301ST Meeting

Erskineville Town Hall Erskineville 412887

Wednesday, 3 July 2002

An Ordinary Meeting of South Sydney City Council was held at the Council Chambers, Erskineville Town Hall, 104 Erskineville Road, Erskineville, at 6.33 pm on Wednesday, 3 July 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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Confirmation of Minutes

Moved by Councillor Furness, seconded by Councillor Lennon:-

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

At the request of the Mayor, and by consent, the minutes were amended on Pages 671 and 672 by the addition of the word "Carried" after Items 1, 2 and 3 of the report of the Management Review Committee Meeting held on 19 June 2002.

Minutes, as amended by consent, were then carried.

MINUTE BY THE MAYOR

2 July 2002

OFFICIAL OCCASIONS – MAYORAL CHARITY BALL – DARLINGHURST THEATRE AND CURRENCY HOUSE INC (2001042)

The annual Mayoral Charity Ball will be held on Saturday, 31 August 2002 at Paddington Town Hall.

In the past the Ball has been used to support deserving charities and community groups including the Garvan Institute, the Paralympic Games and the Ted Noffs Foundation.

The level of funds raised has been in the range of from \$15,000 to \$30,000 and is covered by the sale of tickets to the ball. Since 1999 the cost of tickets has been \$75, in 2002 the cost of tickets will increase to \$100.

It is proposed proceeds from the 2002 Mayoral Charity Ball will benefit two not for profit arts organisations based in South Sydney. The two organisations are Darlinghurst Theatre and Currency House Inc.

Darlinghurst Theatre

Darlinghurst Theatre is a not-for-profit art organisation based in Potts Point dedicated to nurturing young emergent theatre companies and providing a quality live venue for the local community.

Darlinghurst Theatre has also undertaken a number of initiatives with communities based in the South Sydney area including the homeless through their "Milk Crate Theatre" and the aged with "Telling Tales". These initiatives have provided wonderful opportunities for more marginalised communities to express themselves, and be empowered, with the public voice that theatre offers.

Darlinghurst Theatre also conducts drama classes for beginner adults. These classes have been enjoyed for the last eleven years by over 4,000 people from all walks of life.

Currency House Inc.

Currency House Inc is a not-for-profit arts association based in Redfern designed to provide a think-tank and resource centre for the performing arts.

Currency House Inc encourages an understanding of the different genres of the performing arts through:

- ? private and public debate on current issues;
- ? seminars, workshops, readings, small performances and screenings;
- ? the publication of scholarly and creative work; and
- ? the development of Currency House as a centre for research and development in the arts.

RECOMMENDATION:

That Council agrees the charities to benefit from the proceeds of the 2002 Mayoral Charity Ball be Darlinghurst Theatre and Currency House Inc.

Councillor John Fowler (SGD) **Mayor**

Moved by Councillor Furness, seconded by Councillor Lay:-

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

Carried.

MINUTE BY THE MAYOR

2 July 2002

DONATIONS – GAY GAMES 2002 – FREE USE OF PADDINGTON AND REDFERN TOWN HALLS (2020152)

Council has received correspondence from the Sydney 2002 Gay Games Ltd requesting free use Paddington and Redfern Town Halls in the lead up to and during the 2002 Gay Games Sports and Cultural Festival.

The dates, venues, events and the value of the free usage are set out below:

DATE	VENUE	EVENT
Saturday, 13 July 2002	Paddington Town Hall	Gay Games Information Meeting
Saturday, 3 & Sunday 4 August 2002	Redfern Town Hall	In kind value: \$2,350 Moana Pacifica Fundraiser for Gay Games Entrants from Samoa, Tonga & Fiji In kind value: \$1,800
Sunday 3, Monday 4 & Tuesday 5 November 2002	Redfern Town Hall	Gay Games Indigenous Cabaret Evening In kind value: \$2,700
Monday 4 & Tuesday 5 November 2002	Paddington Town Hall	Gay Games Aerobics Competition In kind value: \$10,000
Wednesday 6 & Thursday 7 November 2002	Paddington Town Hall	Performing Older Women's Circus In kind value: \$10,000
		Total in kind value: \$ 26,850

The cost of the hire of Paddington Town Hall for community organisations is:

- ? \$2,350 for an afternoon function (including hire, set up, cleaning & staff costs); and
- ? \$5,000 for a 10 hour function (including hire, set up, cleaning & staff costs).

The daily cost of the hire of Redfern Town Hall for community groups is approximately \$900 (including hire, set up, cleaning & staff costs).

RECOMMENDATION:

That Council approve free use of Paddington and Redfern Town Halls in the lead up to and during the 2002 Gay Games Sports and Cultural Festival as set out below;

DATE	VENUE	EVENT
Saturday, 13 July 2002	Paddington Town Hall	Gay Games Information Meeting
Saturday, 3 & Sunday 4 August 2002	Redfern Town Hall	Moana Pacifica Fundraiser for Gay Games Entrants from Samoa, Tonga & Fiji
Sunday 3, Monday 4 & Tuesday 5 November 2002	Redfern Town Hall	Gay Games Indigenous Cabaret Evening
Monday 4 & Tuesday 5 November 2002	Paddington Town Hall	Gay Games Aerobics Competition
Wednesday 6 & Thursday 7 November 2002	Paddington Town Hall	Performing Older Women's Circus

Under the provisions of Section 356, Council agrees to forgo \$26,850 in income and costs for Paddington and Redfern Town Halls to support a number of events to be undertaken by the 2002 Gay Games Sports and Cultural Festival.

Councillor John Fowler (SGD)

Mayor

Moved by the Mayor, seconded by Councillor Mallard:-

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

Carried.

MINUTE BY THE MAYOR

3 July 2002

PUBLIC RELATIONS – QUEEN'S BIRTHDAY HONOURS LIST – CONGRATULATIONS TO RECIPIENTS (2000734)

It is with pleasure that I advise Council that on Monday, 10 June 2002 six local residents of South Sydney Council area were awarded honours in the Queen's Birthday List and also four citizens who work or are associated with the South Sydney local government area or another local government area.

The following recipients of awards were:-

Clifford POSSUM Tjapaltjarri, Newtown NSW Awarded Officer (AO) in the General Division.

For service as a contributor to and pioneer of the development of the Western Desert art movement, and to the indigenous community.

Alan Stuart COATES, Centennial Park NSW Awarded Member (AM) in the General Division

For service to medicine in the field of oncology, particularly through breast cancer research.

Andrew Russell LLOYD, University of NSW Awarded Member (AM) in the General Division

For service to medicine and to the community, particularly through the provision of specialist hepatitis services in prisons and research in the field of infectious diseases.

Leon Francis PAROISSIEN, Potts Point Awarded Member (AM) in the General Division

For service to the visual arts in Australia as a curator, administrator, arts manager and writer

George Leslie PIGGINS, South Coogee, NSW Awarded Member (AM) in the General Division

For service to Rugby League football as an administrator, coach and player, and to the South Sydney community

Mary Therese RICKARD, Centennial Park, NSW Awarded Member (AM) in the General Division

For service to medicine through the integration of population-based screening for the early detection of breast cancer and the development of education programmes for health professionals.

David Napier AITKEN, Woollahra, NSW Awarded Medal (OAM) in the Division

For service to the administration of medicine, health and aged care, as a board member and Chairman of St Luke's Hospital in Potts Point.

Jack Nikolas CALPIS, Surry Hills, NSW Awarded Medal (OAM) in the Division

For service to the community and to local government when on the Sydney City Council.

Patricia Joy HARVEY, Mosman, NSW Awarded Medal (OAM) in the Division

For service to local government administration, to environmental planning, particularly in the area of water management, and to the community of Mosman.

Judith Kathryn WALKER, Paddington, NSW Awarded Public Service Medal

For outstanding public service to public broadcasting and media law.

In recognition of their achievements and honours bestowed to them, I recommend that a letter under the signature of Mayor be forwarded to the recipients extending the congratulations of Council.

Councillor John Fowler (SGD) **Mayor**

Moved by Councillor Shaw, seconded by Councillor Lay:-

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

Carried.

MINUTE BY THE MAYOR

3 July 2002

DONATIONS – NEWTOWN "FEASTABILITY" FOOD AND WINE FESTIVAL – SUNDAY, 29 SEPTEMBER 2002 (2024464)

Council has received correspondence (5 June 2002) from the Newtown South Main Street Coordinator at Marrickville Council requesting support for the 2002 Newtown "Feastability" Food and Wine Festival to be held on Sunday, 29 September 2002 in the grounds of the Newtown High School of the Performing Arts.

Last year, due to the past success and increased patronage of the event, the Newtown South Main Street Program moved it from Newtown Square in Marrickville to the grounds of the Newtown High School of the Performing Arts in South Sydney.

The change of venue enabled the event to be safer, less congested and more family focussed with the venue creating a village-like community atmosphere.

In past years, the event has been financially supported to the figure of \$10,000 with Marrickville Council providing \$5,000 in cash. As the event occurs in the South Sydney area Council agreed to support the 2001 festival by providing some in-kind support as well a DA fee, printing additional posters, fliers and voucher booklets and having two banners made for placement at Sydney Park and in front of the High School.

Council agreed in making last year's donation the Newtown South Main Street Program should be advised future applications should be made under Council's Annual Grants Program. With the change in personnel at both South Sydney and Marrickville Councils it is not clear whether this information was either transferred or received.

The Coordinator of the Newtown South Main Street Committee has requested the following support from Council for the 2002 festival:

- ? Development Application documentation for "Feastability"
- ? Environmental Waste set-up and removal
- ? Printing of additional posters, fliers and voucher booklets
- ? Public liability and weather insurance
- ? Supply of recycling containers for use as wine chillers
- ? Development application, production and organisation for two (2) banners to be placed at Sydney Park and a suitable place in King Street Newtown.

The Newtown South Main Street Committee will address all other aspects of the event including infrastructure support, entertainment, print media, promotion and liquor licensing etc.

Council officers have advised the extension of Council's public liability insurance to cover this event is not an option. Similarly as Council does not have weather insurance this is also not an option.

Based on last year's costs, it is estimated the cost of the DA is \$470, the cost of the printing is \$2,800 and the cost of the corporate banners is \$1,600, making a total cost of \$4,870.

In return for Council's support, Council will be acknowledged in all print advertising and in the media kit. Council has also been offered a complimentary fete stall to promote Council's services.

In considering this request Council should be aware the 2002/2003 funds allocated for the Annual Grants Program are already proposed to be totally committed and support for this festival will mean the approval of additional funds for Council's 2002/2003 Donations Budget.

RECOMMENDATION:

That Council approves the request by the Newtown South Main Street Program for the following in-kind and cash assistance for the 2002 Newtown "Feastability" Food and Wine Festival to be held on Sunday, 29 September 2002 at the Newtown High School of the Performing Arts:

- ? Development Application documentation for "Feastability" (\$470)
- ? Environmental Waste set-up and removal (in-kind)
- ? Printing of additional posters, fliers and voucher booklets (\$2,800)
- ? Supply of recycling containers for use as wine chillers (in kind)
- Pevelopment application, production and organisation for two (2) banners to be placed at Sydney Park and a suitable place in King Street Newtown (\$1,600),

for which funds of \$4,870 will need to be added to the 2002/2003 Donations Budget and that the Newtown South Main Street Program be advised all future applications for assistance should be made under Council's Annual Grants Program similar to other festival applications.

Councillor John Fowler (SGD) **Mayor**

Moved by Councillor Lay, seconded by the Mayor:-

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

Carried.

MINUTE BY THE GENERAL MANAGER

1 July 2002

PARKS - TAYLOR SQUARE - PROPOSED TIMEFRAME FOR CONSTRUCTION OF WORKS (2027223)

Following the General Managers approval of 10 June 2002, tenders have been called for the construction of the Taylor Square Urban Design Project.

The tender has been issued to a select list of contractors following an Expression of Interest process and Acting General Managers Approval of 2 November 2001.

Tenders will close on the 15 July 2002 and a report seeking to award the Tender will be presented to Council for consideration on the 31 July 2002.

Project Timetable

Subject to the awarding of the Tender it is expected that the Contractor will commence work late August 2002.

It is proposed that the contractor will cease work and vacate the site during the Gay Games to avoid disruption for pedestrians and adjoining businesses during this event.

Measures will be taken for the Mardi Gras parade night to ensure work areas are made safe and secure.

Liaison and consultation will be undertaken with the organisers of both events to ensure as much as possible that the construction program does not conflict with any proposed use of Taylor Square by these events.

Based on an anticipated construction program of 30 weeks, it is expected that the works will be completed by late May 2003.

RECOMMENDATION:

That the following report be received and noted.

Michael Whittaker (SGD)

General Manager

Moved by Councillor Mallard, seconded by Councillor Lennon:-

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

Carried.

MINUTE BY THE GENERAL MANAGER

2 July 2002

CONFERENCES - 2002 STATE ASSEMBLY OF LOCAL GOVERNMENT – ATTENDANCE OF COUNCIL REPRESENTATIVES (2016186)

A communication dated 25 June 2002, has been received from the Local Government and Shire Association of NSW advising that the 2002 State General Assembly of Local Government is to be held at the Millennium Hotel, Sydney on 22 and 23 July 2002.

The Assembly is a constructive forum that canvasses major issues of mutual concern to urban and regional communities. One of its objectives is to break down the city/country divide on issues of state and national importance. Previous Assemblies have focussed on issues such as banking and financial services and Whole of State Development. The Assembly complements the Annual Conferences by bringing together both Associations.

The Assembly will focus on two very topical, controversial and important themes for Local Government:

- ? Towards an Integrated Transport Strategy
- ? New Regional Approaches to Infrastructure Management the case for empowerment of Local Government within new models of regional management.

This is an important event and the Association strongly encourages Councillors and Senior Staff to attend.

The cost of registration is \$460 per person.

RECOMMENDATION:

That approval be given to the Mayor, Councillors, the General Manager and staff to be nominated by the General Manager, attending the 2002 State General Assembly

of Local Government to be held in Sydney on 22 and 23 July 2002, for which funds are available in the 2002/03 Budget.

Michael Whittaker (SGD) **General Manager**

Moved by Councillor Lay, seconded by Councillor Harcourt:-

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

Carried.

MINUTE BY THE GENERAL MANAGER

28 June 2002

PERSONNEL – DIRECTOR OF CITY ENVIRONMENT – FUNCTION FOR RECOGNITION OF SERVICE (2023875)

The Director of City Environment, Mr Grahame Dearsley is to retire from the Council in October, 2002.

Grahame began his service with South Sydney Council on 30 March 1992, as Health Services Manager.

He was appointed Director of Health and Community Services on 7 April 1994 and in March, 2002, following an Organisation Review of the Council, Grahame was appointed to the position of Director of City Environment.

All in all, Grahame has had over 40 years service in local government, having also worked in both Sutherland Council and Sydney City Council.

To recognise and acknowledge this service, I propose that a function be held for Grahame on a date and at a venue to be arranged and to be attended by past and present Councillors, as well as the General Manager, Directors and special guests.

RECOMMENDATION:

That a retirement function be arranged for Mr Grahame Dearsley, Director of City Environment, on a date and at a venue to be arranged and to be attended by past

and present Councillors, the General Manager, Directors and special guests, for which funds are available in the 2002/2003 Budget.

Michael Whittaker (SGD)

General Manager

Moved by Councillor Lay, seconded by Councillor Harcourt:-

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

Carried.

MINUTE BY THE GENERAL MANAGER

1 July 2002

ADMINISTRATION – MANAGEMENT CONTROL – JOINT SERVICING BETWEEN SOUTH SYDNEY AND LEICHHARDT COUNCILS (2027239)

In relation to this matter a minute by the General Manager dated 1 July 2002, 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)(c) of the Local Government Act, 1993, information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Michael Whittaker (SGD) **General Manager**

Moved by the Mayor, seconded by Councillor Bush:-

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

Carried.

PETITIONS

1.
The Mayor tabled a petition received by the General Manager with approximately 664 signatures appended from residents of the Sydney Metropolitan Area, objecting to the proposed installation of an Automatic Public toilet on the corner of King Street and Brown Street, Newtown.

Received.

 Councillor Furness tabled a petition with approximately 14 signatures appended from residents of Wilson Lane, Darlington, objecting to the proposed Development Application at No. 370 Abercrombie Street, Darlington (Royal Hotel).

Received.

 Councillor Furness tabled a petition with approximately 219 signatures appended from residents of Erskineville and surrounding areas objecting to the proposed retail and residential development at Nos. 612 – 622 King Street, Erskineville.

Received.

4. Councillor Lay tabled a petition with approximately 85 signatures appended from residents and retailers of King Street, Newtown, objecting to Council's policy regarding advertising sign boards on the footpath.

Received.

QUESTIONS WITHOUT NOTICE

1.
STREETSCAPES – ENHANCEMENT OF FOOTPATHS - CHIPPENDALE
AREA - QUESTION WITHOUT NOTICE BY COUNCILLOR FURNESS
(2024882)

Question:

Given the refusal by the City of Sydney to support the closure of Balfour Street, Chippendale and creation of a new park, could funds allocated to this

project be directed towards enhancement of the footpaths in the immediate vicinity of this location and could such enhancement be subject to community consultation?

Answer by the Mayor:

I will ask the Director of City Works to prepare a report for Committee.

2.

PARKING – RESTRICTIONS – INSTALLATION OF "NO PARKING" SIGNS IN WILSON LANE, DARLINGTON - QUESTION WITHOUT NOTICE BY COUNCILLOR FURNESS (2010523)

Question:

Could the installation of 'No Parking' signs on Wilson Lane between Golden Grove Street and Codrington Street, Darlington, be considered by the Traffic Committee? Residents whose houses front onto the lane or whose garages back onto the lane have complained of an inability to use the lane when vehicles are parked there.

Answer by the Mayor:

I am happy for that matter to go to the Traffic Committee.

3.

TRAFFIC – POSSIBLE JOINT STUDY TRAFFIC MANAGEMENT ISSUES
FORMER EMAIL SITE – ZETLAND - QUESTION WITHOUT NOTICE BY
COUNCILLOR FURNESS (T52-00172)

Question:

Residents present at a design workshop for the former EMAIL site in Zetland on Monday repeated requests for a study into traffic management issues arising from this proposed development and future development in the area. Could contact be made with the South Sydney Development Corporation with the view of commencing a joint study as a matter of urgency, particularly as the masterplan for the EMAIL site is expected to be lodged within a few weeks?

Answer by the Mayor:

There have been substantial studies made about traffic and transport in the Green Square area, however, I am happy for that matter to go to the next meeting of the South Sydney Development Corporation Board.

4. PROPERTIES - PUBLIC MEETING REGARDING PROPOSED DEVELOPMENT FORMER EMAIL SITE, ZETLAND - QUESTION WITHOUT NOTICE BY COUNCILLOR FURNESS (2020818)

Question:

Given the scale of the development likely to be proposed for the former EMAIL site at Zetland, could a public meeting be arranged for residents to discuss the masterplan during the notification period? The developer has indicated his willingness to take part in such a public meeting.

Answer by the Mayor:

I am happy to organise that during the preparation of the report.

5.

PERSONNEL - HARASSMENT – POLICIES ADOPTED BY COUNCIL QUESTION WITHOUT NOTICE BY COUNCILLOR FURNESS (P53-00092)

Question:

Could a report be prepared for the Councillors Information Service advising of policies adopted by Council in relation to homophobic, and indeed any other kind of harassment, in its own workplaces?

Answer by the Mayor:

I will ask the Acting Director of Organisational Development to find what policies exist in the workplace in relation to discrimination and forward them to you and place that information in the Councillors Information Service.

6.

TRAFFIC – GREEN SQUARE AREA – PROPOSED TRAFFIC STUDY OF ZETLAND - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (T52-00153)

Question:

Could Council please undertake a Traffic Study of Zetland and environs as there are a number of issues, including the possible opening of Short Street, which need to be resolved, particularly as we are now beginning to get Development Applications for this area of Green Square?

Further, could Council seek the support of the South Sydney Development Corporation (SSDC) to lobby the Roads and Traffic Authority to undertake a joint traffic study of Zetland and the general area as a matter of urgency?

Answer by the Mayor:

I don't know how many times I have addressed this issue, both through the South Sydney Development Corporation and the Member for Heffron, and yet the Roads and Traffic Authority have delayed all their funding decisions for this Local Government Area by three or five years, resulting in the traffic chaos we have today. However, I will certainly raise it again at the next Development Corporation meeting.

7. LIBRARIES – LEGAL INFORMATION ACCESS CENTRES – PUBLIC LIBRARIES - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (L55-00012)

Question:

I have received correspondence from a resident in relation to Legal Information Access Centres (LIAC) in public libraries. The resident indicated that she believed that these were a very valuable resource for residents. I would like to table the information I was provided and request that a report be prepared on the possibility of Council's Libraries becoming involved?

Answer by the Mayor:

I will ask the Manager of Library Services to prepare a report for the next Committee.

8. PARKS – ISABELLA HILLS RESERVE - PROVISION OF BBQ FACILITIES – QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (2027286)

Question:

At Saturday's opening of the Isabella Hills Reserve I was approached by a resident about the possibility of providing a BBQ facility for the reserve. Could the appropriate Officers at Council investigate this request, and further, could I seek more general guidelines as to what locations Council might consider as suitable for such facilities?

Answer by the Mayor:

I think the issue is one that the community generally has got some views on. I will ask Mr Wilcoxon to prepare a report for the next Committee.

9. LEGAL – INJUNCTION AGAINST SOUTH SYDNEY'S MANAGEMENT PLAN - QUESTION WITHOUT NOTICE BY COUNCILLOR MALLARD (2027241)

Question:

Through you, Mr Mayor to the General Manager. The City of Sydney has issued an injunction against South Sydney's Management Plan 2002-2003. My question is, since 1 July, how is the Council paying wages and other operating costs? Has not the City of Sydney blocked our supply?

Answer by the General Manager:

No, what they have done is try and make our Management Plan null and void. We go to Court on the 19th and 22nd July and even if they are successful, it will not stop us paying our bills, paying our staff or paying our contractors.

10.
PARKS – RUSHCUTTERS BAY PARK - MAINTAINING PLAN OF
MANAGEMENT - BETWEEN SOUTH CITY COUNCIL AND WOOLLAHRA
COUNCIL - QUESTION WITHOUT NOTICE BY COUNCILLOR LENNON
(2027245)

Question:

Arising from the Sproats Enquiry, it was recommended that Rushcutters Bay Park be under one Local Government Area. South Sydney Council has control of 20% of the overall Park and residents were upset after the recent South Sydney Court case as they were not happy regarding the new kiosk in the Park. Could the General Manager and the Mayor liaise with Woollahra Council as soon as possible to maintain an overall Plan of Management for the Park? Apparently there is a working party and resident group established for the Park.

Answer by the Mayor:

There is a Plan of Management, as is required by State Law for each Local Government Authority. I have requested a meeting with the Minister in regards to transference of the appropriate lands.

11.

OFFICIAL OCCASIONS - MAYORAL BALL - BEEHIVE INDUSTRIES - INCLUSION AS CHARITY - QUESTION WITHOUT NOTICE BY COUNCILLOR LENNON (2001042)

Question:

Could the Mayor explain what happened to my formal request that Beehive Industries be included for consideration at the Mayoral Charity Ball. What happened to my request that was done formerly in this Chamber?

Answer by the Mayor:

If the request was done in this Chamber, it would have come to my office and then it would have gone through. I don't believe it was done in this Chamber. I thought it was done at Committee and there was a reference there that I don't think was formalised. It certainly didn't come as a minute or request by e-mail or letter to me.

12. INSURANCES – PUBLIC LIABILITY – APPOIN

INSURANCES – PUBLIC LIABILITY – APPOINTMENT OF NEW RISK MANAGER - QUESTION WITHOUT NOTICE BY COUNCILLOR LENNON (2015786)

Question:

Given the nature of the public liability culture at the moment and the current commitments to contracts, including Pine Street and the Mascon Festival, could the General Manager inform Council when a new Risk Manager will be employed with special expertise in insurance matters?

Answer by the General Manager:

Mr Tony Rolls is our Risk Manager. He is looking after legal and risk management. There are extensive negotiations taking place at the moment between the Local Government Association and the State Government in regards to how Local Government can have limited liability and as a result of that, Local Government may be able to provide an umbrella facility for community groups.

Councillor Lennon:

Could you then ask the person whose expertise is insurance to contact me tomorrow?

General Manager:

Yes.

13.

PARKS – EMBARKATION PARK, POTTS POINT – INSTALLATION OF PARK BENCHES - QUESTION WITHOUT NOTICE BY COUNCILLOR LENNON (2021733)

Question:

Mr Wilcoxon, thank you for the good work carried out in Embarkation Park. However, could we have the park benches reinstated that have been removed?

Answer by Mr Wilcoxon:

I will take that on notice. I am not sure at what stage the works are at and I will report back through C.I.S.

14.

DEPARTMENTS - ARTS BUDGET - ALLOCATION OF FUNDING - QUESTION - WITHOUT NOTICE BY COUNCILLOR LENNON (D51-00135)

Question:

Given that we have the largest amount of musicians and writers in L.G.A., could the General Manager explain why we cut the Arts Budget in South Sydney?

Answer by the General Manager:

The General Manager does not cut any budget. The budget is adopted by Council. I am happy to give further information on what the previous allocation of funds to that area were and what this years funds will be.

15.

PARKS – FITZROY GARDENS - SHADE CLOTH – INSTALLATION - QUESTION WITHOUT NOTICE BY COUNCILLOR LENNON (2017511)

Question:

I have asked this question before, regarding installing of shade cloths in Fitzroy Gardens, which was part of the last Rex Hotel Development consent. Labor asked for that to go South Sydney wide. Could we have some indication of when the shade cloths will go up in Fitzroy Gardens?

Answer by Mr Wilcoxon:

There is an allocation in this years budget. I will report back to you through the CIS on which projects it will cover.

16.

CELEBRATIONS – COMMUNITY GRANTS PROGRAMME - NOMINATIONS - QUESTION WITHOUT NOTICE BY COUNCILLOR LENNON (2018142)

Question:

Could the Mayor write to the Kings Cross Food and Wine Festival and explain why they were rejected from the Community Grants Programme?

Answer by the Mayor:

I am happy to respond when you can supply a name and address of a contact person.

17.

STREETS – LIGHTING – COMMONWEALTH STREET, SURRY HILLS - QUESTION WITHOUT NOTICE BY COUNCILLOR HARCOURT (2016588)

Question:

I would like to submit to Council a letter for officers consideration and responses. The letter and photographs are from a resident of Commonwealth Street, Surry Hills.

Answer by Mr Wilcoxon:

I will get back to you on that situation.

18.

CELEBRATIONS – LONDON MARDI GRAS - VISIT BY THE MAYOR OF SOUTH SYDNEY COUNCIL - SUBSIDISATION - QUESTION WITHOUT NOTICE BY COUNCILLOR HARCOURT (2026079)

Question:

At a previous Council Meeting, I requested that a letter be sent to the London Mardi Gras Associated Group which the Mayor is visiting, to see if they are able to support his visit by providing free accommodation and a subsidy for his fare. I have not seen any reply to that letter. What was their response?

Answer by the Mayor:

I will provide you with the e-mailed correspondence.

19. STREETS - REGENT STREET, NO. 28, PADDINGTON - INSTALLATION OF COMMUNICATIONS PIT - QUESTION WITHOUT NOTICE BY COUNCILLOR SHAW (2005029)

Question:

I would like a report and legal opinion around an appeal for TIC. I have received a letter from Dr Kearney.

Part of the letter quotes "you have also stated that Worldcom did not adhere to the plans included in its proposal. This may allow the Council, as a landowner, to make a complaint to the TIO on the basis that Worldcom did not install the facility in the manner that it proposed". Could Council Officers investigate.

Answer by the Mayor:

I am happy for the matter to go to the Properties Sub-Committee in order for the Director of City Works to provide a report in regards to this issue.

DEVELOPMENT – SCHOOLS –PROPOSED CLOSURES - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2015740)

Question:

20.

Media Reports allege the sale of Erskineville and Redfern Primary Schools may not proceed. I believe Waterloo is still in danger and a cursory read at the top of the Heritage Report suggests that the Waterloo School buildings might not be listed. Could the trees surrounding the school and in the area proper as far as Burrows Rd be listed as Heritage?

Answer by the Mayor:

I understand they are, but I will have Council's Heritage officer provide a report through the CIS in relation to all the listed and potential draft items of Heritage significance.

21.

COMMUNITY SERVICES – PROPOSED PRESENTATION TO COUNCIL - NATIONAL DEPRESSION PROGRAMME - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2024474)

Question:

I have received correspondence from the National Depression Programme. They wish to contact Council and arrange a presentation for Council. Could Council's Youth Officer and Health Officer contact the organisation?

Answer by the Mayor:

I will ask the Manager of Health Services to liaise with Council's Youth Advisory Officer in order to have that matter come to a briefing and a report come to Committee.

REPORT OF THE FINANCE COMMITTEE

26 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 7.06 pm, those present were:-

The Mayor and Councillors – Lay, Mallard and Shaw

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 6 inclusive, 8 to 11 inclusive and 13 to 19.2 inclusive be adopted. The recommendations for Item's 7,12 and 19.3 having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

1. CONFERENCES – ENVIRONMENTAL INSTITUTE OF AUSTRALIA NATIONAL CONFERENCE 2002 – SHERATON BRISBANE HOTEL AND TOWERS 31 JULY – 3 AUGUST 2002 –ATTENDANCE OF COUNCIL'S REPRESENTATIVE (2016186)

That arising from consideration of a report by the Acting Civic Affairs Manager/Public Officer dated 4 June 2002, approval be given to the Mayor, interested Councillors and the General Manager and/or his nominee attending the Environmental Institute of Australia National Conference 2002 to be held at the Sheraton Brisbane Hotel & Towers from 31 July to 3 August 2002, and that registration frees 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 as an amendment by Councillor Bush, seconded by the Mayor that the words "Mayor, interested Councillors" where appearing in the 2nd and 3rd lines of the resolution be deleted and the words "Mayor or his nominee" be inserted in lieu thereof

Amendment negatived.

Motion carried.

2. PARKS – SYDNEY PARK MARKETS – TENDERS – REJECTION (P52-00149)

At the Committee Meeting it was moved by Councillor Mallard, seconded by the Mayor, that the Finance Committee resolve that it move into a Committee of the Whole to discuss and vote on the matter.

Following discussion and voting on the matter, the Committee resolved that it return to an open Finance Committee Meeting and resolved as follows, namely:-

That Council endorse the rejection of all tenders received in response to Tender No. S8012/02 for the licensing and operation of markets at Sydney Park.

(DCW Report 12.6.02)

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

That the matter be deferred for a briefing by Council Staff on issues relating to the rejection of the tenders for the Sydney Park Markets.

Motion, as amended by consent, carried.

3. CONFERENCES – 2002 AUSTRALIAN SISTER CITIES NATIONAL CONFERENCE BENDIGO, VICTORIA 18-22 OCTOBER, 2002 – ATTENDANCE OF COUNCIL'S REPRESENTATIVES (5262801)

That approval be given to Councillor Lay, the General Manager and the Civic Affairs Manager/Public Officer attending the 2002 Australian Sister Cities National Conference in Bendigo, Victoria and that the payment of registration fees, travelling expenses and accommodation and all subsistence expenses be borne by the Council, for which funds have been made available in the 2002/2003 Budget.

It was moved as an amendment by Councillor Bush, seconded by Councillor Lay, that the name "Councillor Lay" where appearing in the 1st line of the resolution be deleted and that the words "Mayor or his nominees be inserted in lieu thereof.

Motion, as amended by consent, carried.

4. LICENSING – LLANKELLY PLACE, POTTS POINT – FOOTWAY LICENCE RENTAL REBATE (2025234/2013924/2016382)

That for the reasons set out in the report by the Director of City Environment, dated 19 June 2002, approval be given to:-

- (a) A 100% rental abatement for Footway Licences within Llankelly Place for the duration of the construction work, commencing 11 February 2002 and terminating when construction work is completed to the satisfaction of Director City Works for the premises listed below:-
 - ? Caffiend Café 40 Llankelly Place
 - ? Pad Thai 15 Llankelly Place
 - ? Sound Lounge 17 Llankelly Place.
- (b) That the Director of City Environment develop a policy on partial or percentage rental rebates or suspension of lease of footway licences where works over long periods of time are likely to impinge on the loss of customers.

Carried.

5. CONFERENCES – 2002 ENVIRONMENTAL AND PLANNING LAW ASSOCIATION CONFERENCE, OVERSEAS PASSENGER TERMINAL, CIRCULAR QUAY, SYDNEY – 10-11 OCTOBER 2002 – ATTENDANCE BY COUNCIL REPRESENTATIVES

That arising from consideration of a report by the Civic Affairs Manager/Public Officer dated 14 June 2002, approval be given to the Mayor, interested Councillors, and the General Manager and/or his nominee, and relevant staff nominated by the General Manager, attending the 2002 Environmental and Planning Law Association Conference to be held at the Overseas Passenger Terminal, Circular Quay, Sydney on 10 and 11 October, 2002, and that registration fees, 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.

Carried.

6. DONATIONS – SYDNEY TAFE INSTITUTE AWARDS NIGHT - REQUEST FOR FINANCIAL SUPPORT (2025737)

- (1) That Council be a Bronze Sponsor of the Sydney Institute of T.A.F.E. Awards to be held on 5 July 2002, and that the Chief Financial Officer look at establishing a Budget Account to deal with these type of financial requests.
- (2) That a report be prepared in respect of Council becoming a sponsor and linking into the awards for next year.

Carried.

7. PROPERTIES – GREENKNOWE AVENUE, NO. 19, POTTS POINT – REG MURPHY ACTIVITY CENTRE (2022933)

This matter was submitted to Council without recommendation.

Moved by Councillor Mallard, seconded by Councillor Bush:-

That the joint report by the Director of City Works and the Acting Director of Community Development dated 19 June 2002, be received and noted.

It was moved as an amendment by Councillor Lennon, seconded by Councillor Furness that a letter box drop be carried out of the immediate neighbourhood, canvassing options of the residents with respect to the removal of the mosaic

tiles from the front of the Reg Murphy Activity Centre at No. 19 Greenknowe Avenue, Potts Point.

Amendment negatived.

Motion carried.

8. GOODS AND EQUIPMENT – SUPPLY AND DELIVERY OF READY MIXED CONCRETE 2002/2004 – ACCEPTANCE OF TENDER (5244162)

That approval be given to accept tenders for the supply and delivery of concrete in accordance with the schedule accompanying the Directors Report (Attachment A), for a period of two years, with an option of a further one year subject to satisfactory performance. Funds for this material are included in Departmental estimates for all relevant programs.

(DCW Report 19.6.02)

It was moved as an amendment 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 matter be deferred.

Amendment negatived.

It was moved by Councillor Furness, seconded by Councillor Lennon, that the motion be amended by the addition of the words "and that a further report be prepared on Boral's and CSR's compliance with the Supplier Environmental Questionnaire".

Amendment carried.

Substantive motion carried.

9. COMMUNITY FACILITIES – SYDNEY PARK MULTI-PURPOSE SPORT AND COMMUNITY FACILITY 410-416 SYDNEY PARK ROAD, ALEXANDRIA – CONSTRUCTION – ACCEPTANCE OF TENDER (2026667)

(1) That arising from consideration of a report by the Director of City Works dated 19 June, 2002 approval be given to accept the revised tender submitted by Safin Pty Ltd. to carry out the construction of the Multipurpose Centre at 410-416 Sydney Park Road Alexandria in the amount of \$1,696,138 (excluding GST), the provision of \$254,400 (15% of the contract value) as a contingency for unforseen works. Funds of

\$1,730.000 are currently available in the 2002/2003 Works Programme (Project No.21061).

(2) That additional funds of \$258,538 be voted to project 21061 in the 2002/2003 Parks Development Works Program in order to meet the required cost of the project.

Carried.

10.

FINANCE – ACCOUNTS – SCHEDULE OF PAYMENTS – MAY 2002 (2026265)

That Council gives confirmatory approval to the schedule of payments, for May 2002, accompanying the report of the Chief Financial Officer dated 4 June 2002, details of which are contained in the relevant file.

Carried.

11.

SPORTS – COMMUNITY AND ROAD EDUCATION SCHEME (CARES) FACILITY, SYDNEY PARK, ALEXANDRIA – REJECTION OF TENDERS FOR CONSTRUCTION (2025070)

That for the reasons set out in the report by the Director of City Works dated 19 June 2002, it be resolved that:-

- (A) Council decline to accept any of the tenders and invite fresh tenders from the same three contractors based on revised documentation.
- (B) the City Works Department investigate the possibility of design changes to the Civil Works which may allow for a reduction in the quantity of material to be excavated and removed from site.
- (C) if design changes cannot be accommodated on the site, a further report be prepared for Council on the potential additional project costs as a result of the need to remove contaminated excavated material from the site. This will not be fully known until completion of excavation and testing of the excavated material.

Carried.

12. PLANNING - SOUTH SYDNEY DEVELOPMENT CORPORATION AND HORNERY INSTITUTE PARTNERSHIP – SOUTH SYDNEY CITY COUNCIL REPRESENTATION (2027066)

This matter was submitted to Council without recommendation.

Moved by Councillor Bush, seconded by Councillor Mallard:-

That the report by the Director of City Environment dated 20 June 2002, in respect of South Sydney Council representation on the Steering Committee of the Green Square Project be received and noted.

Carried.

13. PUBLIC RELATIONS – SOUTH SYDNEY DISTRICT CRICKET CLUB FUNDRAISING LUNCHEON – SPONSORING OF TABLE (2023389)

That approval be given to Council sponsoring a table at the fundraising luncheon for the South Sydney District Cricket Club Inc. to be held on 19 July, 2002, involving an expenditure of \$1,000 for which funds are available in the 2002/2003 Budget (1.51.3210.16680).

(CAMPO Report 24.6.02)

Carried.

14. PUBLIC RELATIONS – 3RD ANNUAL AURORA CHARITY DINNER – SPONSORSHIP OF TABLE (2023389)

- (1) That confirmatory approval be given to the sponsoring of a table at the 3rd Aurora Charity Dinner to be held on 29 June, 2002, involving an expenditure of \$1,500 for which funds are available in the 2001/2002 Budget.
- (2) That an account "Sponsorship of Tables at Charity Dinners" (number 1.51.3210.16415) with a budget of \$25,000 be established for the 2002/03 Budget Year, with funds to be transferred from account 1.51.3210.16680 (Sundries Miscellaneous).

Carried.

15. FINANCE – ACCOUNTS – RECONCILIATION WITH BANK STATEMENTS FOR PERIOD ENDED 31 MAY 2002 (2025602)

That the report by the Chief Financial Officer, dated 13 June 2002, certifying completion of the Bank Reconciliation for the period ending 31 May 2002, be received and noted.

Carried.

16. DONATIONS – 2002/2003 COMMUNITY GRANTS PROGRAM – FINANCIAL ASSISTANCE UNDER SECTION 356 OF THE LOCAL GOVERNMENT ACT 1993 - (2012703, 2016721, P56-00044)

(At the Donations Sub-Committee Meeting, Finance Committee Meeting and Council Meeting, Councillor Lay declared an interest in Item No. 7 .7 in that she is patron of the organisation.)

(At the Donations Sub-Committee Meeting and Council Meeting, Councillor Pooley declared an interest in Item No.3 in that he is a Director on the Board.)

That arising from consideration of a joint report by the Acting Director of Community Development and Acting Director of Corporate Services dated 25 June, 2002, in respect of financial assistance to Community Groups, it be resolved that they receive the donation as indicated namely:-

1. SUBSIDISED ACCOMMODATION GRANTS

COMMUNITY GRANTS PROGRAM 2002/2003 SUBSIDISED ACCOMMODATION – Recommendations

Арр	No. Category/Applicants	File No.	Recomn Rent Payable (6 mths)	nendation Subsidy (6 mths)
	Aged			
1.	Kings Cross Community and Information Centre 50-58 Macleay St. Potts Point	D53-00353	\$0.50	\$4,499.50
	Sub Total		\$0.50	\$4,499.50
	Children & Families			
2.	Walla Mulla Community Support (Previously D4 Family Support	D53-00342	\$520.00	\$18,947.50

Services) 34 Burton St. Darlinghurst

	Sub Total		\$520.00	\$18,947.50
	Disabled/Aged Over 55 Years			
3.	Beehive Industries Co-Op Ltd 137 Palmer St. East Sydney	2018320	\$43,412.50	\$53,000.00
	Sub Total		\$43,412.50	\$53,000.00
	Gay , Lesbian & Transgender			
4.	Metropolitan Community Church Sydney 34 Burton St. Darlinghurst	2013125	\$2026.00	\$26,346.50
5.	Australian AIDS Memorial Quilt Project	2014105	\$3,520.00	\$6,440.00
6.	Rm 23/94 Oxford St. Darlinghurst Gay and Lesbian Rights Lobby Inc Rm 6/94 Oxford St. Darlinghurst	D53-00342	\$1,963.35	\$7,536.70
7.	People Living With HIV/AIDS (NSW) Inc	2014161	\$4,770.00	\$9,730.00
8.	Gay & Lesbian Counselling Service of NSW. Rms 1&4 94 Oxford St. Darlinghurst	2026865	NIL	\$23,840.00
	Sub Total		\$12,279.35	\$73,893.20
	Youth			
9.	East Sydney Community Based High School Ltd 75 William St. Darlinghurst	2014156	\$510.00	\$32,187.50
10.	PACT Youth Theatre Co-Op 107 Railway Parade, Erskineville	D53-00350	\$3061.00	\$25,600.00
11.	South Sydney Youth Services Elizabeth & Allen Sts.Waterloo Park	D53-00368	NIL	\$4,250.00
	Sub Total		\$3,571.00	\$62,037.50
	Conoral			
12.	General Inner City Legal Centre 31-32/94 Oxford St. Darlinghurst	D53-00257	NIL	\$11,760.00
13.	Inner Sydney Regional Council for Social Development 770 Elizabeth St. Waterloo	D53-00376	\$1,790.00	\$15,500.00

14.	Radio Eastern Sydney Co-Op Ltd 249A Oxford St. Paddington	D53-00370	\$1,500.00	\$6,000.00
15.	Redfern Legal Centre 71-73 Pitt St. Redfern	2018582	\$3,556.00	\$11,719.50
16.	Women's Library Inc 8-10 Brown St. Newtown	2001967	\$1,981.00	\$8,354.00
17.	The Assoc to Resource Co-Op Housing (ARCH)	2014162	\$8,110.00	\$4,025.00
18.	Rm 27A/94 Oxford St. Darlinghurst Tom Bass Sculpture School	2015125	\$12,480.00	\$NIL
19.	1A Clara St. Erskineville Metro Screen Ltd	D53-00417	\$14,580.00	\$10,000.00
	249 Oxford St. Paddington			
20.	Darlinghurst Theatre Co 19 Greenknowe Ave Potts Point	2021160	\$15,000.00	\$39,150.00
21.	South Sydney Heritage Society 29/94 Oxford St Darlinghurst	2025294	NIL	\$7,950.00
22.	Wrap With Love Inc 4 Huntley St. Alexandria	2023498	NIL	\$9,000.00
	Sub Total		\$58,947.00	\$123,458.50
	TOTAL QUIDOIDIOED ODANITO		A 440 T 00 05	****
	TOTAL SUBSIDISED GRANTS RECOMMENDED*		\$118,730.35	\$335,836.20

It is recommended that all subsidised grants be approved for a six (6) month period only, from 1 July, 2002 – 31 December, 2002.

2. COMMERCIAL AND RESIDENTIAL 'SPECIAL' (ACCOMMODATION) GRANTS

COMMUNITY GRANTS PROGRAM 2002/2003 COMMERCIAL AND RESIDENTIAL SPECIAL GRANTS – Recommendations

App No.	Category/Applicants	File No.	Recommendation	
			Rent Payable	Subsidy
1.	Aged Aleena Home Care Service Alexandria Town Hall 73 Garden St. Alexandria	2003437	\$21,600	\$3,300
2.	Central Sydney Area Health Service 8-10 Victoria St. Newtown	C57-00006	\$39,748	\$5,252
	Sub Total		\$61,348	\$8,552

1.	Gay, Lesbian and Transgender Retena Pty Ltd T/as Sydney 2002 Gay Games	L52-00173	NIL	\$35,000
	Sub Total		NIL	\$35,000
	Residential Grants			
1.	K. Mothersole 234 Dowling St. Woolloomooloo	2013538	\$4,638	\$16,161
2.	M. Radband	2012346	\$2,852	\$ 8,587
3.	7/12 Springfield Ave. Kings Cross Vacant 8/12 Springfield Ave. Kings Cross	2012345	-	-
4.	M & M Sadler 5 Norman St. Darlinghurst	2020726	\$1,092	\$14,508
5.	J Chesher 7 Norman St. Darlinghurst	L52-00026	\$2,751	\$12,846
6.	K. Grey 9 Norman St. Darlinghurst	L52-00190	\$6,378	\$9,222
7.	C. Dunlop 11 Norman St. Darlinghurst	2017577	\$3,148	\$12,451
8.	L. Johnson 13 Norman St. Darlinghurst	2008319	\$2,111	\$13,488
9.	M. Trenholme 15 Norman St. Darlinghurst	2004304	\$2,106	\$13,494
10.	E Finney 17 Norman St. Darlinghurst	2003297	\$1,882	\$16,099
11.	R. McKeown 3/113-115 William St East Sydney	2016984	\$1,807	\$9,360
12.	H Lewis 6/113-115 William St East Sydney	2008322	\$2,368	\$9,880
	Sub Total		\$31,133	\$136,096
TOTA	L SPECIAL GRANTS RECOMMEND	ED	\$92,481	\$179,648

^{*}All rental amounts do not include Goods and Services Tax.

It is recommended that all commercial and residential 'special' grants be approved for a Twelve (12) month period from 1 July 2002 – 30 June 2003.

3. FINANCIAL (UNSPECIFIED) GRANTS

COMMUNITY GRANTS PROGRAM 2002/2003 FINANCIAL (UNSPECIFIED) GRANTS – Recommendations

App No.	Category/Applicants	File No.	Re	Recommendation	
	Aborigines				
1.1	Aboriginal Dance Theatre Redfern (ADTR)	2021158		3,000 (A)	
1.2	Aboriginal Medical Service Co-op Ltd	2006589		- (C)	
1.3	Redfern Aboriginal Corporation	2024047		3,000 (A)	
1.4	Redfern Residents for Reconciliation	2022519		4,000 (A)	
1.5	Settlement Neighbourhood Centre	2015975	1.	1,400 (A)	
			2.	- (C)	
			3.	5,000 (A)	
	Sub Total			16,400	
	Aged				
	Agou				
2.1	Central Sydney Community Transport	2019517	1.	2,700 (B)	
	Group		2.	- (C)	
2.2	Food Distribution Network Inc	D5300140		5,000 (A)	
2.3	Holy Trinity Anglican Church	2015333		2,600 (A)	
	Sub Total			10,300	
	CALD/Migrants				
3.1	Australian Chinese Community Association of NSW Inc	D5300279		3,000 (A)	
3.2	Botany Migrant Resource Centre	2020323		- (C)	
3.3	Chinese Elderly Welfare Association Inc	2026068		- (C)	
3.4	Farah	TBA		- (C)	
3.5	Greek Welfare Centre	2017138		2,000 (B)	
3.6	Italian Ladies & Friends Craft Group	2026440		650 (B)	
3.7	Jewish Care	2022502	1.	Free use of Redfern Town	
				Hall (C)	
			2.	3,500 (B)	
3.8	Radio Eastern Sydney Cooperative Ltd	D5300370		- (C)	

3.9	Randwick Information & Community Centre	2026229	au	4,300(B) – ondition: to be aspiced by The
3.10	South East Neighbourhood Centre	2026030	1. 2.	Redfern Centre 3,000 (A) - (C)
3.11	South Sydney Domestic Violence Liaison Committee	2011708	1. 2.	5,000 (A) 5,000 (A)
3.12	The Shop Women & Children's Centre	D5300366	1.	1,400 (A)
			2.	10,000 (A)
			3.	(C)
3.13	University of Sydney Union	2026232		- (C)
	Sub Total			37,850
	Children and Families			
4.1	Aunties & Uncles Cooperative Family Project Ltd	2017135		2,850 (A)
4.2	Bourke Street Public School	2000182		- (C)
4.3	K.U. Children's Services	2000259		- (C)
4.4	Marrickville Council (Magic Yellow Bus)	2019988		5,860 (A)
4.5	Newtown Junior Australian Football Club Inc	2026261	1. 2.	2,900 (A) - (C)
4.6	Peace Park Chippendale Playgroup	2026417		1,500 (A)
4.7	Redfern Public School	D5300184		1,500 (A)
4.8	Rosebery Child Care Centre	D5300381		- (C)
4.9	South Newtown Playgroup	2026240		- (C)
4.10	South Sydney Calisthenic Club	2017139		3,000 (B)
4.11	Sydney Day Nursery (SDN)	2019991	1.	4,960 (A)
4.12	Children's Services Inc The Benevolent Society, Control Sydney SCARRA Service	2024003	2.	- (C) 12,000 (A)
4.13	Central Sydney SCARBA Service The Factory Community Inc	2024072		2,500 (A)
4.14	Walla Mulla Family & Community	2024209	1.	2,000 (A)
	Support	202 .200	2.	- (C)
			3.	2,000 (A)
			4.	5,000 (A)
	Sub Total			46,070
L				70,010
	Disabled			
5.1	Eastern Respite & Recreation	2014160		- (C)

5.2	Junction House Inc	2001711		4,500 (A)
5.3	Luncheon Club AIDS Support Group	2014188		5,000 (B)
5.4	Inc Miroma	2026233		1,500 (B)
5.5	New Theatre	D5300076		- (C)
5.6	People Living with HIV/AIDs (NSW) Inc	2014161		- (C)
5.7	South Sydney Blind Community & Friends	5275951		1,000 (A)
5.8	Technical Aid to the Disabled	2022492		1,000 (B)
5.9	Windgap Foundation	D53-00319		- (C)
	Sub Total			13,000
	Gay, Lesbian & Transgender			
6.1	Out & Out	2026241		- (C)
6.2	Sydney PRIDE Centre Ltd	2011187		- (C)
6.3	The Deli Women & Children Centre	2026263	1.	3,000 (A)
			2.	3,000 (A)
	Sub Total			\$6,000
	Canaral Community Building			
7.1	General – Community Building 2011 Residents Association Inc	2026281		- (C)
7.1	Australian Red Cross	2020201		- (C)
				(0)
7.3	Emerge Australia (formerly City Care)	2020199	1. 2.	- (C) 1,800 (B)
7.4	Erskineville Public School P & C Association	2005239		- (C)
7.5	Inner Sydney Regional Council for	D5300376	1.	3,000 (A)
	Social Development Co-op Ltd		2.	- (C)
			3.	- (C)
			4.	5,000 (A)
7.6	Kings Cross Liquor Licensing Accord Inc	2019367	1. 2.	- (C) - (C)
7.7	Marrickville-South Sydney Bicycle Group	2022515	۷.	- (C)
7.8	Northcott Community Centre	D5300245		739 (B)
7.9	Oddjobbers (Southern & Central	2022489		1,800 (A)
7.10	Waterloo Tenants Group)	2015127		1 FOO (B)
7.10	St Vincent de Paul Society - Family & Welfare Centre, Redfern	2015127		1,500 (B)
7.11	Standup (auspiced by SSCA)	2026234		- (C)
				(0)
7.12	Unemployed People Embassy	D5300300	1.	- (C)

7.13	Waterloo/Redfern Community Development Project	2020340	 1. 	- (C) 5,000 (A)
7.14 Sub Total	Wrap With Love Inc	2012357	 3. 	(A) (A) - (C) 18,839
	General – Arts and Cultural Develo	pment		
7.15	Association for Music Community Arts & Development	2022526		5,000 (A)
7.16	CTV 1 Community Cable Television Channel One	D5300293		5,000 (A)
7.17	East Sydney Neighbourhood Association	2026242	1. 2. 3.	- (C) - (C)
7.18	Inner West Cultural Services	2023897	3. 1.	- (C) 5,000 (A)
				- (C) - (C)
7.19	Julie Cracknell & Peter Lonergan Architects	2026413		- (C)
7.20	Kings Cross Arts Guild Inc	2022514		5,000 (A)
7.21	Kings Cross Community & Information Centre Inc	D5300353		- (C)
7.22	Newtown Neighbourhood Centre	D5300224		5,000 (A)
7.23	Oxfam Community Aid Abroad	2015944	In-kir	nd support (B)
7.24	Redfern/Waterloo Arts & Crafts Exhibition	2020171		1,000 (A)
7.25	South Sydney Community Aid Cooperative Ltd	2025802	1. 2. 3. 4.	5,000 (A) - (C) - (C) - (C)
7.26	Surry Hills Neighbourhood Centre	D53-00387	1.	5,000 (A)
			2.	2,500 (A)
			3.	2,500 (A)
			4.	- (C)
7.27	Sydney A Cappella Association	2026243		- (C)
7.28	TAP Art Gallery	2020315	1.	- (C)
Sub Total			2.	- (C) 41,000
	Sub Total			59,839

Councillor Lennon moved a motion that the General – Arts and Cultural Development section be deferred. The motion was lost through want of a seconder.

	Homelessness			
8.1	Baptist Inner City Ministries	D53-00391		- (C)
8.2	Charles O'Neill House	2026273		- (C)
8.3	Matthew Talbot Hostel	2026239		5,000 (A)
8.4	Reclink	2024031	1.	4,050 (A)
			2.	(C)
8.5	St John's Anglican Church	2019992	3.	5,000 (A) 2,000 (A)
0.5	Darlinghurst (Rough Edges	2019992		2,000 (A)
	Community Centre)			
8.6	St Vincent de Paul – Vincentian	2020180		4,790 (A)
8.7	Village Care & Support Service The Salvation Army – Foster House	2004286		- (C)
8.8	The Wayside Chapel	D53-00365		5,000
0.0	The Waysiae Chaper	200 00000	1.	- (B)
			2.	- (B)
	Sub Total			25,840
	Youth			
9.1	International Volunteers for Peace	2024009		- (C)
9.2	PACT Youth Theatre	2023439		- (C)
9.3	South Sydney Aboriginal Corp	2020318		2,500 (A)
	Resource Centre (auspicing Youth			
	Matters Project)			
9.4	South Sydney Mt Carmel Junior	2023291		3,000 (B)
	Cricket Club			, , ,
9.5	South Sydney Youth Services	D5300368	1.	- (C)
			•	5.000 (4)
9.6	Streetwize Communications	2022121	2.	5,000 (A)
9.7	The Fact Tree Youth Service	2013382		- (C) 520 (A)
9.8	Waterloo Girls Centre (auspiced by	2010002	1.	- (C)
5.0	The Shop Women and Children's	D53-00216		, ,
	Service)		2.	5,000 (A)
	Sub Total			16,020
TOTAL FINANCIAL (UNODEOUTIES) ORANITO RECOMMENDES				
TOTAL FINANCIAL (UNSPECIFIED) GRANTS RECOMMENDED				\$231,319

4. FINANCIAL (SPECIFIC) GRANTS

COMMUNITY GRANTS PROGRAM 2002/2003 FINANCIAL (SPECIFIC) GRANTS – Recommendations

App No.	Category/Applicants	File No.	Recommendation
	Aged		
1.	Voluntary workers Insurance Reim	30,000	
	Insurance of Clubs' Fund at Activity	y Clubs	
	Petrol Subsidy, Voluntary Workers		
	Other Assistance, Voluntary Worke	ers	
	Fares, Bridge Toll and Parking, Vo	luntary Workers	
	Sub Total		30,000
	Children and Families		
2.	Children and Nutrition Project	H51-00089	3,000
3.	KU Children's Services	2000259	50,000
	Sub Total		53,000
TOTAL FI	NANCIAL (SPECIFIC) GRANTS R	ECOMMENDED	\$83,000

5. SPONSORSHIP

COMMUNITY GRANTS PROGRAM 2002/2003 SPONSORSHIP – Recommendations

App No.	Category/Applicants	File No.	Recommendation
1.	Gay, Lesbian and Transgender Mardi Gras	2014734	125,000
TOTAL SI	PONSORSHIP RECOMMENDED		\$125,000

6. IN-KIND SUPPORT PROVISIONS

COMMUNITY GRANTS PROGRAM 2002/2003 IN-KIND SUPPORT PROVISIONS – Recommendations

App No.	Category/Applicants File No.	Recommendation	
	General		
1.	Community Bus Scheme	45,000	
2.	Hall Hire	30,000	
3.	Parks Branch Support Procedure	10,000	
4.	Redfern Legal Centre	70,000	
TOTAL IN-KIND SUPPORT PROVISIONS RECOMMENDED \$155,00			

- (1) That the recommendations for funding for the 2002/2003 Community Grants Program, as outlined in the before mentioned report, be approved by Council;
- (2) That Council approve an additional payment for GST on the financial (cash) grants, if appropriate;
- (3) That the subsidised accommodation grants be approved for a six month period only;
- (4) That the 'Special' Commercial Accommodation Grants be approved for a twelve (12) month period;
- (5) That a review of the Subsidised Accommodation Program and 'Special' Commercial Accommodation Grants be completed by December, 2002, with a further report to be submitted to Council by the end of September, 2002 recommending the proposed criteria for the review;
- (6) That any new leases be approved for a period of six months only so as not to pre-empt the outcomes of the review;
- (7) That any leases expiring during between July, 2002 and December, 2002 be carried over on a month to month basis only so as not to preempt the outcomes of the review;
- (8) That Council accept no new applications for 'special' residential grants;
- (9) That Council review its arrangements with Kindergarten Union and Sydney Day Nursery to ensure that Council support for these organisations is delivering affordable childcare options for disadvantaged families in South Sydney, and that a further report be

submitted to Council outlining the recommendations for future arrangements;

- (10) That future requests for priority works funding for services provided from Council premises, as partnership services with Council, be included in Council's Annual Priority Works Program for example KU, Sydney Day Nursery;
- (11) That Council refer applications for sponsorship to the Annual Community Grants Program Unspecified Financial Grants wherever possible, and apply similar assessment criteria to such requests;
- (12) That next year's report include consideration of lease arrangements for the free/subsidised use of Council's parks/sporting fields;
- (13) That the application forms for next year's Annual Community Grants Program report be amended to include details of directors and management committee members of applicant organisations and groups, and for these details to be kept on file.

It was moved by Councillor Lennon, seconded by Councillor Bush, that a report be submitted regarding a one off donation to the TAP Art Gallery, Item No. 7.28, in the Donation Sub-Committee report as requested by the applicant.

Amendment negatived.

Motion carried.

Note: At the request of Councillor Lennon, the Mayor directed that Council staff assist any Community Groups that need help in filling out the Community Grants Application Form for next years applications.

17. ADMINISTRATION - CITY OF SYDNEY CORPORATE PLAN 2002 – COMMENCEMENT OF LEGAL PROCEEDINGS (2027241)

This matter was dealt with in the Report of Properties Sub-Committee (Confidential Matters).

Carried.

18. DONATIONS – BLUEY DAY, 3 AUGUST 2002 – COUNCIL SPONSORSHIP (2022481)

That approval be given to Mr Peter McIntosh, Labourer, Parks Branch, City Works Department and a member of the State Emergency Services being sponsored by Council in the "Bluey Day" fund raising activity on 3 August

2002, involving an expenditure of \$1,000 and that the expenditure be charged to Section 356 of the Local Government Act 1993, (Donations), for which funds are available in the 2002/2003 Revenue Estimates.

(CAMPO Report 25.6.02)

Carried.

19.

REPORT OF THE PROPERTIES SUB-COMMITTEE – WEDNESDAY, 26th JUNE 2002 COMMENCING AT 6.11 PM

At the commencement of business those present were:-

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

That it be resolved that the undermentioned recommendations of the Properties Sub-Committee of its meeting of 26 June 2002, be approved and adopted.

19.1.

PROPERTIES – PROPOSED SALE OF LAND - CORNER OF MOORGATE LANE AND PAINTS LANE, CHIPPENDALE – (2025695)

Note:

During discussion on this item Councillor Furness was in attendance as an observer and left at 6.24 p.m.

That arising from consideration of a joint report by the Acting Director of Corporate Services and the Director of City Environment dated 17 June 2002, approval be given to Council to rescind its approval on 6 February 2002, to sub-divide the Council owned land at the corner of Moorgate Lane and Paints Lane, Chippendale, for subsequent sale by private treaty to adjoining owners.

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

That Council investigate and take all necessary action to rescind the road widening proposal that affects the land on the corner of Moorgate Lane and Paints Lane, Chippendale, and that a further report be prepared and forwarded to a future Properties Sub-Committee, canvassing all options.

Motion, as amended by consent, carried.

19.2.

LEASING – ALEXANDRIA TOWN HALL GROUND FLOOR - EXTENSION OF LEASE - HOME CARE SERVICE OF NSW FOR THE PURPOSES OF OPERATING THE ALLEENA ABORIGINAL HOME CARE SERVICE (2003437)

That arising from consideration of a report by the Acting Director of Corporate Services dated 27 May 2002, approval be given to Home Care Service of NSW for the purposes of operating the Alleena Aboriginal Home Care service to extend their lease until March 2003 under the same terms and conditions as the existing lease subject to the following conditions, namely that:-

- (1) a rental of Twenty One Thousand Six Hundred Dollars (\$21,600.00) per annum gross exclusive of Goods & Services Tax.
- (2) the Lessee is to provide Council with a Public Liability Insurance Policy of Ten Million Dollars.
- (3) 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.
- (4) all relevant documents are to be executed by Council's attorney.

Carried.

19.3.

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

This matter was submitted to Council without recommendation.

Moved by Councillor Mallard, seconded by Councillor Bush:-

- (1) That arising from consideration of a report by the Acting Director of Corporate Services dated 26 June 2002, approval be given to Poppy Michael and Harry Hatzisterergos being offered a lease of part Ground Floor having an area of 204m2, Nos 218-222 King Street Newtown for a period of five years at an initial rental of \$165,000.00 per annum gross excluding GST, water rates and trade waste collection subject to Council's standard leasehold provisions and the following conditions, namely:-
 - ? That a 1 month rent free period is to commence from the commencement date of the Lease.

- ? That the rent is to be increased in accordance with the Consumer Price Index (All Ordinaries) Sydney annually for the initial term of the Lease.
- ? That 3 option periods of 5 years each from the expiry of the initial lease period.
- ? That rent to be reviewed to market at the commencement of each option period, if exercised.
- ? That the lease to include 2 designated undercover car spaces at the rear of the premises.
- ? That the Lessees are to provide a Bank Guarantee, Security Deposit or Bond, equal to 3 months rental.
- ? That the Lessees are to provide Personal Guarantees for the term of the Lease and option periods.
- ? That the premises are to be used for the operation of a Cafe/Restaurant.
- ? That the Lessees are to provide Council with a Public Liability Insurance Policy in an amount of not less than Ten Million Dollars indemnifying both Council and the Lessee against any claims that may arise during the term of the Lease.
- ? That any proposed alterations to the leased premises, including refurbishment, fit out by the Lessees during the term of the Lease period must first be submitted to the Property Branch Manager prior to any submission of plans to Council's City Environment Department for Statutory approvals.
- ? 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 Lessees.
- ? That all relevant documents are to be executed by Council's Attorney.
- (2) That the first floor of premises Nos. 218-222 King Street Newtown having an area of 450m2 be placed on the market to find a suitable Tenant to lease the premises.
- (3) That the small retail shop No. 218 King Street Newtown, having an area of 95m2, when vacated, by The Newtown Environment Educational Programme, be placed on the market to find a suitable Tenant.

Carried.

The Properties Sub-Committee Meeting terminated at 6.54 p.m.

At this stage and at 7.48 pm, it was moved by Councillor Mallard, seconded by the Mayor:-

That the Council resolve to meet as a Committee of the Whole with Press and Public excluded to discuss the following matters, as they dealt with Legal and Property Matters.

- (1) Item No 17 Finance Committee **ADMINISTRATION CITY OF SYDNEY CORPORATE PLAN 2002 COMMENCEMENT OF LEGAL PROCEEDINGS (2026037**
- (2) Report of Properties Sub-Committee (Confidential Matters)
 PROPERTIES CIVIC ADMINISTRATION CENTRE AFTER
 SEPTEMBER 2003 OPTIONS (2013555)

PROPERTIES – NEW CIVIC ADMINISTRATION CENTRE – PROPOSALS (2008384)

PROPERTIES – ROYAL SOUTH SYDNEY HOSPITAL – SITE – NO. 3 JOYNTON AVENUE, ZETLAND – PURCHASE (2008009)

PROPERTIES – MANAGEMENT – PROPERTY INVESTMENT STRATEGY (2026852)

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

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

17.

ADMINISTRATION - CITY OF SYDNEY CORPORATE PLAN 2002 - COMMENCEMENT OF LEGAL PROCEEDINGS (2026037)

The Committee resolved that this matter be Press and Public Excluded in accordance with Section 10A(2)(g) of the Local Government Act, 1993, namely:-

(g) Advice concerning litigation or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

Confirmatory approval as recommended by the General Manager in the report dated 26 June 2002.

(Councillor Mallard requested that his name be recorded as voting against the decision of the Committee.)

REPORT OF THE PROPERTIES SUB-COMMITTEE (CONFIDENTIAL MATTERS) WEDNESDAY 26 JUNE 2002 AT 6.55 PM

PRESENT

The Mayor, Councillor John Fowler (Chairperson)

Councillors – Jill Lay, Shayne Mallard and Gregory Shaw

At the commencement of business at 6.55 pm, those present were -

The Mayor and Councillors – Lay, Mallard and Shaw.

In accordance with Section 10D of the Local Government Act, 1993, the Committee to resolve that the press and public be excluded from the meeting of the Properties Sub-Committee (Confidential Matters) during consideration of the undermentioned items, and further, access to correspondence and reports being withheld in respect of such Items because in the opinion of the Committee, publicity of the proceedings of the Committee would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

The reason that these Items are Press and Public excluded is in accordance with Section 10A(2)(c) of the Local Government Act, 1993, namely:-

information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Items 1-4 - Property Matters.

The Committee **recommends** the following:-

1.
PROPERTIES – CIVIC ADMINISTRATION CENTRE AFTER SEPTEMBER 2003 OPTIONS (2013555)

This matter was submitted to Council without recommendation.

2.

PROPERTIES – NEW CIVIC ADMINISTRATION CENTRE – PROPOSALS (2008384)

This matter was submitted to Council without recommendation.

3. PROPERTIES – ROYAL SOUTH SYDNEY HOSPITAL – SITE – NO. 3 JOYNTON AVENUE. ZETLAND – PURCHASE (2008009)

This matter was submitted to Council without recommendation.

4. PROPERTIES – MANAGEMENT – PROPERTY INVESTMENT STRATEGY (2026852)

This matter was submitted to Council without recommendation.

At 8.03 the Council meeting resumed.

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

The Supervising Committee Clerk then read out the following recommendations of the Committee of the Whole, namely:-

17. ADMINISTRATION - CITY OF SYDNEY CORPORATE PLAN 2002 – COMMENCEMENT OF LEGAL PROCEEDINGS (2026037)

That the recommendation as contained in the report by the General Manager dated 26 June, 2002, be deleted and the following new recommendation be inserted in lieu thereof namely:-

That the recommendation as contained in the report by the General Manager dated 28 June, 2002, that was circulated to Councillors prior to the Council meeting commencing, be approved and adopted.

(At the Committee and Council meetings Councillor Mallard requested that his name be recorded as voting against the foregoing decision and at the Council meeting Councillor Lennon requested that her name be recorded as voting against the decision.)

1. PROPERTIES – CIVIC ADMINISTRATION CENTRE AFTER SEPTEMBER 2003 - OPTIONS (2013555)

That the recommendation as contained in the report by the General Manager dated 3 July 2002, that was circulated to Councillors prior to Council Meeting commencing, be approved and adopted, unanimously.

2. PROPERTIES – NEW CIVIC ADMINISTRATION CENTRE – PROPOSALS (2008384)

That the recommendation as contained in the report by the Acting Director of Corporate Services dated 20 June 2002, be approved and adopted, unanimously.

3. PROPERTIES – ROYAL SOUTH SYDNEY HOSPITAL SITE – NO. 3 JOYNTON AVENUE, ZETLAND – PURCHASE (2008009)

That the recommendation as contained in the report by the General Manager dated 3 July 2002, that was circulated to Councillors prior to the Council Meeting commencing, be approved and adopted, unanimously, subject to the deletion of the words "for the sale" where appearing in Clause (A) of the recommendation and the insertion in lieu thereof, of the words "for a further tender process".

Carried

4. PROPERTIES – MANAGEMENT – PROPERTY INVESTMENT STRATEGY (2026852)

That the recommendation as contained in the report by the General Manager dated 3 July 2002, that was circulated to Councillors prior to the Council Meeting commencing, be approved and adopted, unanimously.

The recommendations of the Committee of the Whole were then put and Carried.

The Properties Sub-Committee (Confidential Matters) Meeting terminated at 7.15 p.m.

The Finance Committee Meeting terminated at 8.06 p.m.

REPORT OF THE COMMUNITY SERVICES COMMITTEE

26 June 2002

PRESENT

The Mayor, Councillor John Fowler (Chairperson)

Councillors – Jill Lay, Shayne Mallard and Gregory Shaw

At the commencement of business at 8.06 pm those present were -

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

Moved by the Chairperson The Mayor, Councillor John Fowler seconded by Councillor Lay:-

That the Report of the Community Services Committee of its meeting of 26 June 2002, be received and the recommendations set out below for Items 2 to 5, inclusive, be adopted. The recommendation for Item 1 having been dealt with as shown immediately following such Item.

Carried.

The Committee recommended the following:-

1.

MEMBERSHIP - ENDORSEMENT OF REACTION CAMPAIGN AGAINST
THE CONSTRUCTION OF A NUCLEAR REACTOR AT LUCAS HEIGHTS,
SYDNEY (M54-00004)

This matter was submitted to Council without recommendation.

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

That arising from consideration of a report by the Director of City Environment dated 20 June, 2002, approval be given to:-

- (1) Council supporting the "Reaction campaign" by endorsing the following statement, namely:-
 - "Australia likes to be seen as a country leading the way in environmental protection, nuclear disarmament and scientific research. However, the proposal to build a second reactor at Lucas Heights in Sydney is an example of Australia using outdated and dirty nuclear technology. A second nuclear reactor would lock us into the production

of highly toxic nuclear waste for at least another 40 years creating both environmental and proliferation risks.

There is no solution to the world's nuclear waste problem. Even in storage it remains radioactive for thousands of generations. Operations at Lucas Heights have proceeded without any long-term plan for the waste produced and there is currently no place prepared to accept the waste.

The potential dangers of a nuclear reactor in Sydney should be obvious in light of the September 11 terrorist attacks. It is not possible for a nuclear facility to be totally secure. The reactor is the wrong technology, in the wrong place, at the wrong time.

The half billion dollars allocated to building and maintaining another reactor could be better spent on developing existing, cleaner technology for the creation of medical isotopes – a field in which Australia has the chance to become a world leader.

In the new millennium, Australia is confronted with a clear choice – continue to support the nuclear industry or take an alternative route and promote cleaner, safer technologies over nuclear reactors".

(2) The Reaction campaign Co-ordinator be formally advised of Council's endorsement and approval.

It was moved by Councillor Lennon, seconded by Councillor Furness that the motion be amended by the addition of a clause (3) to the recommendation namely:-

(3) That the General Manager liaise with Councillor Lennon to find a suitable site for a public meeting.

Motion, as amended by consent, carried.

2.

COMMITTEES – CALL FOR NEW COMMUNITY ORGANISATION AND CULTURALLY AND LINGUISTICALLY DIVERSE RESIDENT REPRESENTATIVES FOR COUNCIL'S MULTICULTURAL ADVISORY COMMITTEE (2026036)

That arising from consideration of a report by the Acting Director of Community Development dated 8 June 2002, approval be given to:-

- (1) the renewal of community membership on its Multicultural Advisory Committee:
- the proposed nomination process for community organisation and CALD resident representatives;

(3) the selection criteria for nomination of community organisations and CALD resident representatives.

Carried.

3. PUBLIC RELATIONS – 2002 COUNCIL COMMUNITY ACHIEVEMENT AWARDS (P58-00592)

- (1) That arising from consideration of a report by the Acting Director of Community Development dated 18 June 2002, approval be given to nominations as set out in the beforementioned report for the 2002 Community Achievement Awards.
- (2) That the report by the Acting Director of Community Development dated 3 July 2002, that was circulated to Councillors prior to the Council Meeting commencing, in respect of a further nomination by Councillor Lay of Ms Christine Robinson, be approved.

Carried.

4.
(1) COMMUNITY FACILITIES – PINE STREET COMMUNITY GALLERY POLICY (2) FEE STRUCTURE FOR USE (2025809)

That for the reasons set out in the report by the Acting Director of Community Development dated 4 June 2002, Council adopt the Pine Street Community Gallery Policy for implementation and approve the fee structure as outlined in the draft Fees and Charges for 2002/2003.

Carried.

5.

COMMUNITY FACILITIES – SURRY HILLS CHILD CARE CENTRE
ADJACENT TO ANTHONY DOHERTY HALL – FORMALISATION OF
AGREEMENT TO USE FENCED OUTDOOR AREA – SURRY HILLS
NEIGHBOURHOOD CENTRE (2009360)

That arising from consideration of a joint report by the Acting Director of Community Development and the Director of City Works dated 18 June 2002, approval be given to:-

(1) the exclusive use of the fenced outdoor area in the Collins Street closure, Surry Hills for the purpose of occasional child care provided by the Surry Hills Neighbourhood Centre on Mondays, Tuesdays, Thursdays and Fridays between the hours of 9am – 11am; (2) Council informing the community of this change by providing signage to the fenced area.

Carried.

The Community Services Committee Meeting terminated at 8.12 p.m.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

26 June 2002

PRESENT

Councillor John Bush (Chairperson)

Councillors – Peter Furness, Christine Harcourt, Amanda Lennon

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

Councillors - Bush, Furness, Harcourt, Lennon

Leave of Absence:

Leave of Absence was granted to Councillor Pooley at the Council Meeting held on 19 June 2002.

Moved by the Chairperson (Councillor Bush), seconded by Councillor Furness.

That the Report of the Planning and Development Committee of its meeting of 26 June 2002, be received and the recommendations set out below for Items 2,4,7,13,15,17,18 and 21 inclusive, be adopted. The recommendations for Items 1,3,5,6,8to 12 inclusive 16,19,and 20 having been dealt with as shown immediately following such Items.

Carried.

The Committee recommended the following:-

1.
OXFORD STREET, NOS. 56 – 76, DARLINGHURST – EXTENDED
TRADING HOURS, INTERNAL AND EXTERNAL ALTERATIONS,
MODIFICATIONS TO EXISTING OUTDOOR DINING AREA FOR EXISTING
RESTAURANT – DEVELOPMENT APPLICATION (U01-00552)

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 of the Consultant, Kevin A Brodie dated 28 April 2002, and as recommended in the Director of City Environment in the report dated 5 June 2002.

Carried.

2.
BORONIA STREET, NO. 86, REDFERN – MODIFICATION TO RAISE ROOF HEIGHT OF REAR GROUND FLOOR SKILLION – DEVELOPMENT APPLICATION (U01-01229)

This matter was submitted to Council without recommendation.

Moved by Councillor Bush, seconded by Councillor Mallard:-

- (A) That the Council as the responsible authority grants its consent under the Environmental Planning and Assessment Act, 1979 to the Section 96 modification submitted by Raffaele Faro, for permission to vary a consent granted for "alterations and additions to the existing dwelling including a rear ground floor extension and rear attic dormer" by the deletion of condition (4) of Council's previous consent of 5 February 2002, namely:-
 - (4) That the existing rear ground floor roof height shall not be raised and shall remain a mirror image of No. 88 Boronia Street, Redfern.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

3.

LAWRENCE STREET, NOS. 284 – 286, ALEXANDRIA – CONVERT EXISTING WAREHOUSE INTO 12 X 2 BEDROOM UNITS WITH OFF-STREET PARKING FOR 12 VEHICLES – DEVELOPMENT APPLICATION (U01-01168)

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 City Environment dated 17 June 2002 being clauses (B) and (C).

Carried.

4.

TRAFFIC – RICHARDS AVENUE AND COLLINS STREET, SURRY HILLS –
ROAD CLOSURES (T52-00223)

That approval be given to the permanent opening of the Shared Traffic Zone in Collins Street, Surry Hills between Crown Street and Richards Lane and the permanent closure of Richards Avenue, Surry Hills at Foveaux Street.

(DCW Report 13/6/02)

Carried.

5.

REGENT STREET, NO. 143, CHIPPENDALE – DEMOLITION OF ROOF TO REAR GROUND FLOOR GARAGE AND ERECT TWO STOREY SINGLE RESIDENCE ABOVE – DEVELOPMENT APPLICATION (U00-01305)

This matter was submitted to Council without recommendation.

Moved by Councillor Bush, seconded by Councillor Mallard:-

- (A) That the Council as the consent authority refuses to grant its consent under the Environmental Planning and Assessment Act, 1979 to the development application submitted by Architectural Solutions, with the authority of Richard Collins, for permission to demolish the roof of the rear ground floor garage and erect a 2 storey single residence above at No. 143 Regent Street, Chippendale, for the following reasons, namely:-
 - (1) That the location of the external stairs at the rear of the building is unacceptable and is not an appropriate way to access the proposed residence due to the area being used as a car parking and manoeuvring area;

- (2) That the external access stairs would result in unnecessary privacy and amenity concerns to the adjoining property to the south;
- (3) That the proposal is not in the public interest.
- (B) That the person(s) who made representations in respect of the proposal be advised of Council's decision.

Moved by Councillor Harcourt, seconded by Councillor Furness, 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 application be deferred in order that amended plans be submitted by the applicant in order that the front door access the street.

Motion, as amended, carried.

6. KING STREET 612-622 ERSKINEVILLE – ERECTION OF MIXED COMMERCIAL AND RESIDENTIAL BUILDING – DEVELOPMENT APPLICATION (U01

This matter was submitted to Council without recommendation.

Moved by Councillor Bush, seconded by the Mayor:-

That the application submitted by Turner and Associates, Architects, with the authority of Fox Property Group, Sunshine Estates Pty Ltd and Dora Constructions Pty Ltd to the demolition of the existing building and the construction of a building containing six shops and 22 units, be deferred to the Planning and Development Committee meeting on 24 July 2002, to enable consideration of the road closure issue at corner of Rochford/King Street by the Traffic Committee and for the applicant to submit amended plans addressing issues such as vehicle entry to the site, garbage storage, loading/unloading, having regard to the potential relocation of the road closure.

It was moved as an amendment by Councillor Furness, seconded by Councillor Lennon, that the words "on 24 July 2002" be deleted and the insertion in lieu thereof of the following new words "immediately following the South Sydney Traffic Committee Meeting to be held on 21 August 2002".

Negatived.

Motion carried.

7. OXFORD STREET, NO. 191, DARLINGHURST – CONSTRUCTION OF DECKING ON FOOTWAY LICENCE AREA – DEVELOPMENT APPLICATION (U02-00259)

- (A) That the Council grants its consent under the Environmental Planning and Assessment Act, 1979 to the development application submitted by San Marco Express Pty Ltd, with the authority of South Sydney City Council, subject to the following conditions, namely:-
 - (1) That the development shall be in generally in accordance with plans numbered DA-01 and DA-02 as drawn by Watermark Architecture and Interiors Pty Ltd and dated 28 January 2002 and held on file U02-00259 and stamped and endorsed by Council;
 - (2) That the area of the deck indicated on the plans shall be reduced in size, extending no more than 6700mm from the western elevation of the site, to be consistent with the area as apart of footway licence on plan S4-130/636F;
 - (3) That the deck shall only be occupied from 8.00am to 2.00am Sunday to Wednesday and 8.00am to 3.00pm Thursday to Saturday;
 - (4) That with prior notice from Council, the applicant will temporarily remove the timber deck for the period of time required for Council to carry out works associated with the Taylor Square Urban Design Project or other works and improvements required by Council. After these works have been carried out the applicant may reinstate the timber deck to its original condition;
 - (5) That no animals shall be allowed on the premises including the licensed footway area in accordance with the requirements of the Food Act 1989:
 - (6) That all outdoor furniture, facilities and the pavement shall be kept at all times clean and free from food scraps;
 - (7) That the void under the timber decking shall be kept clean and free from food scraps at all times;
 - (8) That waste matter shall not be permitted to enter, fall or descent into Council's stormwater system;
 - (9) That the use of the area shall not give rise to a nuisance to adjoining properties or an offensive noise as defined in the Protection of the Environment Operations Act 1997. No loud speakers shall transmit recorded music from within or near the area;

- (10) That noise from patrons and amplified music emitted from the licensed premises shall comply with the following criteria:
 - (a) the LA10 noise level emitted from the licensed premises shall not exceed 5dB above the background (L90) noise level in any Octave Band Centre Frequency (31.5Hz to 8KHz inclusive) between the hours of 7.00am to 12 midnight when assessed at the nearest affected residential boundary. The background noise level shall be measured in the absence of noise emitted from the licensed premises.
 - (b) the LA10 noise level emitted from the licensed premises shall not exceed the background (L90) noise level in any Octave Band Centre Frequency (31.5Hz to 8KHz inclusive) between the hours of 12 midnight to 2.00am Monday to Wednesday and Sunday between the hours of 12 midnight to 3.00am Thursday to Saturday when assessed at the nearest affected residential boundary. The background noise level shall be measured in the absence of noise emitted from the licensed premises.

-notwithstanding compliance with the above clauses, the noise from the licensed premises shall not be audible within any habitable room in any residential premises between the house 12 midnight to 7.00am;

- (11) That prior to issuing a Construction Certificate, it will be necessary to lodge with Council a fee of \$330 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;
- (12) 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;
- (13) 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;
- (14) That the building, during construction and when completed, shall be designed so as to take into consideration Council's Pedestrian Safety Guidelines. The applicant shall be responsible for any costs associated with the implementation of any pedestrian safety measures such as street signs, pedestrian crossings and the like;

- (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 all relevant sections of the BCA shall be complied with;
- (18) 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;
- (19) That structural drawings and certificate from a qualified structural engineer, certifying that the design is in accordance with the relevant Australian Standards and design codes shall be submitted prior to commencement of work;
- (20) That the requirements of the Work Cover Authority shall be complied with;
- (21) That all excavation, demolition and building work in connection with the proposed development shall only be carried out between the hours of 7.00am and 5.00pm on Mondays to Fridays, and 7.00am and 3.00pm on Saturdays and no work shall be carried out on Sundays or public holidays;
- (22) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites":
- (23) That the existing building shall be maintained in a stable condition during construction and/or demolition work to Council's approval.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

(C) That a report be submitted by the appropriate Council Officer detailing Council's liability insurance in relation to claims for accidents in Oxford Street

Carried.

8.
BENNETT STREET, NO. 17, NEWTOWN – ALTERATIONS AND ADDITIONS TO EXISTING DWELLING AT THE REAR – DEVELOPMENT APPLICATION (U02-00083)

That the development application submitted by Therese Kerr (owner), to alter and add to the existing dwelling including a first floor addition at the rear, be deferred for further discussion with the applicant and objectors and the submission of amended plans showing a reduced building envelope at the rear and deletion of the first floor roof terrace.

Carried.

9.

PROSPECT STREET, NOS. 3 – 7, ERSKINEVILLE – DEMOLISH PARTS OF EXISTING BUILDINGS AND MAKE ADDITIONS TO CREATE MIXED RESIDENTIAL AND COMMERCIAL DEVELOPMENT – DEVELOPMENT APPLICATION (U00-00403)

This matter was submitted to Council without recommendation.

Moved by Councillor Bush, seconded by Councillor Lay:-

That the application submitted by Mr J Muscat (owner) for permission to refurbish and extend the existing buildings for a mixed business and residential purposes, be deferred to enable the applicant to submit amended plans showing:

- (1) Relocation of the proposed café to the Erskineville Road side of the development;
- (2) Refinement of the proposed driveway location on Prospect Street;
- (3) Additional shadow diagrams detailing afternoon shadow impacts on properties in Prospect Street;

Carried.

10.

BOURKE STREET, NO. 740, REDFERN – VALIDATION OF UNAUTHORISED WORKS – DEVELOPMENT APPLICATION (U01-01172)

This matter was submitted to Council without recommendation.

Moved by Councillor Mallard, seconded by the Mayor:-

- (A) That the Council refuses to grant its consent under the Environmental Planning and Assessment Act, 1979 to the development application submitted by C. J. Rees (owner), to validate the unauthorised conversion of the front elevation windows into French doors and the unauthorised conversion of the rear skillion roof into an upper level deck at 740 Bourke Street, Redfern, for the following reasons, namely:-
 - (1) That Council has no power to grant retrospective development consent for unauthorised work;
 - (2) That the unauthorised work to the front elevation does not satisfy the heritage aims in Clause 22(f) of South Sydney LEP 1998, as it is not sympathetic to and may detract from the heritage significance of the distinctive windows which define the character of the row of terrace houses;
 - (3) That the unauthorised works are not consistent with the protection of heritage conservation area principles in Clause 23(1a) of South Sydney LEP1998, as the alterations were carried out without the consent of Council:
 - (4) That the unauthorised works do not satisfy the built environment principles in Clause 28 of South Sydney LEP 1998 as they do not reinforce and enhance the streetscape and character of the locality (Clause 28(1)(b));
- (B) That the applicant be advised to replace the unauthorised French doors with a window that shall match that existing at No. 738 Bourke Street within 60 days of the date of this resolution, otherwise legal action will be taken by Council in respect of the unauthorised work.
- (C) That the applicant be advised that the Council will take no legal action in relation to the upper level deck, subject to:-
 - (i) The applicant providing a permanent 1m wide by 1.2m high planter and associated planting and 1.8m high screening on either sides of the deck. Details shall be submitted within 60 days of the date of this notice;
 - (ii) The applicant submitting a structural certificate from a qualified Structural Engineer, certifying that the deck was constructed in accordance with the relevant Australian Standards within 60 days from the date of issue of this notice.

- (D) That the applicant be advised to replace the latticework on the first floor front elevation with a metal balustrade similar to that at No. 738 Bourke Street
- (E) That the application be forwarded to Council's Compliance Section for the necessary action.
- (F) That the person(s) who made representations in respect of the proposal be advised of Council's decision.

Carried.

11.
NEWMAN STREET, NOS. 96-98, ERSKINEVILLE – LAND SUB-DIVISION AND CONSTRUCTION OF NEW TWO STOREY DWELLING WITH BASEMENT STORAGE ON NEW LOT – DEVELOPMENT APPLICATION (U02-00199)

This matter was submitted to Council without recommendation.

Moved by Councillor Bush, seconded by the Mayor:-

That the development application submitted by V.Hunter, with the authority of R.I. Hunter, V. Hunter. N. Day & M. Day, to subdivide two existing residential lots so as to create a third rear lot and erect a new two storey dwelling with basement storage, be deferred as requested by the applicant in fax dated 3 July 2002, so that the suggested design changes made at the Visit of Inspection by Councillors can be explored.

Carried.

12. OXFORD STREET, NO. 134, DARLINGHURST – ELEVATED STREET LEVEL DECK OVER FOOTPATH – USE BY PATRONS OF HOTEL – DEVELOPMENT APPLICATION (U02-00321)

- (A) That the Council grants its consent under the Environmental Planning and Assessment Act, 1979 to the development application submitted by Wynsix Hotels P/L with the authority of The Oxford Hotel Partnership to erect an elevated street level deck over Bourke Street subject to the following conditions, namely:-
 - (1) That the proposal shall be generally in accordance with plans numbered 001, 002 and 003, dated 7 March 2002, drawn by Tobias Theodore and marked in red ink, stamped and endorsed by Council;

- (2) That prior to issuing a Construction Certificate, it will be necessary to lodge with Council a fee of \$495 in the form of Cash or non expiry Bank Guarantee being the building damage deposit for the public way. This deposit will be returned upon the satisfactory completion of the work approved under this application and the submission of all relevant certificates provided that there is no damage to the public way. A written request shall be made to the Council for the return of the deposit;
- (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 \$60, or first installment (as applicable), can be paid to the Council, providing that a completed levy payment form accompanies the payment;
- (4) That the deck shall project no more than 3 metres from the eastern elevation of the hotel;
- (5) That the applicant will temporarily remove the timber deck for the period of time required by Council to carry out works associated with the Taylor Square Urban Design Project or other works and improvements required by Council. After these works have been carried out the applicant may reinstate the timber deck to its original condition;
- (6) That a separate application for a footway licence shall be submitted to Council and the deck shall not be erected until such an approval is given and all conditions satisfied (withstanding the release of a Construction Certificate). Upon the expiry of the footway licence the deck shall be promptly removed;
- (7) That the deck shall only be occupied from 9am to 10pm Sunday to Thursday and 9am to 10pm Friday and Saturday;
- (8) That the doors providing access to the deck area shall be closed and locked during all hours that the deck is not in use;
- (9) That a solid barrier constructed of transparent perspex or a like material shall be placed on the northern edge to a height of 1.8 metres from the floor of the deck:
- (10) That the new doors on the eastern elevation of the hotel shall be constructed of timber:
- (11) 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 balustrades shall comply fully with the requirements of Clause D.2.16 of the BCA;
- (12) That all relevant sections of the BCA shall be complied with;
- (13) 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;
- (14) That structural drawings and certificate from a qualified structural engineer, certifying that the design is in accordance with the relevant Australian Standards and design codes shall be submitted prior to commencement of work;
- (15) That the requirements of the Work Cover Authority shall be complied with;
- (16) 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;
- (17) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
- (18) That the existing building shall be maintained in a stable condition during construction and/or demolition work to Council's approval;
- (19) 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;
- (20) That should the applicant wish to utilize the public way for any purpose, excluding the stockpiling of construction materials, then an application shall be made to Council for referral to the South Sydney Local Traffic Committee for approval of an on-street Work Zone. Without such approval all work shall be carried out strictly within the confines of the site;

- (21) That the applicant shall accept responsibility for all costs associated with the design; construction; alteration; adjustment; relocation or restoration of any works on the public way including: kerb; gutter; pavement; footpath paving; landscaping; street furniture; signage; drainage and public utility services. The reinstatement of any damaged kerb and gutters are to be in materials similar to those existing. Such works are to be carried out by Council's workforce unless otherwise agreed in writing by the Director of Public Works and Services;
- (22) 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);
- (23) That no garbage or industrial waste shall be placed on the public way (including footpaths, roadways, plazas, reserves etc) at any time.
- (B) That the person(s) 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.)

13. CLEVELAND STREET, NO. 510, SURRY HILLS – CHANGE OF USE FROM A BOARDING HOUSE TO TOURIST ACCOMMODATION – DEVELOPMENT APPLICATION (U02-00510)

- (A) That the Council refuses to grant its consent under the Environmental Planning and Assessment Act, 1979 to the development application submitted by Sinclairs Accommodation Group, with the authority of Mr Lindsay Sinclair Tytherleigh & Janet Grimaldi, to change the use of the premises from a boarding house to a backpackers hostel, for the following reasons, namely:-
 - (1) That the proposal is not consistent with the objectives of the 2(b) Residential (Medium Density) Zone as it:
 - (a) provides no goods, services or employment for local residents.
 - is a business large in scale and intensive in use and can not be considered a small scale local business activity compatible with the existing residential area; and

- (c) has the potential to detract from the amenity of the existing area by way of noise and traffic generation;
- (2) That the granting of consent would prejudice the objectives of the recently exhibited draft LEP Amendment No. 9;
- (3) That the proposal is inconsistent with the objectives of Clause 43 of LEP 1998 in that it erodes the supply of low cost long term accommodation within the area;
- (4) That the proposal does not comply with the provisions of Part F, Section 4 of the South Sydney DCP 1997 as insufficient and inadequate communal open space is provided for guests;
- (5) That the proposal does not comply with the provisions of DCP No. 11 Transport Guidelines for Development;
- (6) That the proposal is therefore not in the public interest.
- (B) That the person(s) who made representations in respect of the proposal be advised of Council's decision.

Carried.

14. BOURKE STREET, NO. 144, WOOLLOOMOOLOO – CONTINUED USE AS SAFE HOUSE BROTHEL – DEVELOPMENT APPLICATION (U01-01246)

This matter was submitted to Council without recommendation.

Moved by Councillor Bush, seconded by the Mayor, that the application be refused.

It was moved by Councillor Harcourt, seconded by Councillor Shaw, 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, which was Option (A) of the report dated 3 July 2002, namely:-

- (A) That the Council grants its consent under the Environmental Planning and Assessment Act, 1979 to the development application submitted by Urban Realists, with the authority of Tania Palmer, to continue to operate a safe house brothel at No. 144 Bourke Street, Woolloomooloo, for a temporary period of 12 months, subject to the following conditions, namely:-
 - (1) That the use of the premises shall be generally in accordance with drawing nos. A01 and A02, dated August 2000, drawn by Wood & Day Partnership, stamped and endorsed by Council, subject to compliance with the conditions below;

- (2) That the use of the premises shall be in accordance with the Plan of Management submitted by the applicant as part of the submission dated November 2001;
- (3) That the hours of operation shall be restricted to between 8pm and 6am daily;
- (4) That no people (commonly known as "spruikers") shall be on the property or the public way, publicising the use of the premises;
- (5) That portable fire extinguishers shall be provided throughout the building to the requirements of E1.6 of the BCA and AS 2444;
- (6) That a system of emergency lighting shall be installed and/or maintained throughout the building in accordance with the requirements of E4.2, E4.3, E4.4 of the BCA and AS 2293.1;
- (7) That exit signs shall be provided and/or maintained in accordance with the requirements of E4.5, E4.7, E4.8 of the BCA and AS 2993.1:
- (8) That suitable automatic fire detection and alarm system shall be installed and/or maintained to comply with E.2.2 of the BCA;
- (9) That egress paths are to be kept free of obstructions/storage at all times;
- (10) That good housekeeping shall be maintained at all times;
- (11) 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, D.2.20 and D2.21 of the BCA;
- (12) That all entry to the premises shall be from William Lane other than for emergency egress;
- (13) That a separate development application shall be submitted at the appropriate time for any proposed signs;
- (14) That no red light shall be displayed;
- (15) That the premises shall be ventilated in accordance with the requirements of the BCA and AS 1668 Parts 1 & 2;
- (16) That the premises shall comply with the requirements of Councils Sex Industry Policy;

- (17) That the premises shall be maintained in a clean, sanitary condition and kept in a satisfactory state of repair at all times;
- (18) That clean linen and towels shall be provided for the use of each client;
- (19) That adequate receptacles with close fitting lids shall be provided for the separate storage of used and clean linen;
- (20) That the proprietor shall ensure that all linen, towelling and other bed coverings which comes into contact with clients shall be changed immediately after each use;
- (21) That the proprietor shall enter into a commercial contract to launder linen or install and use a commercial washing machine capable of washing at a temperature of not less than 70 degrees Celsius;
- (22) That the proprietor shall supply an adequate supply of condoms, dental dams and water based lubricant free of charge for sex workers and their clients:
- (23) That all hazardous waste including sharps waste shall be stored in an appropriate container and disposed of in accordance with the Environmental Protection Authority's requirements;
- (24) That the proprietor shall enter into a commercial contract to launder linen or install and use a commercial washing machine capable of washing at a temperature of not less than 70° Celsius:
- (25) That the proprietor shall provide written information, ie pamphlets and brochures for sex workers and clients on sexually transmitted infectious diseases in a variety of languages including those of any sex worker who has difficulty communicating in and/or reading the English language;
- (26) That the proprietor shall ensure that sex workers receive appropriate induction, are adequately trained and continually being provided with updated information to examine clients for any visible evidence of sexually transmitted diseases, and that examinations are conducted before any sexual contact;
- (27) That the proprietor shall ensure that all sex workers undertake regular health check-ups;
- (28) That adequate sanitary facilities shall be provided for the use of both sex workers and clients. Note: The provision of one bathroom with full facilities per three rooms used for sexual activity is considered adequate to comply with this condition;

- (29) That adequate facilities shall be provided for the disposal of used condoms, soiled paper and other waste products of sexual activity in all rooms, cubicles, booths or the like where sexual activity occurs;
- (30) 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 recycables shall be in accordance with Council's "Waste Management - Minimisation Fact Sheets". Details to be submitted with the application for a Construction Certificate:
- (31) That a garbage room or garbage receptacle storage area shall be provided within the site in accordance with the requirements of Council's Code and Waste Minimisation Fact Sheets;
- (32) 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;

NOTE: That the proprietors attention is drawn to the provisions of Section 13 of the Public Health Act 1991, which makes it an offence to knowingly permit sex workers suffering from a sexually transmissible disease to have sexual intercourse with other persons unless the client has been informed of the risk and voluntarily agrees to accept the risk.

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

At this stage, Councillor Bush withdrew his motion to refuse the application and moved, seconded by Councillor Mallard, that the application be approved in accordance with the recommendation of the Director of City Environment dated 17 June 2002.

Negatived.

Motion, as moved by Councillor Harcourt, carried.

The Mayor and Councillor Bush requested that their names be recorded as voting against the foregoing motion.

15.
FOVEAUX STREET, NOS. 121 – 123, SURRY HILLS – DEMOLITION OF TWO TERRACE HOUSES AND CONSTRUCTION OF BUILDING CONTAINING TWO SHOPS AND SIX FLATS – DEVELOPMENT APPLICATION (U01-01069)

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 City Environment dated 17 June 2002.

Carried.

16.
LICENSING – BUILDING – BUILDERS' HOARDINGS ON THE PUBLIC
WAY – APPROACH BY HOARDING LICENSEES TO CHANGE CURRENT
HOARDING CONDITIONS IN ORDER TO DECORATIVELY ENHANCE
HOARDINGS AND INCREASE ADVERTISING SPACE (2012931)

This matter was submitted to Council without recommendation.

Moved by Councillor Bush, seconded by Councillor Mallard:-

- (A) That the enhancement of builders' "B" type (overhead protection) hoardings by the addition of graphics, montages and the like, including additional signage, be permitted within the South Sydney Council area as a matter of policy, subject to conditions 1 to 15 hereunder.
 - (1) A development application (DA) seeking approval to the enhancement is to be submitted for each site with appropriate drawings, plans, or mock-ups as appropriate, covering proposals

for each hoarding (street) frontage concerned. This applies whether specifically for enhancement or an increase in the signage size or content as currently permitted within Council's Hoarding Permit obtained for the site. Approval or refusal to be given under the D.A. process and certain additional conditions relative to the particular enhancements may apply;

- (2) Application will only be accepted from the Hoarding Permit Holder for the relevant site;
- (3) A one-off, \$500.00 fee be charged for each application to cover Planning and Permits functions including ongoing site inspections and administrative costs related to the application;
- (4) The applicant shall lodge a security deposit (cash or bank guarantee) to the sum of \$3,000.00 per street frontage to cover the cost of repair or removal of the enhancement should Council find it necessary to carry out such work. This deposit will be refunded upon the enhancement's removal subject to no work being required to be undertaken by Council;
- (5) Enhancements to be confined to the upper part of the hoarding (above decking), they must not protrude outside of the hoarding facia nor is the hoarding to be structurally altered to accommodate such fixtures;
- (6) Hoarding enhancements including signage, is to relate solely to the site for which the hoarding permit was/or is to be obtained;
- (7) The applicant shall engage a Council-registered structural engineer to certify the signage and its fixing to the façade of the hoarding and a copy of the same shall be forwarded to Council's City Works Permits Section. All works shall be carried out in accordance with Council's notice of determination for the development application;
- (8) The applicant agrees to indemnify the Council of the City of South Sydney in respect of any claims for loss or damage made against the Council being claims for loss or damage arising as a consequence of the erection, ongoing maintenance and dismantling of the attachments as indicated within the Development Application;
- (9) The applicant agrees to take out and to keep in force with an Insurance Company licensed to trade in Australia in the joint names of the Council of the City of South Sydney and the Applicant for their respective rights and interests, a public Liability Insurance Policy to cover the enhancements affixed to the hoardings for an amount of not less than Ten Million Dollars (\$10,000,000) for each individual claim or such other amount that

- may be nominated from time to time by the Council and to forward to the Council annually a Certificate of Currency of the Policy within one (1) month of the renewal date of the Policy;
- (10) The applicant shall ensure that all surfaces, graphics and information shall be maintained to the satisfaction of the Director of City Works for the life of the hoarding. The Director of City Works may direct the applicant to remove any attachments if it is considered that the material is not adequately maintained or offensive or any changes are made to the approved enhancement without prior written approval of Council;
- (11) The applicant shall ensure that concurrence from the Police (and RTA and Sydney Buses as appropriate) is sought and obtained and such approval is produced to Council's Permits Section prior to any hoarding enhancement works taking place;
- (12) The applicant to submit a Construction Management Plan to undertake the enhancements or in its absence obtain approval from Council's City Works Department (Traffic & Design Branch);
- (13) The overhead portion of the structure should be painted in a light colour with white used below the deck level. However, Council will consider any light colour fitting in with the upper hoarding enhancements which preferably for visual appearance and safety reason should be one of the following colours, or similar:
 - White, Off-white, Sandstone, Beige, Fawn, Light Green, Light Sky Blue.
- (14) Council may cancel the approval if the licensee breaks or does not comply with any of the conditions of approval;
- (15) The DA approval is not transferable and should the hoarding licensee change, a fresh application by the new hoarding licensee agreeing to comply with the above conditions will be required. If the hoarding enhancements have not altered, a further DA application will not be required;
- This Policy is to be monitored over the next 6 months to assess its effectiveness with a further report to be submitted to Council after that period.
- (B) That a further report be submitted by both Directors in relation to the fees and charges and the formation of a policy and that these charges be included in Council's Annual Review.

(DCW & DCE Joint Report 02/07/02)

Carried.

17.

PLANNING - OXFORD STREET HERITAGE AND URBAN DESIGN PROJECT - APPOINTMENT OF CONSULTANT TEAM AND RECOMMENDATION (2026636)

That Council:-

- (1) approve the allocation of an additional \$45,720 to the Oxford Street DCP Project Account;
- (2) approve the recommendation made by the Tender Selection Committee to engage Architectus for the tender price of \$115,720. Architectus will be engaged to conduct work in accordance with Council's Project Brief and the methodology submitted by the consultants.
- (3) Officers be requested to investigate any illegal signs in Oxford Street at the current moment.

(DCE Report 19.6.02)

Carried.

18.

DARLINGHURST ROAD. NOS. 32 - 32A, POTTS POINT (THE EMPIRE HOTEL/NIGHTCLUB) – EXTENSION OF EXISTING HOTEL/NIGHTCLUB IN PLACE OF 3 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)

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 City Environment dated 21 June 2002.

Carried.

19.

LITTLE SELWYN STREET, NO. 4A, PADDINGTON – DEMOLITION OF EXISTING DWELLING AND ERECTION TWO STOREY RESIDENTIAL DWELLING – DEVELOPMENT APPLICATION (U01-01123)

This matter was submitted to Council without recommendation.

Moved by Councillor Bush, seconded by Councillor Lennon:-

That the application be refused for the following reasons, namely:-

- (1) That the proposal is not consistent with the zone objectives contained with LEP 1998 with regard to impacts on the amenity of neighbouring properties;
- (2) That the proposal exceeds the FSR numerical standards and is inconsistent with the performance criteria of Part E, Clause 2.2 of DCP 1997 with regard to impact on the amenity of neighbouring properties;
- (3) That the proposed eastern setback is inconsistent with Part E, Clause 2.4 of DCP 1997 as it does not provide adequate separation between buildings and will adversely impact on the amenity and heritage value of the adjoining property to the east at 4A Little Selwyn Street;
- (4) That the proposal does not comply with Part F, Clause 1.2.2 of DCP 1997 as it does not provide a 900mm setback on the eastern boundary and will adversely impact on the amenity and heritage significance of the adjoining property to the east at 4 Little Selwyn Street;
- (5) That approval of the application would not be in the public interest;

Carried.

The Mayor requested that his name be recorded as voting against the foregoing motion.

20. BELMONT STREET, NO. 325, ALEXANDRIA – RETAIN EXISTING ROLLER DOOR – DEVELOPMENT APPLICATION (U02-00370)

This matter was submitted to Council without recommendation.

Moved by Councillor Bush, seconded by the Mayor:-

(A) That the Council as the responsible authority, refuses to grant consent to the application submitted by Mr Neil Hetherington (owner) for permission to retain the roller door, as constructed, without the addition of a fascia, for the following reason, namely:-

That, as the roller door has already constructed, contrary to development approval, there is no power to grant retrospective approval to the work:

(B) That the Council resolves to take no action to require the removal of the unauthorised work, subject to the following,

(1) That a structural certificate be submitted from a certified structural engineer to verify the structural adequacy of the construction.

Carried.

21.

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

- (A) That Council resolve to refuse the Section 82A Review and that the applicant be advised that the previous decision and Notice of Determination dated 21 January 2002, is upheld.
- (B) That the persons who made representations in respect of the matter be advised of Council's decision.

(DCE Report 26.6.02)

Carried.

The Planning and Development Committee Meeting terminated at 9.15 p.m.

NOTICE OF MOTION

1.

PUBLIC RELATIONS – CTVI – PRODUCTION OF COMMUNITY INFORMATION SLOT

Moved by Councillor Lennon, seconded by Councillor Furness:-

That Council's Media Section investigate funding CTVI to produce a half to one hour community information slot.

During discussion on the matter the Mayor made a derogative remark towards the previous Council's regime.

Councillor Lay requested that the Mayor apologise and withdraw his comment.

The Mayor apologised and withdrew his remark.

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

(2) That a further report be submitted to the Finance Committee on any assistance Council can offer CTVI.

Motion, as amended by consent, carried.

At this stage it was moved by Councillor Pooley, seconded by Councillor Lay, that permission be hereby granted by Council to bring forward business of which due notice has not been given, namely, the anniversary of South Sydney Rugby League Club's restoration to the National Rugby League Competition.

Carried.

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

SOUTH SYDNEY RUGBY LEAGUE CLUB – FIRST ANNIVERSARY OF REINSTATEMENT, 2002

That South Sydney Council notes that next Saturday, 6 July 2002, marks the first anniversary of South Sydney Rugby League Club's restoration to the National Rugby League Competition and also wish them every success for the rest of the season.

Carried.

The Council Meeting terminated at 8.54 p.m.

Confirmed at a me	eting of South	Sydney City	[,] Council
held on	_		2002

CHAIRPERSON

GENERAL MANAGER