION – DEVELOPMENT APPLICATION (U00-01050)

Moved by Councillor Shaw, seconded by Councillor Lennon:-

That the application be deferred in order for reasons for refusal to be drafted.

Carried.

7.

DARLINGHURST ROAD, NOS. 32-32A, POTTS POINT (THE EMPIRE HOTEL/NIGHTCLUB) – EXTENSION TO EXISTING SHOP UNITS ON ROSLYN STREET TO FORM NEW T.A.B BAR TO OPERATE FROM 9.00 AM UNTIL 12.00 MIDNIGHT DAILY – DEVELOPMENT APPLICATION (U01-01177)

This matter was submitted to Council without recommendation.

Moved by Councillor Lennon, seconded by Councillor Shaw:-

That the application be deferred for, reasons of refusal to be drafted for the application.

Carried

8.

ALBION AVENUE, NO. 24, PADDINGTON – DEMOLITION OF EXISTING COTTAGE AND ERECTION OF A THREE STOREY MIXED USE DEVELOPMENT CONTAINING RETAIL ON THE GROUND FLOOR AND A TWO BEDROOM RESIDENCE ABOVE – DEVELOPMENT APPLICATION (U02-00133)

This matter was submitted to Council without recommendation.

Moved by Councillor Bush, seconded by the Mayor, John Fowler:-

That the application be deferred for amended plans to be submitted by the applicant.

Carried.

The Planning and Development Committee Meeting terminated at 8.10 p.m.

NOTICE OF MOTION

1.

DONATIONS – DISCLOSURE OF POLITICAL DONATIONS BY DEVELOPERS AND PROPOSED DRAFT POLICY

Moved by Councillor Furness, seconded by Councillor Lennon:-

- (A) That Council endorse the principle of developers being required to disclose all political donations they have made when lodging a Development Application; and
- (B) That a draft policy be prepared for Council's consideration to effect the disclosure of political donations pursuant to part A of this resolution with reference to procedures applied by the Australian Electoral Commission, the NSW State Electoral Office and the Election Funding Authority of NSW

Negated on a show of hands 7 to 2.

It was moved by Councillor Pooley, seconded by Councillor Lennon:-

That with a view to increased transparency in the decision making processes of South Sydney Council:

On South Sydney Council's home page a link be established which would list all donations from builders, property developers or real estate agents which were given to successful candidates, candidate groups or political party candidates at the last Council election.

Councillor Bush moved that the motion be put, seconded by Councillor Mallard.

Motion to be put, carried.

Motion as moved by Councillor Pooley, carried.

The Council Meeting terminated at 8.10 p.m.

Confirmed at a meeting of South Sydney City Council
held on2002

CHAIRPERSON**GENERAL MANAGER****GENERAL MANAGER**