

**181ST Meeting****Erskineville Town Hall  
Erskineville****Wednesday, 12 March 1997**

An Ordinary Meeting of South Sydney City Council was held at the Council Chambers, Erskineville Town Hall, Erskineville, at 6.42 pm on Wednesday, 12 March 1997.

**PRESENT**

His Worship, The Mayor, Councillor Vic Smith (Chairperson)

Councillors - John Bush, Margaret Deftereos, Sonia Fenton, John Fowler, Jill Lay,  
Sean Macken, Gregory Waters.

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**Confirmation of Minutes**

Moved by Councillor Deftereos, seconded by Councillor Fowler:-

That the minutes of the Ordinary Meeting of Council of 26 February 1997, be taken as read and confirmed.

At the request of Councillor Lay, and by consent, the minutes were amended on Page 84 relating to Question 6 by Councillor Lay, by deletion of the whole of the question and the insertion in lieu thereof of the following question, namely:-

Could Council please obtain an independent valuation on the Domain Car Park and in doing so, Could Council please liaise with the General Manager of Sydney City Council to obtain a valuation from an independent valuer acceptable to both Councils?

**NOTE:** The answer by the Mayor remains the same.

Minutes, as amended by consent, were then confirmed.

**Apology**

An apology for non-attendance at the meeting was received from Councillor Harcourt.

Moved by Councillor Lay, seconded by Councillor Waters:-

That the apology be received and accepted and leave of absence from the meeting be granted.

Carried.

**Leave of Absence - Councillor Macken**

A request was received from Councillor Macken for leave of absence from the Council meeting on 26 March 1997.

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

That leave of absence be granted to Councillor Macken from the Council meeting on 26 March 1997.

Carried.

## MINUTE BY THE MAYOR

12 March 1997

### **COUNCILLORS - PROVISION OF OFFICE ACCOMMODATION FOR COMMUNITY INDEPENDENT COUNCILLORS (A54-00016)**

A request has been received from the Community Independent Councillors for the provision of office space separate from the Councillors Room at No. 136, Joynton Avenue, Zetland. These rooms are currently available for use by all Councillors.

Council's policy on the Payment of Expenses and the Provision of Facilities for the Mayor and Councillors provides:-

Appropriate office space be provided for Councillors in the carrying out their civic duties, and that the location of such office space be to the approval of Council and further, upon request such office be provided with computer equipment, where necessary and telephones, facsimile machines, copier machines and office furnishings, and such offices will have refreshments provided if requested by a Councillor when receiving constituents on the business of Council.

The Community Independent Councillors originally occupied a room in No.94 Oxford Street, Darlinghurst, but because Council could obtain full market rental for the room, it was in Council's financial interest to relocate the Councillors to No. 136 Joynton Avenue, Zetland which was the only area available at the time for their use.

There is an area currently available on the roof of No. 94 Oxford Street, Darlinghurst which is the now disused Caretakers Quarters.

This area can be refurbished at minimal cost and would be suitable for use by the Community Independent Councillors.

The roof area itself at No. 94 Oxford Street is quite extensive and could be used by Council as a function area.

### **RECOMMENDATION**

- (a) That office accommodation for North Ward and Central Ward Councillors be provided for the Community Independent Councillors in the Caretaker's Quarters on the roof of No. 94 Oxford Street, Darlinghurst and that such area be suitably refurbished.

**GENERAL MANAGER**

- (b) That the roof area of No. 94 Oxford Street, Darlinghurst be made available for use by Council as a function area, when and as required.

Councillor Vic Smith (SGD)

**Mayor**

Moved by the Mayor, seconded by Councillor Lay:-

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

Carried.

In connection with the foregoing matter, Councillor Fenton requested that her name be recorded as being opposed to the motion.

## **MINUTE BY THE MAYOR**

12 March 1997

### **PUBLIC RELATIONS - CHIPPENDALE RESIDENTS INTEREST GROUP - SUBMISSION ON CAR PARKING OVER-PROVISION IN CHIPPENDALE - SURVEYS OF PARKING DEMAND (P51-00010)**

Council has received correspondence of 10 March 1997 from Mr Michael Mobbs from the Chippendale Residents Interest Group (CRIG) relating to off-street car parking in the Chippendale area. The correspondence consists of a report detailing surveys of parking demand levels in Chippendale carried out by CRIG members, comparisons to Council's development controls which demonstrate over-provision of parking is taking place and an assessment of negative impacts such over-provision is having on the area's built form and street environment. A copy of the correspondence has been sent to a number of Councillors

The report correctly cites Council's parking and transport policies as being based on an approach of reducing car dependency and promoting the use of more environmentally sustainable modes of transport. It also correctly identifies that the car parking rates in Development Control Plan (DCP) No 11: Transport Guidelines for Development are an upper limit and there is encouragement to provide less car parking where circumstances of proximity to public transport, the Sydney CBD etc permit.

The CRIG submission appeals to Council officers and Councillors to exercise their discretionary powers to insist on reduced car parking levels and, consequently, carry out its stated policies.

**GENERAL MANAGER**

The surveys carried out by CRIG have been examined and convincingly (albeit based on only two sites) demonstrate that resident parking rates are in the order of 40 percent below upper limit DCP 11 rates. Visitor rates have not been as methodically ascertained but an argument has been put forward in favour of zero provision due to available on-street parking and parking to be available in the Grace Bros Broadway redevelopment. A sizeable proportion of excess parking appears to be rented out to non-residents. The results of two survey sites, of which more are expected to be examined in the near future, are summarised:

### **39 Dangar Place**

(62 x 2 bedroom + 6 x 1 bedroom units + 98 parking spaces - approved December 1992)

DCP Parking:	53 resident + 11 visitor spaces
Actual demand:	39 resident + 0 visitor spaces

Allowing for 5 spaces minimum to be rented out, over-provision of resident spaces = 36%.

### **75 Buckland Street**

(39 x 2 bedroom + 10 x 3 bedroom units + 49 parking spaces - approved 1980)

DCP Parking:	46 resident + 8 visitor spaces
Actual demand:	38 resident + 0 visitor spaces

Allowing for 5 spaces minimum to be rented out, over-provision of resident spaces = 28%.

Council's experience has been that provision of excessive car parking provision should be avoided. Where parking is not provided underground, it allows the bulk and height of buildings to be brought down, reduces sunlight and privacy loss, allows more attractive and active street frontages to be created and improves street security.

Our experience has also been that car parking in excess of demand tends to be rented out to others, resulting in unwanted additional traffic generation.

For these reasons, Council officers have, at pre-development application meetings, been dissuading developers from excessive provision of parking in the Chippendale area as the area fulfils requirements for reduced levels being near public transport, the CBD, retail and open space. Our advice to applicants has been that actual demand levels are 30 to 40 percent below the upper-limit DCP 11 rates, which is in general keeping with the survey results.

However, applicants are not always willing to reduce parking to this level, believing that it adversely affects marketability of units. This position does not appear to be

off-set against the \$15 - 20,000 construction cost of each space. The wider Chippendale community have not been canvassed by Council at this stage.

**Recommendation:**

The following actions are recommended:

1. That visitor parking rates of the two sites examined be surveyed by Council officers;
2. Once Item 1 is completed, that a survey be carried out amongst all residents of Chippendale to ascertain the level of concurrence with reducing off-street parking rates for new developments;
3. That Council liaise with the Chippendale Residents Interest Group to co-ordinate parking surveys of other developments and, that on receipt of this, a further report be prepared regarding a revised policy aimed at capping the level of car parking approved in new developments in Chippendale;
4. That in the interim, Council's staff strongly encourage parking provision below the upper-limit rates of DCP 11 where it can be justified, for Chippendale as well as other areas.

Councillor Vic Smith (SGD)

**Mayor**

Moved by Councillor Macken , seconded by Councillor Waters:-

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

Carried.

## MINUTE BY THE MAYOR

12 March 1997

### **PUBLIC RELATIONS - INSTITUTE OF MUNICIPAL ENGINEERING AUSTRALIA LOCAL GOVERNMENT ENGINEERING EXCELLENCE AWARDS 1997 (2011943)**

I have the pleasure in informing Council that the work of its engineering staff has received peer recognition by way of an award from the Institute of Municipal Engineering Australia.

The "Highly Commended" award in the category of "Innovation or Introduction of New or Improved Techniques", was for the trial installation of solar-powered pedestrian-activated flashing lights at the marked foot crossing in Bourke Street, Redfern, near Telopea Street.

The award recognises an innovative, non-standard approach in dealing with a difficult safety problem at that crossing. Community consultation was a major factor in receiving the award from the Institute. The community support and feedback was important in the success of the trial. The majority of local residents now feel safer and more confident in using the pedestrian crossing since the installation of the flashing lights.

#### **RECOMMENDATION:**

That the General Manager forward a letter to each of the officers involved in the project, extending Council's congratulations for the project which culminated in the "Highly Commended" award in the IMEA Engineering Excellence Awards for 1997.

Councillor Vic Smith (SGD)

**Mayor**

Moved by Councillor Lay , seconded by Councillor Macken:-

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

Carried.

In response to a question by Councillor Macken, the Mayor directed that the staff involved with footpath maintenance be also congratulated.

## MINUTE BY THE GENERAL MANAGER

**GENERAL MANAGER**

12 March 1997

**CLEANING - WASTE AND RECYCLING SERVICES IN CENTENNIAL,  
MOORE AND QUEENS PARKS (C56-00069)**

The Centennial Park & Moore Park Trust has called expressions of interest for the provision of Waste Management/Recycling Services in Centennial Park, Moore Park and Queens Park.

The Waste Services Branch already provides street cleansing services to the Trust and are in a competitive position to provide these services.

Approval is sought for the Waste Services Branch to submit an expression of interest and tender to carry out this work.

**RECOMMENDATION**

That the Waste Services Branch be granted approval to submit an expression of interest and tender on behalf of Council, for the provision of Waste Management / Recycling Services in Centennial Park, Moore Park and Queens Park.

J W Bourke (SGD)  
**General Manager**

Moved by Councillor Macken, seconded by Councillor Fowler:-

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 25 signatures appended from residents objecting to noise levels from South Sydney Leagues Club at Chalmers Street, Redfern.

Received.

2. The Mayor tabled a petition received by the General Manager with approximately 30 signatures appended from residents of Flinders Street and

**GENERAL MANAGER**

surrounding Streets, Darlinghurst, objecting to a Development Application at No. 114 Flinders Street, Darlinghurst.

Received.

3.

The Mayor tabled a petition received by the General Manager with approximately 140 signatures appended from residents of Redfern and Waterloo requesting the reinstatement of the bus stop outside Redfern Post Office.

Received.

4.

The Mayor tabled a petition received by the General Manager with approximately 367 signatures appended from residents of Erskineville and surrounding suburbs expressing concern over the future of the development of Erskineville.

Received.

## **QUESTIONS WITHOUT NOTICE**

1.

### **DARLINGHURST ROAD, NOS. 61 - 65, DARLINGHURST - SOCIAL IMPACT ON DEVELOPMENT APPLICATION FOR AN AMUSEMENT PARLOUR - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (U97-00141)**

#### **Question:**

I have had representations from residents in Kings Cross and Elizabeth Bay regarding an application DA 41/97 for a 24 hour amusement parlour at No. 61 Darlinghurst expressing concerns at the impacts of such a development.

Will the Director of Planning and Development ensure that reports from the Kings Cross Police, the Kings Cross Place Manager and the Gay and Lesbian Anti-Violence Project are sought to gauge the social impact of such a proposal and also includes an assessment of the cumulative impact on the amenity of the surrounding property holders?

#### **Answer by the Mayor:**

I will ask the Director of Planning and Building to carry out those investigations for you and seek the relevant reports prior to an assessment being done on the application.

**GENERAL MANAGER**

2.

**CAMPBELL STREET, NOS. 165 - 173, SURRY HILLS - SYDNEY CITY MISSION - CHANGES TO ENTRANCE ON LITTLE BLOOMFIELD STREET - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (Q93-00944)**

**Question:**

I refer to conditions of consent to the Campbell Street Mission. Residents have informed me that changes to the entrance on Little Bloomfield Street have not yet been completed. Could the Director of Planning and Building report in the Councillors Information Service when these works will be completed?

**Answer by the Mayor:**

I will have a report included in the Councillors Information Service for you.

3.

**CELEBRATIONS - SYDNEY GAY AND LESBIAN MARDI GRAS - CONGRATULATIONS TO CLEANSING STAFF ON THE REMOVAL OF RUBBISH - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (2005907)**

**Question:**

I have had a number of positive comments on the performance of the Cleansing staff efficiently removing the rubbish after the Mardi Gras Parade.

Could the General Manager ensure that the thanks and congratulations of the Oxford Street businesses and Councillors be passed on to the staff?

**Answer by the Mayor:**

I will ask the Director of Public Works and Services to pass on those congratulations to the staff involved.

4.

**BRUMBY STREET, NOS. 12 - 14, SURRY HILLS - CONCERNS OF RESIDENTS REGARDING STATE OF BUILDING - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (2012091)**

**Question:**

I refer to concerns of the residents of Brumby Street, Surry Hills, regarding the state of the buildings at Nos. 12 - 16 Brumby Street. This afternoon there were squatters in residence cooking on the doorstep.

Could Council Officers expedite the issuing of an order to maintain public safety on these properties?

**Answer by the Mayor:**

I will ask the Director of Planning and Building and Director of Health and Community Services to carry out an investigation of those premises.

5.

**PUBLIC RELATIONS - IMPLICATIONS AND FEASIBILITY OF WITHDRAWING COUNCIL'S BUSINESS FROM THE COMMONWEALTH BANK DUE TO CLOSURE OF LOCAL BRANCHES - QUESTION WITHOUT NOTICE BY COUNCILLOR MACKEN (2010170)**

**Question:**

At a public meeting last weekend, residents asked Council to consider withdrawing Council's business from the Commonwealth Bank given the Bank's imminent closure of local branches.

Could Council Officers provide me with a report on the implications and feasibility of this proposal?

**Answer by the Mayor:**

I will ask the General Manager to prepare a report for Council's committee.

6.

**PARKING - INTRODUCTION OF METER PARKING IN RESIDENTIAL PARKING SCHEME AREAS - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (2014922)**

**Question:**

It has been brought to my attention that North Sydney Council has introduced metered parking in residential parking scheme areas adjacent to the North Sydney CBD.

Could I please have a report on how this has been introduced, etc. in light of the problems being experienced in some of our resident parking strips?

**Answer by the Mayor:**

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

7.

**PLANNING - IMPLEMENTATION OF AN URBAN VILLAGE PLAN FOR ERSKINEVILLE - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (2009125)**

**Question:**

Could Council Officers please prepare a report to address the issues raised in Resolution 4, from the public meeting convened last Saturday by the Save Erko Village group?

The resolution raises a number of issues relating to development and implementation of an Urban Village Plan for Erskineville. Further could Staff advise on where the Council is with the development of Urban Village Concepts and Plans for the whole of South Sydney?

**Answer by the Mayor:**

I will ask the Director of Planning and Building to prepare a report for the Planning and Development Committee in relation to that question.

8.

**TRAFFIC - INSTALLATION OF A MID-BLOCK CROSSING ACROSS CITY ROAD AT MYRTLE STREET, CHIPPENDALE - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (2001744)**

**Question:**

Could you write to the Local State Member seeking his support for a mid-block crossing across City Road at Myrtle Street, Chippendale?

**Answer by the Mayor:**

I will write to the Local Member requesting his support for that crossing and at the same time bring the matter up with the Minister for Roads.

9.

**CONFERENCES - PROPOSAL OF FLIGHTS FROM KINGSFORD SMITH AIRPORT OVER ALEXANDRIA AND OTHER SUBURBS - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (5257042)**

**Question:**

Could I have a report on the issue of the proposal to put flights from Kingsford Smith Airport over Alexandria and other suburbs, particularly as those who are most likely to be in those planes are from neighbouring areas who in the past opposed the genuine concerns of this Council over the building of Runway 3

**Answer by the Mayor:**

I will ask the Director of Planning and Building to prepare a report for committee in relation to the new flight paths just recently announced.

10.

**PUBLIC TRANSPORT - FEASIBILITY STUDY - TRANSPORT SYSTEM TO SERVICE SYDNEY FOOTBALL STADIUM, SYDNEY CRICKET GROUND, FOX STUDIO, RANDWICK RACE COURSE, N.S.W. UNIVERSITY, ETC. - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (P59-00007, T02-00172)**

**Question:**

Could the Mayor as a matter of urgency write to his counterparts at Waverley, Randwick and Botany Councils with a view to seeking a Deputation to the Premier to commission a feasibility study into the provision of light rail, or other mass transit public transport systems to service the Sydney Football Stadium, Sydney Cricket Ground, Fox Studio, Randwick Race Course, N.S.W. University and beyond?

**Answer by the Mayor:**

I certainly will write, part of that question is already in Council's submission to the Minister for Planning in relation to the Eastern Distributor and I will write to my colleagues at the Councils mentioned by you in order to get their support for a deputation to meet with the Premier.

11.

**PERSONNEL - INVESTIGATION INTO 'WORK FOR THE DOLE'  
PARTICIPANTS BEING INVOLVED IN COUNCIL RELATED ACTIVITIES -  
QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2014923)****Question:**

Could the Director of Community Services write to the appropriate Government Departments to ascertain the number of 'work for the dole' participants in the South Sydney Council region and to investigate the possibility of participants being involved in Council related activities?

**Answer by the Mayor:**

I will ask the Director of Health and Community Services and the Director of Employment Services to jointly write that letter for you.

12.

**DEVELOPMENT - FEASIBILITY OF PLACING A WEEKLY  
ADVERTISEMENT IN A DAILY NEWSPAPER ADVERTISING COUNCIL'S  
DEVELOPMENT APPLICATIONS AND BUILDING APPLICATIONS -  
QUESTION WITHOUT NOTICE BY COUNCILLOR DEFTEREOS (D52-  
00159)****Question:**

Residents have raised concerns that notifications are still not reaching all households regarding Development Applications and Building Applications.

Could a report be prepared for the Finance Committee regarding the feasibility of placing a weekly advertisement in a daily newspaper advertising the Council's Development Applications and Building Applications?

**Answer by the Mayor:**

I will ask the General Manager and the Director of Planning and Building to have a report prepared for the Finance Committee.

**13.****PLANNING - ATTENDANCE OF DIRECTORS AND DEPARTMENTAL MANAGERS TO THE DISABILITY ACTION PLAN TRAINING PROGRAMME - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (2014373)****Question:**

Council is obliged to comply with the Disability Discrimination Act of 1992 and it is most important that the managers of all departments be fully aware of all our responsibilities.

Could the General Manager assure me that all the Directors and Departmental Managers attend the Disability Action Plan Training Programme?

**Answer by the Mayor:**

I will ask the General Manager to prepare a report for Council's Committee.

**14.****PLANNING - DISABILITY DISCRIMINATION ACT 1992 - VOTING AGAINST MAKING COUNCIL'S EXISTING BUILDINGS ACCESSIBLE - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (W51-00014)****Question:**

Do my fellow Councillors realise that whilst being in possession of the details of the Disability Discrimination Act 1992, voting against making Council's existing buildings accessible or voting against Council obtaining accessible buildings to relocate Council services, they are responsible for making Council liable for payment of compensation if legal action is taken against Council?

**Answer by the Mayor:**

I will ask the Officers to prepare a report.

15.

**TRAFFIC - INSTALLATION OF SOLAR POWERED PEDESTRIAN ACTIVATED FLASHING LIGHTS AT BAPTIST AND TELOPEA STREETS, REDFERN - QUESTION WITHOUT NOTICE BY THE MAYOR (2004630)**

**Question:**

In relation to the Municipal Engineering Awards, there was at the time solar powered pedestrian activated flashing lights at Bourke Street, Redfern, near Telopea Street. I had asked for a report to come to committee at that time regarding installation of those lights at Baptist Street and Telopea Street, which is also a busy thoroughfare and the crossing there is used by a lot of our elderly citizens who frequent our Activity Club at Kepos Street on a regular basis, I would ask that a report be prepared for Council's committee in relation to the installation of those lights at Baptist Street and Telopea Street.

16.

**DEPARTMENTS - INVESTIGATION OF CLEANSING SERVICES FOR COUNCIL OWNED BUILDINGS - QUESTION WITHOUT NOTICE BY THE MAYOR (5265540)**

**Question:**

The other matter I wish to raise and seek a report from the Director of Corporate Services relates to No. 94 Oxford Street and other Council owned buildings in relation to cleansing services carried out in those buildings. I understand that Council took appropriate action to introduce a 'flying squad' of cleaners which consists of seven cleaners to carry out daily cleaning of our buildings. Obviously with the reports being detailed tonight, that work is not being carried out efficiently or effectively.

I would seek a report from the Director as to the work this 'flying squad' carries out and also the priorities of Council's buildings on a daily basis. I ask that this report be prepared for the next committee as a matter of urgency.

**REPORT OF THE FINANCE COMMITTEE****5 March 1997****PRESENT****Councillor Sean Macken (Chairperson)****Councillors - Margaret Deftereos, Sonia Fenton, Greg Waters.**

At the commencement of business at 6.30 pm those present were:-

Councillors - Deftereos, Fenton, Macken, Waters.

The Committee resolved that the press and the public be excluded from the meeting of the Finance Committee during consideration of Items 12, 15, 16, 21, 22 and 23, and further, access to correspondence and reports be 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 reasons for the press and public being excluded from the abovementioned Items are as follows, namely:-

Item 12 - Confidential Matter

Items 15,16,21, and 22 - Lease or Contractual Matters

Item 23 - Legal Matter

Moved by the Chairperson (Councillor Macken), seconded by Councillor Deftereos:-

That the Report of the Finance Committee of its meeting of 5 March 1997, be received and the recommendations set out below for Items 1 to 5, inclusive, 7 to 10, inclusive, 12 to 17, inclusive, 19, 21, and 24 to 27, inclusive, be adopted. The recommendations set out below for Items 6, 11, 18, 20, 22 and 23 having been dealt with as shown immediately following such Items.

Carried.

**GENERAL MANAGER**

The Committee **recommended** the following:-

1.

**DONATIONS - WORM FARMS AND COMPOST BINS (2003017)**

That approval be given to the donation, under Section 356 of the Local Government Act 1993, of 12 worm farms and 12 compost bins for the period to 31 December 1997 to local schools and others as detailed in the report by the Director of Public Works and Services, at a total cost of \$890.40 for which funds are available in the current Revenue Estimates and will be allowed for in the 1997/98 Estimates, (DAM 55FO) refers.

(DPWS Report 11.2.97)

Carried.

2.

**GOODS AND EQUIPMENT - GENERAL FUND STORES - STATIONERY STOCKTAKING FOR SIX MONTH PERIOD 1.7.96 - 13.12.96 (2009250)**

That confirmatory approval be given to the amount of \$2,287.14 being debited to the stock adjustment account (\$2,169.39 to AAN.55A0 and \$117.75 to AAN0001.55A0) covering the six month stocktake period, ending 31 December 1996.

(DCS and CAM/PO Report of 19 2.97).

Carried.

3.

**PROPERTIES - SHOP 1A, BURTON STREET, (UNDER 56 OXFORD STREET), DARLINGHURST - UPGRADE AND REFURBISHMENT - (1118474)**

That approval be given for the calling of quotations for the preparation by a Consultant of a Conservation Management Plan, Cost Estimate and drawings suitable for the lodgment of a Development Application, at a total estimated cost of \$15,000, for which funds have been allocated in the 1996/97 Works Programme (BWP6011).

(D.C.S. Report 26/2/97).

4.

**PROPERTIES - HUGO STREET, NOS. 29 - 53, LOUIS STREET, NOS. 28-54 AND CAROLINE STREET, NOS. 12 - 36, CHIPPENDALE - PROPOSED CONTRACT FOR MAINTENANCE (2002999)**

That approval be given to C.D.E.P being contracted to provide maintenance and security services on properties Nos. 29-53 Hugo Street, Nos. 28-54 Louis Street and Nos. 12-36 Caroline Street, Chippendale, on the following basis, namely:-

- (1) That the contract shall be for a trial period of three months;
- (2) That the operations occur between the hours of 7.30 a.m. and 6.00 p.m.;
- (3) That the number of persons on site undertaking maintenance work will be restricted to 25;
- (4) That Council contract out this work to C.D.E.P. for an amount of \$10 per week to provide the service;
- (5) That C.D.E.P. provide the necessary insurances to protect Council's interest;
- (6) That preparation of contract documentation to be at Council's expense;
- (7) Documentation be executed under the Common Seal of Council or by Council's Attorney;
- (8) That the area in use be restricted to the open yard area.

(DCS Report 25.2.97).

Carried.

5.

**FINANCE - ACCOUNTS - RECONCILIATION WITH BANK PASSBOOK FOR PERIOD ENDED 31 JANUARY 1997 (A52-00240)**

That the report of the Director of Finance dated 27 February 1997, certifying to the Bank Reconciliation of Council's various Cash Books and to the Investments held by Council at the 31 January 1997, be received and noted.

Carried.

6.

**RATES - POSTPONEMENT OF RATES UNDER SECTION 160C OF THE LOCAL GOVERNMENT ACT 1919 - WRITING OFF FOR YEAR 1992 (2003142)**

At the Council and Committee Meetings, Councillor Fenton declared an interest and did not take part in discussions or voting in the matter.

That arising from the report by the Director of Finance dated 22 January 1997 approval be granted for rates and extra (interest) charges amounting to \$16131.16, as listed in the schedule, accompanying the Director's report postponed during 1992 under the provisions of Section 160C of the Local Government Act 1919, being written out of the Postponed Rates Suspense Account under Sections 585 to 599 of the Local Government Act 1993 as not recoverable at law.

At the request of Councillor Fowler, and by consent, the motion was amended by the addition of the words to the recommendation, and "that a further report be submitted to Council on rates postponed under Section 585 of the Local Government Act 1993"

Motion, as amended by consent, carried.

7.

**RATES - PENSIONERS - WRITING OFF AFTER FIVE YEARS (2014303)**

That arising from the report by the Director of Finance dated 23 January 1997 approval be given to an amount of \$190,230.34 that remains unpaid for rates and interest levied in the year 1992 and due by eligible pensioners being written off and abandoned under Section 582 of the Local Government Act, 1993.

Carried.

8.

**LIVERPOOL STREET, NO. 248, EAST SYDNEY - RECOVERABLE WORKS - PATONGA INVESTMENT PTY LTD. (2004386)**

That arising from the report by the Director of Finance dated 18 February 1997, approval be given to an amount of \$15,669.31 due by Patonga Investments Pty Limited for recoverable works to be written off as an irrecoverable bad debt.

Carried.

9.

**FINANCE - ACCOUNTS - SCHEDULE OF PAYMENTS - JANUARY 1997 (2014529)**

That arising from the report by the Director of Finance dated 10 February 1997 approval be given to the confirmation of the payment of the accounts totaling \$11,014,648.41, as detailed in the Summary of Warrants for the Month of January 1997, accompanying the report.

Carried.

10.

**FINANCE - ACCOUNTS - SCHEDULE OF PAYMENTS DECEMBER 1996  
(2014325)**

That arising from the report of the Director of Finance dated 20 January 1997 approval be given to the confirmation of the payment of the accounts totaling \$12,686,249.82, as detailed in the Summary of Warrants for the Month of December 1996, accompanying the report.

Carried.

11.

**FINANCE - REVENUE COLLECTION (R51-00083)**

That arising from a report by the Director of Finance dated 27 February 1997, it be resolved that:-

- (1) arrangements be entered into with the Commonwealth Bank for the setting up of Credit Card and EFTPOS facilities for over the counter, mail and phone transactions;
- (2) for the year 1997, arrangements be made with the Commonwealth Bank to use their locked boxed mail receipting scheme;
- (3) provision be made in the 1997/98 Revenue Estimates for the cost of providing these additional services to ratepayers.

At the request of Councillor Macken and by consent, the motion was amended by the addition of a new clause (4) to the recommendation, namely:-

- (4) that clause (2) above be deferred until the Question Without Notice regarding Council considering withdrawing business from the Commonwealth Bank has been answered by the appropriate Council Officer.

Motion, as amended by consent, carried.

12.

**ADMINISTRATION - MANAGEMENT PLAN WORKSHOP - FACILITATOR'S REPORT (2013185)**

- (A) That the recommendations as contained in the report by the Director of Finance and Administration dated 27 February 1997, regarding the outcomes arising from the Management Plan Workshop held on 1 and 2 February 1997, be approved and adopted.
- (B) That Council thank the Facilitator, Mr. Bob Howe for his efforts in running the Management Plan Workshop.

Carried.

13.

**PROPERTIES - OXFORD STREET, NOS. 82-106, DARLINGHURST - OUTGOINGS (201973)**

That the report by the Director of Finance dated 27 February 1997, regarding the outgoings of property Nos.82-106 Oxford Street, be received and noted.

Carried.

14.

**DONATIONS -REGINALD MURPHY HALL - PETER PAN OPPORTUNITY COMMITTEE LTD - APPLICATION FOR FREE USE (2000548)**

That approval be given under the provisions of Section 356 of the Local Government Act, 1993, to the payment of a subsidy to the Peter Pan Opportunity Committee Ltd. in the sum of \$1,880 towards the cost of hiring the Reginald Murphy Hall from Monday 28 April to Friday 2 May, 1997 and from Monday 8 September to Friday 12 September, 1997, between the hours of 8.30 a.m. to 3.00 p.m. except Thursday 8.30 a.m. to 7.30 p.m. and that the

expenditure involved by provided from the 1996/1997 and 1997/1998 Revenue Estimates.

(DCS Report 27.2.97)

Carried.

15.

**COMMUNITY FACILITIES - KINGS CROSS LIBRARY AND COMMUNITY SPACES - PUBLIC ART (L55-00014)**

At the Committee Meeting and Council Meeting, Councillor Deftereos requested that her name be recorded as being opposed to the following motion.

That the recommendation as contained in the report by the Director of Health and Community Services dated 5 March 1997, regarding the conduct of a public art project in the new library and community facilities in King Cross be approved and adopted.

Carried.

16.

**ONslow AVENUE, NO. 11, ELIZABETH BAY - REPAIR OF CONCRETE SANDSTONE RETAINING WALL (2010094)**

That the recommendation contained in the report by the Director of Public Works and Services dated 25 February 1997, regarding the without prejudice offer to the Philippines Consul General for the rebuilding of a section of the boundary wall of No. 11 Onslow Avenue, Elizabeth Bay, be approved and adopted.

Carried.

17.

**DONATIONS - FOX AVENUE, ALEXANDRIA OUTSIDE ALEXANDRIA - ERSKINEVILLE BOWLING CLUB - CONSTRUCTION OF DRIVEWAY (2010060)**

That approval be given under the provisions of Section 356 of the Local Government Act 1993 to a donation to the value of \$2,324 to the Alexandria - Erskineville Bowling Club Limited to fund construction of a driveway in Fox Avenue, Erskineville with associated "No Standing" signage and that the

expenditure involved be added to the 1996/97 Revenue Estimates (Account Code LFN).

(DPWS Report 28.2.97)

Carried.

**18.**

**PROPERTIES - WATKIN LANE NO.3, NEWTOWN - UPGRADE AND REFURBISHMENT (2014742)**

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, Seconded by Councillor Lay :-

That approval be given to:-

- (1) the funding of \$270,000 being made available for the project. at No.3, Watkin Lane, Newtown.
- (2) the calling of quotations for the design works;
- (3) the calling of tenders for the refurbishment of the facility;
- (4) funds being made available from the Property Reserve.

(D.C.S. Report 28/2/97).

Carried.

**19.**

**PARKS - VICTORIA BARRACKS RESERVE - OXFORD STREET PADDINGTON - APPROVAL TO ACCEPT TENDER (P52-00107)**

That Council accept the tender from Griffith Landscapes, submitted on 20 February 1997 for the construction of improvements to Victoria Barracks Reserve, Paddington in the amount of \$98,500, for which there are funds available in the Public Works and Services Department's 1996/97 Works Programme (FWP 6041 refers)

(DPWS Report 28.2.97)

Carried.

20.

**CONFERENCES - INTERNATIONAL ASSOCIATION OF HOMES AND SERVICES FOR THE AGEING - ATTENDANCE BY COMMUNITY SERVICES MANAGER (2014730)**

That approval be given to the granting of leave with pay to Council's, Community Services Manager, from 19 to 27 June, 1997, to attend a conference organised by the International Association of Homes and Services for the Ageing, to be held in Barcelona, Spain.

At the request of Councillor Deftereos and by consent, the motion was amended by the additions of the words "and that the Community Services Manager be requested to prepare a report for the Councillors Information Service regarding the Conference on his return".

Motion, as amended by consent, carried.

21.

**PROPERTIES - REDFERN TOWN HALL - UPGRADING AND REFURBISHMENT (2009732)**

That the recommendation as contained in the report by the Director of Corporate Services dated 27 February 1997, regarding the upgrading and refurbishment of Redfern Town Hall, be approved and adopted.

(D.C.S. Report 27.2.97).

Carried.

22.

**VICTORIA PARK BOWLING CLUB - DEVELOPMENT OPTIONS (2011340)**

That approval be given to:-

- (1) the preparation of a feasibility study to evaluate community needs and perceptions, costs, funding and a communication strategy for the development of a Community/Arts Centre at Victoria Park Bowling Club at an estimated cost of \$35,000, for which funds have not been provided in the 1996/97 Revenue Estimates;.
- (2) the formulation of a project team and steering committee comprising Councillors, Council Officers and Community Representatives to oversee the preparation of the feasibility study;
- (3) Councillors Fenton, Lay and Harcourt be appointed on the Steering Committee;

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- (4) the allocation of \$100,000 for continued design work on the Community/ Arts Centre in the 1997/98 Works Programme.

(DPWS and ADHCS Joint Report 28 2.97)

At the request of Councillor Fowler and by consent, that the motion be amended by the addition of Councillor Bush to the Steering Committee.

Motion, as amended by consent, carried.

**23.**

**PLANNING - COMPLAINT AGAINST PIKE, PIKE AND FENWICK (L53-00001)**

That arising from consideration of a report by the Director of Planning and Building dated 3 March 1997, it be resolved that:-

- (1) Council write to the complainants and advise them that Council is satisfied that Pike, Pike and Fenwick have acted in Council's best interests and that Council does not intend to pursue the matter.
- (2) Pike, Pike and Fenwick be advised of Council's decision.

Carried.

In connection with this item, Councillor Fenton requested that her name be recorded as being opposed to the foregoing matter.

**24.**

**FREE USE OF PADDINGTON TOWN HALL - ST. VINCENT DE PAUL - FREE USE (P56-00416)**

That approval be given under the provisions of S356 of the Local Government Act, 1993 to the payment of a donation of \$3,600 to the Society of St. Vincent De Paul for the cost of hiring Paddington Town Hall on Monday 22 and Tuesday 23 September, 1997 between the hours of 9.00am. - 5.00pm. and that the expenditure involved be provided for in the 1997/98 Revenue Estimates.

(DCS Report 4.3.97)

Carried.

25.

**CONFERENCES/MEETINGS - NATIONAL WASTE CONFERENCE -  
"WASTE TECH" (2012513)**

That approval be given for the Waste Education and Waste Minimisation Manager, Ms J Kent, to attend the two and a half days WasteTECH Conference on 17-19 March 1997 in Melbourne and that any registration fees, accommodation and out of pocket expenses for travel and meals be borne by Council, for which funds are available in the 1996/97 Revenue Estimates (DTTEXTI 77 RO).

(A/DPWS Report 4.3.97)

Carried.

26.

**PERSONNEL - KINGS CROSS PLACE MANAGEMENT PROJECT -  
PURCHASE OF EQUIPMENT (2013383)**

That arising from a report by the General Manager dated 5 March, 1997, approval be given to the purchase of equipment, as outlined in the above report at a total cost not exceeding \$10,000, to resource the Kings Cross Local Place Manager position previously approved by Council, and that additional funds be voted to cover this expenditure.

Carried.

27.

**COMPUTERISATION - COMPUTERISATION ACCELERATION OF  
EQUIPMENT SUPPLY (C60-00008)**

That arising from a report by the Director of Corporate Services dated 3 March 1997, approval be given to:-

- (1) calling of tenders for the supply and installation of 87 standard configuration Personal Computers, four CAD type configured Personal Computers and 21 Laser Printers including one Colour Printer (Health & Community Services);
- (2) calling of quotations for the supply of the software as listed;
- (3) ordering of the additional access equipment required to provide connection to the Wang VS and for the provision of LAN Network Licenses;
- (4) required training be co-ordinated by the Training Section, Employment Services Department.

**GENERAL MANAGER**

total estimated cost of this project \$696,950 which does not include any allowance for Project Management costs.

(DCS Report 3.3.97)

Carried.

## **REPORT OF THE COMMUNITY SERVICES COMMITTEE**

5 March 1997

### **PRESENT**

**Councillor Sonia Fenton (Chairperson)**

**Councillors - Margaret Deftereos, Sean Macken, Greg Waters.**

At the commencement of business at 7.30 pm those present were -

Councillors - Deftereos, Fenton, Macken, Waters.

#### **Apology:**

An apology for non-attendance at the meeting was received from Councillor .

Moved by the Chairperson (Councillor Fenton), seconded by Councillor Waters:-

That the Report of the Community Services Committee of its meeting of 5 March 1997 , be received and the recommendations set out below for Items , 1 to 5 inclusive, be adopted.

Carried.

The Committee **recommended** the following:-

1.

#### **AGED SERVICES - VOLUNTARY WORKERS - INCREASE IN PETROL MONEY (2014558)**

That arising from a report by the Acting Director of Health and Community Services dated 18 February 1997, approval be given to an increased payment for petrol money for voluntary workers from \$7.50 per round to \$15 per round from 1 July 1997.

Carried.

**GENERAL MANAGER**

2.

**AGED SERVICES - SATISFACTION WITH MEALS - MEALS-ON-WHEELS . CLIENTS AND ACTIVITY CLUB MEMBERS - SURVEY RESULTS (D51-00140)**

That arising from a report by the Acting Director of Health and Community Services dated 24 February 1997, Council receive and note the survey results of client satisfaction with Council's Meal Service.

Carried.

3.

**STREETS - DECORATION - 'FLY A TIBET FLAG CAMPAIGN' (2011367)**

That confirmatory approval be given to the flying of the Tibetan Flag in front of the Council Administration Offices on 10 March 1997 as a sign of support for the "Fly a Tibet Flag Campaign" and Tibet's 'National Day'.

(DPWS Report 27.2.97)

Carried.

In connection with the above matter, Councillors Deftereos and Fowler requested that their names be recorded as being opposed to the foregoing motion.

4.

**PUBLIC RELATIONS - ERECTION OF MEMORIAL PLAQUE COMMEMORATING OLIVE BATTY AT MCELHONE PLACE, SURRY HILLS (2006349)**

That arising from consideration of a report by the Director of Public Works and Services dated 27 February 1997, approval be given to a small memorial plaque commemorating the life and achievements of Olive Batty being supplied and erected at McElhone Place and that a morning or afternoon tea be provided for local residents at the plaque unveiling, for which funds are available in the 1996/1997 Revenue Estimates. (FBA0120.77FO refers).

Carried.

5.

**COMMUNITY SERVICES - LEISURE CENTRE CLOSURE - EASTER MONDAY (2009968)**

That approval be given to the closure of the Juanita Neilsen, Joseph Sargeant, Moore Park and South Sydney Youth Centres on Easter Monday 31

**GENERAL MANAGER**

March 1997, with appropriate signage to be erected advising the community of the arrangements.  
(ADHCS Report 28.2.97)

Carried.

## **REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE**

5 March 1997

### **PRESENT**

**The Mayor, Councillor Vic Smith (Chairperson)**

**Councillors - John Bush, John Fowler, Christine Harcourt.**

At the commencement of business at 6.37 pm, those present were -

The Mayor and Councillors - Bush, Fowler, Harcourt.

#### **Apology:**

An apology for non-attendance at the meeting was received from Councillor Lay.

Moved by the Chairperson (the Mayor, Councillor Smith), seconded by Councillor Macken:-

That the Report of the Planning and Development Committee of its meeting of 5 March 1997, be received and the recommendations set out below for Items 1 to 7, inclusive, 9, 10, 12, 13, 16 to 20, inclusive, 25, 26 and 28, be adopted. The recommendations for Items 8, 11, 14, 15, 21 to 24, inclusive, and 27 having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

1.

**CHARLES STREET, NO. 7, ERSKINEVILLE - ALTERATIONS AND ADDITIONS TO THE REAR - DEVELOPMENT APPLICATION (U96-01097)**

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mr P Dolan for permission to carry out alterations and additions to the first and ground floor at the abovementioned dwelling, including a first floor deck, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans dated October 1996;
  - (2) That an application shall be submitted to the Director of Public Works and Services and approved before any existing tree on the site, covered by Council's Tree Preservation Order, is removed or lopped;
  - (3) That details, shall be submitted, including materials proposed and colours of same for the approval of the Director of Planning and Building prior to the approval of the Building Application, in respect of the following aspects of the proposal: -
    - (i) external finishes to walls;
    - (ii) roofing finishes;
    - (iii) balcony balustrade treatment;
    - (iv) proposed fences;
    - (v) size and proportion of windows and doors;
  - (4) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building (including any demolition) work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation;
  - (5) That any intruder alarm shall be fitted with a timing device in accordance with the requirements of Regulation 12A of the Noise Control Act, 1975, and Australian Standard 2201, Parts 1 and 2 - 1978, Intruder Alarm Systems;
  - (6) That the street numbers shall be clearly displayed to the satisfaction of the Director of Planning and Building with such numbers being of a colour contrasting with the wall to which they are affixed;

**GENERAL MANAGER**

- (7) That building/demolition work in connection with the proposed development shall only be carried out between the hours of 7.30 am and 5.00 pm on Mondays to Fridays, inclusive, and 7.30 am and 3.00 pm on Saturdays and no work shall be carried out on Sundays or public holidays - where applicable, these restrictions do not apply to the maintenance of site cranes nor to the use of mobile cranes which stand and operate from a public road, provided that a permit has been obtained from the Director of Public Works and Services Department for the use of a mobile crane;
- (8) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
- (9) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (10) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (11) That refuse skips shall be delivered and placed on the public way only by approved suppliers who comply with Council's code for the placement of waste containers on the public way;
- (12) That all proposed work shall be wholly within the boundaries of the subject site;
- (13) That all relevant sections of the BCA shall be complied with;
- (14) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (15) That noise and vibration from the use of any plant equipment and/or building services associated with the premises shall not give rise to an "offensive noise" as defined under the provisions of the Noise Control Act 1975.

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, including adverse effects relating to the emission of noise and vibration, and would not be in the public interest.

**GENERAL MANAGER**

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

Carried.

2.

**LAWRENCE STREET, NOS. 220 - 230, ALEXANDRIA - PARTIAL DEMOLITION OF FACTORY AND CONVERSION INTO A RESIDENTIAL FLAT BUILDING CONTAINING 15 TWO BEDROOM UNITS - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U96-01086)**

- (A) That the Council as the responsible authority grants its consent to the application submitted by Horvat Construction Pty Ltd, with the Authority of Mr S & Mrs R Johns for permission to partially demolish the existing factory and to erect a residential flat building with 15 x 2 bedroom units and to further strata subdivide the site, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with Drawings numbered 96-1109, 1-3 date stamped 11 February 1997;
  - (2) That the car park shall be ventilated in accordance with Australian standard 1668-2-1991 Section 4;
  - (3) As a consequence of this development, Council has identified an additional demand for public facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Contributions Plan 1993, the following monetary contributions towards the cost of providing facilities are required:

<b>FACILITY</b>	<b>AMOUNT</b>	<b>ACCOUNT</b>
Civic Improvement, Open Space and Recreation	\$19,011	2 EJ-BGY 0
Child Care	\$999	2 EK-BGY 0
Community Facilities	\$988	2 EL-BGY 0
Transport and Access	\$3,702	2 EM-BGY 0
Environmental Improvements	\$598	2 EN-BGY 0
<b>TOTAL:</b>	<b>\$25,298</b>	

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

Payment shall be made **before the release of the approved building plans.**

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Applications for the payment of contributions by dedicating land or carrying out works-in-kind will be considered on their merits. In the case of works, Council requires the submission, for formal approval, of complete construction documentation and detailed cost estimates of the works based on established industry standards. Security in the form of a bank guarantee for the full contribution amount is to be lodged with Council and will be held until the approved works have been certified as complete to the satisfaction of Council and future management agreed. Applicants are advised to contact the Council as soon as possible concerning any particular proposal.

- (4) That a minimum of 15-street car parking spaces shall be provided and, except where elsewhere stipulated, each space shall be a minimum of 5.4m x 2.6m or 5.5m x 2.5m, located, prepared and marked to the satisfaction of the Director of Planning and Building;
- (5) That plans and specifications showing details of:-
  - (i) all proposed mechanical ventilation systems;
  - (ii) car park ventilation systems;
  - (iii) the garbage room;
  - (iv) the recycling storage area;

shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;

and the following adopted standard conditions:

- (6) LDA29 - Provide sign indicating parking;
- (7) LDA31 - Provision of cycle racks in parking area;
- (8) LDA152 - Schedule of finishes;
- (9) LDA153 - Reflectivity of external glazing;
- (10) LDA161 - Provide common television aerial;
- (11) LDA351 - Building Application required;
- (12) LDA367 - Timing device on alarms;
- (13) LDA368 - Display of street numbers;
- (14) LDA376 - Hours of building work;
- (15) LDA377 - Construction noise regulation;

- (16) LDA384 - New alignment levels;
- (17) LDA387 - Footway crossings;
- (18) LDA388 - Stormwater disposal details;
- (19) LDA391 - Builder's Hoarding Permits;
- (20) LDA392 - No obstruction to public way;
- (21) LDA394 - Cost of alteration to signposting;
- (22) LDA396 - Works within boundaries;
- (23) LDA21 - No resident parking for residential flat developments;
- (24) HSC103 - Environmental site assessment being carried out;
- (25) HSC500 - Premises to be ventilated;
- (26) HSC700 - Compliance with code for Garbage Handling System;
- (27) HSC706 - Storage of recyclable;
- (28) HSC800 - Use of appliances emitting intrusive noise.

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, including adverse effects relating to the emission of noise and vibration, and would not be in the public interest.

- (B) That the applicant be advised that in order to comply with the Local Government Act and (Approvals) Regulation 1993 the following is required:
- (1) That entrance doorways to all sole occupancy units at each floor level shall be protected by self-closing or automatic closing -/60/30 fire doors in accordance with the requirements of C3.11 of the BCA;
  - (2) That the proposed work shall be constructed in Type (A) construction in accordance with the requirements of specification C1.1-(A) of the BCA;
  - (3) That all doors serving as required exits or forming part of a required exit and any door, shutter, grille or the like which is

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installed in a path of travel to a required exit, shall comply with the requirements of D2.19, D2.20 and D2.21 of the BCA;

- (4) That new stairways and ramps shall be at least 1000mm in width which shall be increased as required in accordance with D1.6 of the BCA and shall have a minimum unobstructed vertical clearance throughout of 2000mm with goings and risers for stairs in accordance with D2.13 of the BCA and shall be provided with balustrades and handrails in accordance with D2.16 of the BCA respectively;
- (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 suitable automatic fire detection and alarm system shall be installed to comply with E1.7 of the BCA;
- (7) That hose reels shall be installed throughout the building in accordance with the requirements of E1.4 of the BCA and AS2441;
- (8) That hydrants shall be installed throughout the building in accordance with the requirements of E1.3 of the BCA and AS2419.1;
- (9) That hydrants shall be installed throughout the building in accordance with the requirements of E1.3 of the BCA and AS2419.1;
- (10) That a system of emergency lighting shall be installed throughout the building in accordance with the requirements of E4.2, E4.3, E4.4 of the BCA and AS2293.1;
- (11) That exit signs shall be provided in accordance with the requirements of E4.5, E4.7, E4.8 of the BCA and AS2293-1;
- (12) That natural light and ventilation shall be provided in accordance with requirements of Part F4 of the BCA;
- (13) That all internal bathrooms and laundries shall be mechanically ventilated in accordance with requirements of F4.5 of the BCA;
- (14) That the walls between flats or units shall be constructed of materials having sound transmission classes in accordance with F5.4 of the BCA;
- (15) That the floors between the flats shall be constructed of materials having sound transmission class not less than 45 in accordance with the requirements of F5.3 of the BCA;

- (16) That all relevant sections of the BCA shall be complied with;
  - (17) That proposed exits shall be redesigned to comply fully with the requirements of Part D of the BCA with specific attention directed to Clause D.1.9(a) of the BCA;
  - (18) Exit travel distances shall comply fully with the requirements of Clause D.1.4(a) of the BCA;
  - (19) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building (including any demolition) work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation;
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

3.

**BROADWAY, NOS. 185 - 211, ULTIMO - ERECT AN ILLUMINATED ROOF SIGN - DEVELOPMENT APPLICATION (U96-01016)**

- (A) That the Council as the responsible authority refuses its consent to the application submitted by Broadway Australian Pty Ltd, to erect a roof top advertising sign on the former "Grace Bros" Building at Nos. 185-211 Broadway, Ultimo, for the following reasons, namely:-
- (1) That the proposed sign would detrimentally affect the heritage significance of the building to which it is attached;
  - (2) That the sign is inappropriate in terms of its relationship to the building by virtue of its type, size, location and detail;
  - (3) That the proposal is unacceptable having regard to requirements under Local Environmental Planning No. 30;
  - (4) That the proposal is unacceptable having regard to matters for consideration within Development Control Plan No. 7;
  - (5) That the proposal would detract from the building's setting and the significance of adjoining and surrounding buildings;
  - (6) That the proposal could have Possible adverse impacts to motorists and traffic safety;

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- (7) That the granting of consent would not be in the public interest.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

4.

**ZAMIA STREET, NO. 34, REDFERN - ALTERATIONS AND ADDITIONS -  
BUILDING APPLICATION (Q96-00905)**

- (A) That the Council as the responsible authority grants its consent to the application submitted by Peter Jones for permission to construct an attic with front dormer rear balcony plus renovate ground floor at the abovementioned premises, all in accordance with the submitted plans dated 15 November 1996, subject to the following conditions, namely:
  - (1) That 1.8m high privacy screens shall be provided on both sides of the proposed balcony. Details to be submitted and approved by the Director of Planning and Building before construction commences ;
  - (2) That the developer shall submit for the approval of the Director of Public Works and Services, before construction commences, details of the stormwater disposal and drainage for the development;
  - (3) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
  - (4) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
  - (5) That refuse skips shall be delivered and placed on the public way only by approved suppliers who comply with Council's code for the placement of waste containers on the public way;
  - (6) That to eliminate concrete and other wastes entering the drainage system, the washing down of concrete trucks and trucks used for the disposal of spoil shall be carried out in a suitable off-street area and not in the public way, in accordance with the requirements of the Director of Public Works and Services;

and the following adopted standard conditions:

- (7) BC2 - Compliance with Local Government Act 1993;

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- (8) BC3 - Compliance with conditions on plan;
- (9) BC8 - Details of contractor;
- (10) BC13 - Envelope and layout to comply with DA;
- (11) BC15 - Approval relates to coloured work;
- (12) BC20 - Premises to remain as single dwelling;
- (13) BC62 - Survey Certificate for setup of building;
- (14) BC63 - Survey Certificate for finished building;
- (15) BC64 - Applicant to make good damage to party walls;
- (16) BC65 - Boundary walls not to be party walls without neighbour's consent;
- (17) BC111 - Hours of work;
- (18) BC113 - Work to comply with noise standards;
- (19) BC114 - Existing building to be kept in stable condition;
- (20) BC116 - New work not to encroach boundaries;
- (21) BC167 - Structural details and certification to be submitted;
- (22) BC168 - Structural justification of existing building;
- (23) BC170 - Structural certificate upon completion;
- (24) BC175 - Comply with Timber Framing Code;
- (25) BC176 - Approval for permanent work only;
- (26) BC337 - Construction of boundary walls;
- (27) BC352 - Glazing materials;
- (28) BC421 - Private stairs construction;
- (29) BC529 - Smoke alarm systems;
- (30) BC601 - Water closets and shower compartments;
- (31) BC602 - Clothes washing and drying facilities;

- (32) BC603 - Damp and weatherproofing;
  - (33) BC608 - Ceiling heights;
  - (34) BC609 - Natural light and ventilation;
  - (35) BC611 - Ventilation of bathrooms/laundries;
  - (36) BC618 - Flashing to be provided;
  - (37) HSC500 - Premises to be ventilated;
  - (38) HSC557 - Air handling system;
  - (39) HSC556 - Laundry ventilation;
  - (40) HSC800 - Use of appliances emitting intrusive noise;
  - (41) HSC014 - Hot water system.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

5.

**RAILWAY PARADE, NOS. 155 - 157, ERSKINEVILLE - ERECT TWO STOREY RESIDENTIAL DWELLING - DEVELOPMENT APPLICATION (U96-01008)**

- (A) That the Council resolves that the State Environmental Planning Policy No. 1 objections against the development standards relating to floor space ratio in Clause 10 of Local Environmental Plan 107 is well founded and compliance is therefore unreasonable and unnecessary for the following reasons:

That the additional floor space above the maximum 1:1 is acceptable in terms of residential amenity impacts and will not detract from the character of the existing streetscape in terms of bulk and scale.

- (B) That the Council grants its consent to the application submitted by Mr R Luskey, with the authority of Mr A & Ms A Shavrianos for permission to refurbish the existing terrace and to erect a two storey terrace on the adjoining site, subject to the following conditions, namely:-

- (1) That the development shall be generally in accordance with Drawings numbered A01-A14 Issue D dated 17 February 1997.
- (2) That the windows openings in the northern elevation in the existing terraces on the ground floor shall remain and the first floor windows shall be redesigned to be vertically proportioned and to match the ground floor. Details to be submitted for approval by the Director of Planning and Building;
- (3) That the window openings in the southern and western elevation shall be redesigned to be vertically proportioned. Details to be submitted for approval by the Director of Planning and Building;
- (4) That the attic room shall not be used for habitable purposes;
- (5) That the new front and western elevation windows and doors shall be constructed in timber joinery;

and the following adopted standard conditions

- (6) LDA106 - Preserve existing trees;
- (7) LDA101 - Provide landscaping plan;
- (8) LDA109 - Relocating street trees;
- (9) LDA152 - Schedule of finishes;

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- (10) LDA153 - Reflectivity of external glazing;
- (11) LDA167 - No garbage on public way;
- (12) LDA351 - Building Application required;
- (13) LDA367 - Timing device on alarms;
- (14) LDA368 - Display of street numbers;
- (15) LDA376 - Hours of building work;
- (16) LDA377 - Construction noise regulation;
- (17) LDA384 - New alignment levels;
- (18) LDA387 - Footway crossings;
- (19) LDA389 - Stormwater disposal requirements;
- (20) LDA392 - No obstruction to public way;
- (21) LDA396 - Works within boundaries;
- (22) LDA393 - Delivery of refuse skips;
- (23) HSC500 - Premises to be ventilated;
- (24) HSC800 - Use of appliances emitting intrusive noise.

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, including adverse effects relating to the emission of noise and vibration, and would not be in the public interest.

- (B) That the applicant be advised that in order to comply with the Local Government Act and (Approvals) Regulation 1993 the following is required:
- (1) That all relevant sections of the BCA shall be complied with;
  - (2) That the applicant be advised that an objection may be lodged with Council pursuant to Section 82 of the Local Government Act, 1993 to vary, subject to the concurrence of the Director General; the requirements of Clause 53 and 54 of the Local Government (Approvals) Regulation 1993;

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

Carried.

6.

**TRAFFIC - TRAFFIC AND PARKING ARRANGEMENTS FOR THE 1997 ROYAL EASTER SHOW (T52-00082)**

That Council:

- (1) note the temporary controls which the Roads and Traffic Authority will authorise and install along parts of state roads and regional roads in Council's area, as set out in the Schedule with the letter dated 24 February 1997 from the Manager, Sydney Traffic Control Centre;
- (2) authorise, under powers delegated by the Roads and Traffic Authority, the temporary changes to kerbside allocations on local roads in Council's area, as set out in the separate Schedule accompanying the report by the Director of Public Works and Services dated 25 February 1997.

(DPWS Report 25.2.97)

Carried.

7.

**KING STREET, NOS. 218 - 222, NEWTOWN (BURLAND COMMUNITY HALL) - CONVERSION TO RETAIL/OFFICE USE - DEVELOPMENT APPLICATION (U96-00173)**

- (A) That the Council as the responsible authority grants its consent to the application submitted by South Sydney City Council for permission to redevelop the premises at Nos. 218 - 222 King Street, known as Burland Community Hall, as a two storey, part retail, part office development, subject to the following conditions, namely:-

- (1) That the development shall be generally in accordance with plans numbered and dated November 1995, modified as follows:

- (a) Detail of new shopfronts:

Either finely detailed steel framed openings or frameless glazing shall be used for the shopfront. The former system shall recall the detailing and materials of the inter-war period; while the frameless glazing shall be a neutral, contemporary element which will more clearly and

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elegantly express the changes to the building than aluminium glazing sections;

(b) Upper floor openings:

These shall be elongated and steel framed to reflect the long, narrow openings of the inter-war stripped classical style. This will require the suspended ceiling to be as high as possible to the first floor offices.

The central grille (which appears to be a later addition to the building facade) does not serve a purpose and shall be removed.

(c) Colour Schemes:

The proposed colour scheme of Dulux Master Palette Emberglo, Stucco and Eggnog and Dulux Powdercoat Rivergum does not match the 1991 Main Street Heritage Paint Scheme.

Concurrence with this colour scheme is required to ensure that the building fulfils the streetscape role acknowledged and proposed by the 1991 study.

The Dulux Master Palette (DMP) equivalents to the 1991 specified colours are:

Wattyl Green Stone	60C - DMP	no equivalent
2T		
Wattyl Smoke Green	60C - DMP	50% Rill Green 90GY
1P		55/081
		30% Pine of Norway
		90GY 64/072
Wattyl Solagard Fire Haze	DMP	no equivalent
Wattyl Burgundy Dash	7A- DMP	Colonial Red USA
1A		10YR 09/250

(2) That the development shall comply with the following provisions of Council's DCP No. 10 with details to be submitted with the Building Application:

Clause 4.1: Stairways and Steps;

5.1: Doorways;

5.2: Door Handles and Hardware;

6: Grab Rails and Hand Rails;

7: Floor Services;

8: Building Use and Maintenance.

(3) Plans and specifications showing details of:

(i) all proposed mechanical ventilation systems;

(ii) the layout, disposition and method of installation of fixtures and fittings, together with wall, floor and ceiling finishes to all food preparation and storage areas of commercial food premises;

being submitted to the Director of Planning and Building and approval obtained before installation is commenced;

and the following standard conditions:

(4) LDA 5 (floorspace ratio shall not exceed 1.3:1);

(5) LDA 36 (loading/unloading);

(6) LDA 39 (loading to Brown Lane);

(7) LDA 45 (car area kept clear);

(8) LDA 167 (no garbage on public way);

(9) LDA 201 (separate sign application);

(10) LDA 202 (no flashing signs);

(11) LDA 203 (no signs etc. on public way);

(12) LDA 206 (no flashing;/noisery signs);

(13) LDA 351 (BA required);

(14) LDA 352 (new development applications for the retail area);

(15) LDA 367 (intruder alarm);

(16) LDA 368 (street numbers);

(17) HSC 500 (ventilation);

(18) HSC 247 (garbage room);

(19) HSC 711 (commercial contract - trade waste);

(20) HSC 800 (noise and vibration).

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, including adverse effects relating to streetscape qualities, heritage issues, congestion, and would not be in the public interest.

- (B) That the applicant be advised that in order to comply with the Local Government Act and (Approvals) regulation 1993, the following is required:
- (1) That new stairways and ramps shall be at least 1000mm in width, which shall be increased as required in accordance with D1.13 of the BCA and shall have a minimum unobstructed vertical clearance of 2000mm with goings and risers for stairs in accordance with D2.13 of the BCA and shall be provided with balustrades and handrails in accordance with D2.16 and D2.17 of the BCA respectively;
  - (2) That all doors serving as required exits or forming part of a required exit, shall comply with the requirements of D2.19, D2.20 and D2.21 of the BCA;
  - (3) That portable fire extinguishers shall be provided throughout the building to the requirements of E1.6 of the BCA and AS 2444;
  - (4) That hose reels shall be installed throughout the building in accordance with the requirements of E1.4 of the BCA and AS 1221/AS2441;
  - (5) That hydrants shall be installed throughout the building in accordance with the requirements of E1.3 of the BCA and AS2419.1;
  - (6) That a system of emergency lighting shall be installed 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 in accordance with the requirements of E4.5, E4.7, E4.8 of the BCA and AS 2293-1;
  - (8) That all internal bathrooms and laundries shall be mechanically ventilated in accordance with requirements of F4.5 of the BCA;
  - (9) That a Building Application together with plans and specifications, incorporating the requirements of conditions contained in this consent shall be lodged with Council and no

building (including any demolition) work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (Approvals) Regulation.

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

Carried.

8.

**CLEVELAND STREET, NO. 273, REDFERN - PERMANENT CONSENT OF VARIATION OF TRADING HOURS - SURRY CLUB HOTEL - DEVELOPMENT APPLICATION (U96-01007)**

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mr D Coppleson to obtain permanent trading hours for the abovementioned hotel, subject to the following conditions, namely:-
- (1) That the hours of operation shall be restricted to between 7.00 am to 12.00 midnight Monday to Wednesday 7.00 am to 3.00 am Thursday, Friday and Saturday 10.00 am to 12.00 midnight Sunday;
  - (2) That one licensed uniformed security personnel shall be employed to patrol the area in the vicinity of the Surry Club Hotel and surrounding streets between 12 midnight and 3.00 am when the hotel is open to ensure that patrons of the premises do not loiter or linger in the area or cause nuisance or annoyance to the neighbourhood;
  - (3) That the extension of hours till 3.00 a.m. on Thursdays to Saturdays shall commence within six months on the date of this consent and shall cease after a period of 12 months from the date of commencement;
- (The applicant is advised that a further application may be lodged before the expiration of the 12 months trial period for Council's consideration of the continuation of the proposed use);
- (4) That the use of the premises shall not give rise to:-
    - (a) transmission of vibration to any place of different occupancy, or
    - (b) a sound level at any point on the boundary of the site greater than the background levels specified in Australian

Standard 1055, "Acoustic - Description and Measurement of Environmental Noise" or

- (c) an "offensive noise" as defined in the Noise Control Act, 1975;

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, including adverse effects relating to the emission of noise and vibration, and would not be in the public interest.

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

At the request of Councillor Lay, and by consent, the motion was amended by the following, namely:-

- (A) The deletion of the figure "12" where appearing twice in condition (3), and the insertion in lieu thereof of the word "six".
- (B) The deletion of the words "licensed uniformed security personnel" and the insertion in lieu thereof of the words "hotel staff member identified as such".

Motion, as amended by consent, carried.

9.

**SELWYN STREET, NO. 14, PADDINGTON - ALTERATIONS AND ADDITIONS TO EXISTING RESIDENCE AND ERECTION OF GARAGE/STUDIO - DEVELOPMENT APPLICATION (U96-00806)**

- (A) That the Council as the responsible authority grants its consent to the application submitted by Terrace House Property and Building Services Pty Ltd, with the authority of Dr K Alford, for permission to construct an extension to the rear of the existing dwelling and to construct a garage and studio at rear, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans 5608-A1 to A3, except as provided in these conditions;
  - (2) That the ground floor balcony shall be deleted;
  - (3) That the ground floor extension shall not extend beyond the line of the existing balcony on that floor;
  - (4) That the first floor extension shall be deleted, although a balcony may be constructed above and not extending beyond the ground floor extension;
  - (5) That no external stair shall be constructed from the ground floor to the rear yard;
  - (6) That the proposed studio shall be deleted and the garage designed so as to minimise wall height on the southern side of site to the satisfaction of the Director of Planning and Building;
  - (7) That all relevant sections of the BCA shall be complied with;
  - (8) That noise and vibration from the use of any plant equipment and/or building services associated with the premises shall not give rise to an "offensive noise" as defined under the provisions of the Noise Control Act 1975;
  - (9) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
  - (10) That the materials and colour of the extension shall match the existing building.

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, including adverse

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effects relating to the emission of noise and vibration, and would not be in the public interest.

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

Carried.

10.

**BOTANY ROAD, NO. 170, ALEXANDRIA - RESIDENTIAL CONVERSION AND EXTENSION TO EXISTING STAR HOTEL - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U96-00935)**

- (A) That the Council as the responsible authority grants its consent to the application submitted by David Blyth Pty Ltd, with the authority of Fodalo Pty Ltd, for permission to erect additions to the building, to alter the building and to use the premises as a residential flat building containing 4 bedsit flats, 18 one-bedroom flats and subject to the following conditions, namely:-

- (1) That the development shall be generally in accordance with plans submitted 17 February 1997 and numbered SD1, SD2, SD3A, SD4, SD5A, SD6B, SD7B, SD8B, SD10B, SD11B, SD12A.
- (2) As a consequence of this development, Council has identified an additional demand for public facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Contributions Plan 1993, the following monetary contributions towards the cost of providing facilities are required:

<b>FACILITY</b>	<b>AMOUNT</b>	<b>ACCOUNT</b>
Civic Improvement, Open Space and Recreation	\$ 9,975	2 EJ-BGY 0
Child Care	\$ 784	2 EK-BGY 0
Community Facilities	\$ 652	2 EL-BGY 0
Transport and Access	\$ 1,786	2 EM-BGY 0
Environmental Improvements	\$ 318	2 EN-BGY 0
<b>TOTAL:</b>	<b>\$13,515</b>	

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

Payment shall be made **before the release of the approved building plans.**

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Applications for the payment of contributions by dedicating land or carrying out works-in-kind will be considered on their merits. In the case of works, Council requires the submission, for formal approval, of complete construction documentation and detailed cost estimates of the works based on established industry standards. Security in the form of a bank guarantee for the full contribution amount is to be lodged with Council and will be held until the approved works have been certified as complete to the satisfaction of Council and future management agreed. Applicants are advised to contact the Council as soon as possible concerning any particular proposal.

- (3) That the balconies to units 11 and 12 shall not be more than 1.5 metres wide but may be lengthened to up to 4.5 metres;
- (4) That a garbage storage area providing for a minimum of four 240 litre mobile garbage bins shall be provided;
- (5) That plans and specifications showing details of:-
  - (a) all proposed mechanical ventilation systems;
  - (b) the recycling and garbage storage areas;shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;
- (6) That parking shall be provided for two motorcycles and 6 bicycles (4 x class 1 resident spaces, 2 x class 3 visitor spaces);
- (7) That units 1 and 2 shall be used for retail or commercial uses and specific Development Applications shall be lodged for these uses;
- (8) That all trees shown on the plans to be preserved shall be retained and shall be lodged for these uses;

and the following adopted standard conditions:-

- (9) HSC500 - Premises to be ventilated;
- (10) HSC700 - Compliance with code for Garbage Handling System;
- (11) HSC801 - Noise from premises;
- (12) LDA351 - Building Application required;
- (13) LDA21 - No resident parking permits for residential flat developments;

- (14) LDA101 - Provide landscaping plan;
- (15) LDA107 - Make application to remove trees;
- (16) LDA152 - Schedule of finishes;
- (17) LDA376 - Hours of building work;
- (18) LDA377 - Construction noise regulation.

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, including adverse effects relating to the emission of noise and vibration, and would not be in the public interest.

- (B) That the applicant be advised that in order to comply with the Local Government Act and (Approvals) Regulation 1993 the following is required:
- (1) That the openings in the external wall/s shall be protected by wetting sprinklers or -/60/30 fire doors or -/60/- fire windows or fire shutters or by construction having an FRL of not less than -/60/- in accordance with the requirements of C3.2, C3.3 and C3.4 of the BCA;
  - (2) That entrance doorways to all sole occupancy units at each floor level shall be protected by self-closing or automatic closing -/60/30 fire doors in accordance with the requirements of C3.11 of the BCA;
  - (3) That all doors serving as required exits or forming part of a required exit and any door, shutter, grille or the like which is installed in a path of travel to a required exit, shall comply with the requirements of D2.19, D2.20 and D2.21 of the BCA;
  - (4) That new stairways and ramps shall be at least 1000mm in width which shall be increased as required in accordance with D1.6 of the BCA and shall have a minimum unobstructed vertical clearance throughout of 2000mm with goings and risers for stairs in accordance with D2.13 of the BCA and shall be provided with balustrades and handrails in accordance with D2.16 of the BCA respectively;
  - (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 hose reels shall be installed throughout the building in accordance with the requirements of E1.4 of the BCA and AS2441;
- (7) That hydrants shall be installed throughout the building in accordance with the requirements of E1.3 of the BCA and AS2419.1;
- (8) That a suitable automatic fire detection and alarm system shall be installed to comply with E1.7 of the BCA;
- (9) That a system of emergency lighting shall be installed throughout the building in accordance with the requirements of E4.2, E4.3, E4.4 of the BCA and AS2293.1;
- (10) That exit signs shall be provided in accordance with the requirements of E4.5, E4.7, E4.8 of the BCA and AS2293-1;
- (11) That natural light and ventilation shall be provided in accordance with requirements of Part F4 of the BCA;
- (12) That all internal bathrooms and laundries shall be mechanically ventilated in accordance with requirements of F4.5 of the BCA;
- (13) That the walls between flats or units shall be constructed of materials having sound transmission classes in accordance with F5.4 of the BCA;
- (14) That the floors between the flats shall be constructed of materials having sound transmission class not less than 45 in accordance with the requirements of F5.3 of the BCA;
- (15) That all relevant sections of the BCA shall be complied with;
- (16) That proposed work to the existing building shall be of 'Type B' construction;
- (17) That the underside of all floors throughout the building be lined with one of the following materials:-
  - (a) Plasterboard;
  - (b) Perforated gypsum lath with a normal paper finish;
  - (c) Fibrous-plaster sheet conforming to AS2185 specification for fibrous plaster products;
  - (d) Fibre-reinforced cement sheeting;
  - (e) Any other material, upon formal application, that is subsequently approved by Council;
- (18) That the existing building and the proposed development shall be separated by a fire wall having a fire resistance level of not less than 90/90/90 and the required doorway within that wall

shall be protected in accordance with the requirements of Clause C.3.7 of the B.C.A;

- (19) That the proposed balconies to the existing building located adjacent to the northern boundary and over the R.O.W shall comply with any restrictions or conditions required by the title deeds;
  - (20) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building (including any demolition) work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation.
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

11.

**REDFERN STREET, NO. 124, REDFERN AND NO. 35 AND NO. 39 WELLS STREET - ERECTION OF 20 UNIT RESIDENTIAL FLAT BUILDING - CONTRIBUTION INCLUDED IN CONSENT (U96-00608)**

This matter was submitted to Council without recommendation.

Moved by Councillor Lay, seconded by Councillor Macken:-

- (A) That the Council as the responsible authority grants its consent to the application submitted by Armitage Johannsen Architects, with the authority of IPC Holdings Pty Ltd and Mr J Guest, to carry out alterations and additions to No. 124 Redfern Street, demolish buildings at Nos. 35 & 39 Wells Street and erect a residential flat building containing 15, one bedroom and 5, two bedroom units, with basement parking, subject to the following conditions, namely:-
  - (1) That the development shall be generally in accordance with plans DA01B, DA02D-05D, DA06C, DA07D, DA08C-09C, received by Council on 12 February 1997;
  - (2) That the ramp width shall be increased to 6 metres, and shall be at right angles to Wells Street, for two way traffic operation, while the ramp grade and parking area shall comply with Council's Development Control Plan No. 11;

- (3) That the basement parking area shall be reduced to provide a maximum of 16 car spaces, allocated on the basis of 12 for residents, three for visitors and one for the commercial use of No. 124 Redfern Street, and the basement shall be setback from Wells Street at least the equivalent of the building setback to Wells Street;
- (4) That full details of the proposed works to No. 124 Redfern Street shall be provided with the Building Application and to the satisfaction of the Director of Planning and Building and a heritage architect shall oversee the building/demolition work;
- (5) That demolition of the buildings at No. 35 and No. 39 Wells Street shall not occur until after building approval is issued;
- (6) That a full professional photographic record of the three buildings on the site (internal and external), in a bound A4 folder, shall be submitted to the satisfaction of the Director of Planning and Building, prior to issuing building approval;
- (7) That existing stonework shall be re-used adaptively on the site in landscaping works;
- (8) As a consequence of this development, Council has identified an additional demand for public facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Contributions Plan 1993, the following monetary contributions towards the cost of providing facilities are required:

<b>FACILITY</b>	<b>AMOUNT</b>	<b>ACCOUNT</b>
Civic Improvement, Open Space and Recreation	\$22,934	2 EJ-BGY 0
Child Care	\$1,205	2 EK-BGY 0
Community Facilities	\$1,192	2 EL-BGY 0
Transport and Access	\$4,466	2 EM-BGY 0
Environmental Improvements	\$722	2 EN-BGY 0
<b>TOTAL:</b>	<b>\$30,519</b>	

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

Payment shall be made **before the release of the approved building plans.**

Applications for the payment of contributions by dedicating land or carrying out works-in-kind will be considered on their merits. In the case of works, Council requires the submission, for formal approval, of complete construction documentation and detailed cost estimates of the works based on established industry

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standards. Security in the form of a bank guarantee for the full contribution amount is to be lodged with Council and will be held until the approved works have been certified as complete to the satisfaction of Council and future management agreed.

Applicants are advised to contact the Council as soon as possible concerning any particular proposal.

- (9) That the rear (southern) external stairs to the central building (Building B) shall be redesigned to be incorporated within the building envelope, rather than being an external shaft;
- (10) That a copy of the certificate of title(s) for the site shall be lodged with the Building Application, including details of any easements and the applicant/developer shall liaise with Sydney Water and lodge details of their requirements with the Building Application;
- (11) That the following refinements shall be made to the design (to be detailed in the Building Application):-
  - (a) privacy screens to a height of 1.8 metres above furnished floor level on the eastern side of balconies to Units 11, 12, 15, 16, and 19, and on the western side of balconies to Units 13, 14, 17, 18, and 20;
  - (b) privacy screening to a height of at least 1.8 metres above finished floor level for the rear landing of the building to Wells Street and to the stair accessing the landing, at level 2;
- (12) That the developer shall advise any purchaser of a unit, or tenant where units are not to be sold, that it is Council's policy not to issue resident parking permits to residents of new residential flat developments located in Resident Parking Scheme areas;
- (13) That all vehicles shall be driven onto and off the site in a forward direction, at all times;
- (14) That the developer shall make application to the Public Works and Services Department for the issuing of new alignment levels to be adopted for the design of the building and other on-site works;
- (15) That a plan for the landscaping of the site, including details of any subsoil drainage where landscaping is provided on a slab and any proposed security fencing, shall be lodged with the Director of Planning and Building for approval and the site shall be landscaped in accordance with the plan as so approved and be maintained at all times to the satisfaction of the Director of

Planning and Building and the Director of Public Works and Services;

- (16) That an application shall be submitted to the Director of Public Works and Services and approved before any existing tree on the site, covered by Council's Tree Preservation Order, is removed or lopped;
- (17) That details, shall be submitted, including materials proposed and colours of same for the approval of the Director of Planning and Building prior to the approval of the Building Application, in respect of the following aspects of the proposal: -
  - (i) external finishes to walls;
  - (ii) roofing finishes;
  - (iii) balcony balustrade treatment;
  - (iv) proposed fences;
  - (v) size and proportion of windows and doors;
- (18) That any external glazing shall have a reflectivity not exceeding 20%;
- (19) That the developer, with the concurrence of the adjoining owners, shall treat any exposed walls of the adjoining buildings to the satisfaction of the Director of Planning and Building;
- (20) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building (including any demolition) work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation;
- (21) That any intruder alarm shall be fitted with a timing device in accordance with the requirements of Regulation 12A of the Noise Control Act, 1975, and Australian Standard 2201, Parts 1 and 2 - 1978, Intruder Alarm Systems;
- (22) That the street numbers shall be clearly displayed to the satisfaction of the Director of Planning and Building with such numbers being of a colour contrasting with the wall to which they are affixed;
- (23) That the applicant shall apply to the Director of Public Works and Services for the allocation of a street number;
- (24) That building/demolition work in connection with the proposed development shall only be carried out between the hours of 7.30

am and 5.00 pm on Mondays to Fridays, inclusive, and 7.30 am and 3.00 pm on Saturdays and no work shall be carried out on Sundays or public holidays - where applicable, these restrictions do not apply to the maintenance of site cranes nor to the use of mobile cranes which stand and operate from a public road, provided that a permit has been obtained from the Director of Public Works and Services Department for the use of a mobile crane;

- (25) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
- (26) That prior to the commencement of any excavation of the building site, a Road Opening Permit shall be obtained from the Director of Public Works and Services and details of shoring required to support the public way shall be submitted for the approval of the Director of Public Works and Services; the requirement for such shoring shall be at the discretion of the Director of Public Works and Services;
- (27) That the developer shall make application to the Public Works and Services Department for the issuing of new alignment levels to be adopted for the design of the building and other on-site works;
- (28) That the developer shall make application to the Director of Public Works and Services for the provision and meet the cost of the necessary vehicular footway crossings and bear the cost of the reinstatement of the footpath where any existing crossings adjacent to the site are no longer required;
- (29) That the developer shall submit for the approval of the Director of Public Works and Services the details of the stormwater disposal and drainage for the development;
- (30) That prior to the commencement of any demolition/building work, an application for a Builder's Hoarding Permit shall be made to the Director of Public Works and Services and a hoarding shall be erected to the satisfaction of the Director of Public Works and Services;
- (31) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (32) That refuse skips shall be delivered and placed on the public way only by approved suppliers who comply with Council's code for the placement of waste containers on the public way;

- (33) That the cost of signposting for alteration of any kerbside parking restrictions required to complement the new development shall be borne by the developer;
- (34) That the cost of signposting for alteration of any kerbside parking restrictions required to complement the new development shall be borne by the developer;
- (35) That all proposed work shall be wholly within the boundaries of the subject site;
- (36) That the building to Wells Street shall be setback by a further minimum of 1.0 metre and hips shall be incorporated into the roof form as it presents to Wells Street, to be detailed to the satisfaction of the Director of Planning and Building, in the Building Application;
- (37) That subject to the agreement of the owner of No. 41 Wells Street, the applicant at their cost shall carry out a dilapidation survey of No. 41 prior to any excavation of the development site.

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, including adverse effects relating to the emission of noise and vibration, and would not be in the public interest.

- (B) That the applicant be advised that in order to comply with the Local Government Act and (Approvals) Regulation 1993 the following is required:
  - (1) That all relevant sections of the BCA shall be complied with;
  - (2) That entrance doorways to all sole occupancy units at each floor level shall be protected by self-closing or automatic closing -/60/30 fire doors in accordance with the requirements of C3.11 of the BCA;
  - (3) That new stairways and ramps shall be at least 1000mm in width which shall be increased as required in accordance with D1.6 of the BCA and shall have a minimum unobstructed vertical clearance throughout of 2000mm with goings and risers for stairs in accordance with D2.13 of the BCA and shall be provided with balustrades and handrails in accordance with D2.16 of the BCA respectively;
  - (4) That all doors serving as required exits or forming part of a required exit and any door, shutter, grille or the like which is

installed in a path of travel to a required exit, shall comply with the requirements of D2.19, D2.20 and D2.21 of the BCA;

- (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 hose reels shall be installed throughout the building in accordance with the requirements of E1.4 of the BCA and AS2441;
- (7) That hydrants shall be installed throughout the building in accordance with the requirements of E1.3 of the BCA and AS2419.1;
- (8) That a suitable automatic fire detection and alarm system shall be installed to comply with E1.7 of the BCA;
- (9) That natural light and ventilation shall be provided in accordance with requirements of Part F4 of the BCA;
- (10) That all internal bathrooms and laundries shall be mechanically ventilated in accordance with requirements of F4.5 of the BCA;
- (11) That the openings in the external wall/s shall be protected by wetting sprinklers or -/60/30 fire doors or -/60/- fire windows or fire shutters or by construction having an FRL of not less than -/60/- in accordance with the requirements of C3.2, C3.3 and C3.4 of the BCA;
- (12) That a system of emergency lighting shall be installed throughout the building in accordance with the requirements of E4.2, E4.3, E4.4 of the BCA and AS2293.1;
- (13) That exit signs shall be provided in accordance with the requirements of E4.5, E4.7, E4.8 of the BCA and AS2293-1;
- (14) That the proposed work shall be constructed in Type (A) construction in accordance with the requirements of specification C1.1 of the BCA;
- (15) That the walls between flats or units shall be constructed of materials having sound transmission classes in accordance with F5.4 of the BCA;
- (16) That the floors between the flats shall be constructed of materials having sound transmission class not less than 45 in accordance with the requirements of F5.3 of the BCA;

- (17) That proposed stairways shall comply fully with the requirements of Parts C and D of the BCA; with specific attention directed to Clauses C.3.11 and D.19 of the BCA.
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

12.

**COULSON STREET, LOT 3, NO. 1A, ERSKINEVILLE - USE PREMISES FOR MAKING CHOCOLATES 24 HOURS A DAY - DEVELOPMENT APPLICATION (U96-00972)**

- (A) That the Council as the responsible authority refuses its consent to the application submitted by Praline Chocolates Pty Ltd, with the authority of E, A & H Guerry, for permission to use, that part of the building on Lot 3 known as Unit 40 for the manufacture and warehousing of chocolates and as ancillary offices, 24 hours per day, 7 days per week and to carry out associated internal alterations for the following reasons, namely:-
- (1) That the proposed hours of operation and the nature of the use and machinery involved would adversely affect the amenity of the area, particularly with regard to the night time emission of noise;
- (2) That the granting of consent would not be in the public interest.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

13.

**YOUNG STREET, NO. 83, REDFERN - ALTERATIONS AND ADDITIONS TO DWELLING INVOLVING TWO STOREY REAR EXTENSION (Q96-00943)**

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mr P Vladeta for permission to carry out alterations and additions at the abovementioned premises, all in accordance with the (amended) plans numbered 1B, 4A, 5A and 7A dated 30 December 1996, subject to the following conditions, namely:-
- (1) That compliance shall be given to the provisions of the Local Government Act, 1993, Local Government Regulations and the Building Code of Australia (BCA);

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- (2) That compliance shall be given to all of the conditions shown on the approved plan;
- (3) That, in accordance with the requirements of Clause 29 of the Local Government (Approvals) Regulation 1993, the Council shall be informed in writing **prior to the commencement of work** of the following:-
  - (a) the name and contractor's licence number of the licensee who has contracted to do or intends to do the work; or
  - (b) the name and permit number of the owner-builder who intends to do the work;

and the Council shall be immediately informed in writing if:-

a contract is entered into for the work to be done by a different licensee;  
or

arrangements for the doing of the work are otherwise changed;

- (4) That the applicant shall inform Council once the stages indicated on the approved plans have been reached so inspections can be carried out by Council officers;
- (5) That the approval shall only relate to the work shown coloured on the approved plans;
- (6) That the use of the premises shall remain as dwelling in single occupation only;
- (7) That the proposed new brickwork shall match the existing;
- (8) That a Survey Certificate shall be submitted from a Registered Surveyor to the effect that the proposed building has been set out so that the dimensions and location on the site are in accordance with the approved plan prior to the foundation excavations being commenced;
- (9) That a Survey Certificate shall be submitted at the completion of the building work from a Registered Surveyor certifying the location of the building in relation to the boundary lines of the allotment;
- (10) That with respect to proposed work to any party wall, the applicant shall make good any damage to common property as a result of such work;

- (11) That the proposed side boundary walls shown on the approved plans shall not be built as a party wall but the proposed extension shall be wholly located within the boundaries of the allotment unless consent of adjoining owner is submitted to Council;
- (12) That the hours and days during which building work may be carried out shall be restricted to between 7.30 am and 5.00 pm Mondays to Fridays and 7.30 am and 3.00 pm Saturdays with no work being carried out on Sundays or public holidays;
- (13) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
- (14) That the existing building shall be maintained in a stable condition during construction and/or demolition work to Council's approval;
- (15) That new work including footings shall not project beyond the street alignment or boundaries of the allotment;
- (16) That structural details (including underpinning and/or shoring details) shall be submitted for consideration and approved prior to the commencement of any structural work. You are advised that by a resolution of Council, all structural plans must be accompanied by a certificate from an **approved** practising Structural Engineer. Details of the procedure of Structural Certification are attached herewith;
- (17) That a certificate shall be submitted at the completion of the proposed work from a registered structural engineer confirming that all structural work complies with the approved certified structural plans;
- (18) That all timber framing shall be in accordance with AS 1684-1992 S.A.A. National Timber Framing Code or certified by a structural engineer in accordance with AS 1720.1 timber structures code;
- (19) That the external walls closer than 900mm from a side boundary shall be of masonry or masonry-veneer construction or having a fire resistance level of not less than 60/60/60, in accordance with Specification C1.9-4 of the BCA;
- (20) That any sarking-type material used in the roof of the building shall have a flammability index of not more than 5, in accordance with Specification C1.9-8 of the BCA;

- (21) That all glazing materials shall be selected and installed in accordance with the relevant provisions of AS1288 "Glass Installation Code".
- (22) That the private stairs shall be provided with goings and risers in accordance with D2.13 of the BCA and balustrades in accordance with D2.16 of the BCA;
- (23) That suitable smoke alarm systems shall be provided in accordance with the requirements of E1.7 of the BCA;
- (24) That the floor surfaces of water closets, shower compartments and the like shall be of materials impervious to moisture and the walls shall be finished with an approved impervious finish in accordance with the requirements of F1.7 of the BCA;
- (25) That clothes washing and drying facilities shall be provided in accordance with the requirements of F2.1 of the BCA;
- (26) That the external walls must be so constructed as to prevent rain or dampness penetrating to the inner parts of a building in accordance with the requirements of F1.4 of the BCA;
- (27) That a flashing shall be provided to prevent water entering between the proposed and existing external boundary walls of the adjoining properties;
- (28) That the developer shall submit for the approval of the Director of Public Works and Services the details of the stormwater disposal and drainage for the development;
- (29) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (30) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (31) That refuse skips shall be delivered and placed on the public way only by approved suppliers who comply with Council's code for the placement of waste containers on the public way;
- (32) That to eliminate concrete and other wastes entering the drainage system, the washing down of concrete trucks and trucks used for the disposal of spoil shall be carried out in a suitable off-street area and not in the public way, in accordance with the requirements of the Director of Public Works and Services;

- (33) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (34) That noise and vibration from the use of any plant equipment and/or building services associated with the premises shall not give rise to an "offensive noise" as defined under the provisions of the Noise Control Act 1975;
- (35) For the purpose of child safety, it is **recommended** that all new or replacement hot water systems be designed to deliver hot water to a maximum 50°C and/or install safety devices such as child resistant taps, single lever mixing taps, and automatic flow reduction devices.

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

Carried.

14.

**CHURCH STREET, NO. 256, NEWTOWN - CONVERSION OF WAREHOUSE INTO 2 X 2 AND 1 X 1 BEDROOM UNITS - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U96-01112)**

This matter was submitted to Council without recommendation.

Moved by Councillor Lay, seconded by Councillor Macken:-

- (A) That Council is satisfied that the State Environmental Planning Policy No. 1 objection against the development standard relating to height in Clause 14 of Local Environmental Plan No.66 is well founded and compliance is therefore unreasonable and unnecessary for the following reason, namely:-

That the proposed height will not result in a building form that is incompatible with surrounding developments and is not considered to adversely impact on the amenity of the locality.

- (B) That the Council as the responsible authority grants its consent to the application submitted by SOMA Design Partnership, with the authority of LPM Lift Truck Parts Pty Ltd, for permission to redevelop the abovementioned site into three unit residential building, subject to the following conditions, namely:-

- (1) That the development shall be generally in accordance with plans DA01, DA02, DA03 and DA04;
- (2) That this consent shall lapse after a period of two years from the date this consent becomes effective;
- (3) That the first level and roof top terraces shall be screened by a privacy screens so as to prevent overlooking into the adjoining properties to the north and east. Details of which shall be provided with the building application;
- (4) That an Environmental Site Assessment (Contamination Assessment) shall be carried out in accordance with the requirements of the EPA and shall be submitted to Council for referral to the EPA. This assessment will need to certify that the site does not pose a risk to public health and is suitable for the intended use. It should be noted that Building Approval will not be issued until the Contamination Assessment has been submitted to Council and the site has been given clearance by

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the EPA. No works on the site shall be undertaken prior to the EPA giving clearance other than works associated with the remediation of the land;

- (5) As a consequence of this development, Council has identified an additional demand for public facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Contributions Plan 1993, the following monetary contributions towards the cost of providing facilities are required:

<b>FACILITY</b>	<b>AMOUNT</b>	<b>ACCOUNT</b>
Civic Improvement, Open Space and Recreation	\$3,319.40	2 EJ-BGY 0
Child Care	\$ 174.40	2 EK-BGY 0
Community Facilities	\$ 172.60	2 EL-BGY 0
Transport and Access	\$ 646.40	2 EM-BGY 0
Environmental Improvements	\$ 104.50	2 EN-BGY 0
<b>TOTAL:</b>	<b>\$ 4,417.30</b>	

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

Payment shall be made **before the release of the approved building plans.**

Applications for the payment of contributions by dedicating land or carrying out works-in-kind will be considered on their merits. In the case of works, Council requires the submission, for formal approval, of complete construction documentation and detailed cost estimates of the works based on established industry standards. Security in the form of a bank guarantee for the full contribution amount is to be lodged with Council and will be held until the approved works have been certified as complete to the satisfaction of Council and future management agreed. Applicants are advised to contact the Council as soon as possible concerning any particular proposal.

- (6) That the developer shall advise any purchaser of a unit, or tenant where units are not to be sold, that it is Council's policy not to issue resident parking permits to residents of new residential flat developments located in Resident Parking Scheme areas;
- (7) That details, shall be submitted, including materials proposed and colours of same for the approval of the Director of Planning and Building prior to the approval of the Building Application, in respect of the following aspects of the proposal: -
- (i) external finishes to walls;

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- (ii) roofing finishes;
  - (iii) balcony balustrade treatment;
  - (iv) proposed fences;
  - (v) size and proportion of windows and doors;
- (8) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building (including any demolition) work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation;
- (9) That the street numbers shall be clearly displayed to the satisfaction of the Director of Planning and Building with such numbers being of a colour contrasting with the wall to which they are affixed;
- (10) That building/demolition work in connection with the proposed development shall only be carried out between the hours of 7.30 am and 5.00 pm on Mondays to Fridays, inclusive, and 7.30 am and 3.00 pm on Saturdays and no work shall be carried out on Sundays or public holidays - where applicable, these restrictions do not apply to the maintenance of site cranes nor to the use of mobile cranes which stand and operate from a public road, provided that a permit has been obtained from the Director of Public Works and Services Department for the use of a mobile crane;
- (11) That the developer shall make application to the Public Works and Services Department for the issuing of new alignment levels to be adopted for the design of the building and other on-site works;
- (12) That the developer shall make application to the Director of Public Works and Services for the provision and meet the cost of the necessary vehicular footway crossings and bear the cost of the reinstatement of the footpath where any existing crossings adjacent to the site are no longer required;
- (13) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (14) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;

- (15) That the cost of signposting for alteration of any kerbside parking restrictions required to complement the new development shall be borne by the developer;
- (16) That in respect of condition (7) above, the building shall be painted in a colour with a light hue, consistent with the heritage conservation area Window and door frames shall be either wide profile powder coated aluminium or timber.
- (17) That the first floor windows which overlook the rear yard of No. 258 Church Street shall be treated or provided with screens to ensure that privacy is maintained, details to be submitted with the Building Application.

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.

- (C) That the applicant be advised that in order to comply with the Local Government Act and (Approvals) Regulation 1993 the following is required:
- (1) That the proposed work shall be constructed in Type (A) construction in accordance with the requirements of specification C1.1-(3) of the BCA;
  - (2) That new stairways and ramps shall be at least 1000mm in width which shall be increased as required in accordance with D1.6 of the BCA and shall have a minimum unobstructed vertical clearance throughout of 2000mm with goings and risers for stairs in accordance with D2.13 of the BCA and shall be provided with balustrades and handrails in accordance with D2.16 of the BCA respectively;
  - (3) That portable fire extinguishers shall be provided throughout the building to the requirements of E1.6 of the BCA and AS 2444;
  - (4) That a suitable automatic fire detection and alarm system shall be installed to comply with E1.7 of the BCA;
  - (5) That natural light and ventilation shall be provided in accordance with requirements of Part F4 of the BCA;
  - (6) That all internal bathrooms and laundries shall be mechanically ventilated in accordance with requirements of F4.5 of the BCA;

- (7) That the walls between flats or units shall be constructed of materials having sound transmission classes in accordance with F5.4 of the BCA;
  - (8) That the floors between the flats shall be constructed of materials having sound transmission class not less than 45 in accordance with the requirements of F5.3 of the BCA;
  - (9) That all relevant sections of the BCA shall be complied with;
  - (10) That proposed rooflights shall comply fully with the requirements of specification C.1.1 (36) of the BCA;
  - (11) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building (including any demolition) work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation.
- (D) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

15.

**PLANNING - CAMPERDOWN CHILDREN'S HOSPITAL - PROPOSED REZONING (2008469)**

Councillors Macken and Waters declared an interest and did not take part in discussions or voting on the Item.

That Council:-

- (i) resolve to prepare a Draft Local Environmental Plan for the former Children's Hospital Site in Camperdown, in order to rezone the land to a Mixed Use zone and as set out in the attached Draft LEP and DCP and to facilitate disposal of the site by the NSW Department of Health with in-house staff and administrative costs to be paid for by the Applicant;
- (ii) pursuant to Sections 54(4) and 64 of the Environmental Planning and Assessment Act, 1979 notify the NSW Department of Urban Affairs and Planning of its decision;

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- (iii) advise the Department for Planning of the decision by the Director of Planning and Building to use his delegatory powers under Section 65 of the Act, to certify the Draft Plan for public exhibition purposes;
- (iv) inform the resident group FROGs that Council is committed to the preservation and enhancement of Orphans School Creek and to ensure appropriate mechanisms are put in place to minimise detrimental impacts on the habitat arising from development of the Hospital site;
- (v) invite a representative from FROGs to participate in further Working Party meetings to ensure issues of concern to the group are addressed in discussions with the applicant.

(DPB Report 14.2.97)

Carried.

16.

**GREENS ROAD, NOS. 1 - 37, PADDINGTON - EXTEND OPERATING HOURS OF CAR PARK - DEVELOPMENT APPLICATION (U96-00702)**

- (A) That the Council as the responsible authority grants its consent to K C Park Safe NSW Pty Ltd, with the authority of the University of NSW, to use the College of Fine Arts car park as a public car park, subject to the following conditions, namely:-
  - (1) That the development shall be generally in accordance with plan No. A2 revision A submitted with the development application;
  - (2) That the use shall cease after a period of 12 months from the date of this consent. (The applicant is advised that a further application may be lodged before the expiration of this consent for Council's consideration of the continuation of the proposed use);
  - (3) That no A-frame signs shall be displayed on the public way. A sign not exceeding 1m x 0.6m may be placed on the building adjacent to the driveway advertising the public car park. The sign shall only be displayed whilst the public car park is in operation;
  - (4) That the public car park shall only operate between 6.00pm and 12.00 midnight Fridays and 7.00am and 12.00 midnight Saturdays;
  - (5) That an application shall be made and consent granted for a license to operate a public parking station pursuant to Section 68 of the Local Government Act, 1993;

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- (6) That the public car park shall not operate when the parking facilities are required by the College of Fine Arts for late night functions, lectures or similar College uses;

and the following adopted standard conditions namely:

- (7) LDA201 - Make separate application for sign;
- (8) HSC801 - Noise from premises.

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 applicant be advised that Council is encouraging the use of public transport in the area and that upon completion of the 12 month period the progress of the public transport improvements in the area will be one of the matters to be considered in allowing the use to continue;
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

17.

**EPSOM ROAD, NOS. 10 - 16, WATERLOO - CONVERT EXISTING FACTORY INTO 15 STRATA RESIDENTIAL UNITS - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U97-00008)**

That consideration of the application submitted by Mr. N. Turner with the authority of Mr. H & Mr. J Haralambides for permission to convert the existing factory into 15 residential units with 12 parking spaces and to strata subdivide the units, all in accordance with the submitted plans, be deferred for

discussions between the Director of Planning and Building, the applicant and representatives from the Zetland Community Action Group.

Carried.

18.

**NAPIER STREET, NO. 15, PADDINGTON - ALTERATIONS AND ADDITIONS TO DWELLING - DEVELOPMENT APPLICATION (U96-01116)**

- (A) That the Council resolves it is satisfied that the objection to the floor space control in Clause 10(2) of Local Environmental Plan No. 107 is well founded and compliance is therefore unreasonable and unnecessary for the following reason, namely:-

That the additional floor space will not generate unreasonable adverse impact on adjacent properties with regard to solar access, privacy and general amenity.

- (B) That the Council as the responsible authority grants its consent to the application submitted by Hartley Mills Pty Ltd with the authority of J Horton for permission to make alterations and additions to the terrace house including a new first floor bedroom and conversion of the attic space to a room, subject to the following conditions, namely:-

- (1) That this consent shall lapse after two years from the date of consent;
- (2) That the development shall be generally in accordance with plans drawings numbered 1, 2 and 3 dated 20 December 1996;
- (3) That the rear attic skillion addition shall be setback a minimum of 500mm from the side walls, 200mm below the ridge line and 200mm from the rear wall, to the satisfaction of the Director of Planning and Building;
- (4) That new windows shall be constructed in timber joinery;

and the following adopted standard conditions, namely:

- (5) LDA156 - Dormer to be constructed of timber;
- (6) LDA157 = Provide details of heritage colour scheme;
- (7) LDA163 - New brickwork to match existing;
- (8) LDA376 - Hours of building work;
- (9) LDA389 - Stormwater disposal requirements;

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- (10) LDA392 - No obstruction to public way;
- (11) LDA396 - Works within boundaries;
- (12) HSC500 - Premises to be ventilated;
- (13) LDA351 - Building Application required.

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.

- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.
- (D) That the Department of Urban Affairs and Planning be advised of the use of State Environmental Planning Policy No.1 in this instance.

Carried.

19.

**LAWRENCE STREET, NOS. 292 - 296, ALEXANDRIA - CONVERT WAREHOUSE INTO THREE DWELLINGS - BUILDING APPLICATION (Q96-01028)**

- (A) That an Environmental Site Assessment (Contamination Assessment) shall be carried out in accordance with the requirements of the Environmental Protection Authority and shall be submitted to Council for referral to the Environmental Protection Authority. This assessment will need to certify that the site does not pose a risk to public health and is suitable for the intended use.
- (B) That the approval in (C) below shall not operate until the site has been given clearance by the Environmental Protection Authority. In this respect no works on the site shall be undertaken prior to the Environmental Protection Authority giving clearance, other than works associated with the decontamination of the land.
- (C) That upon compliance with (B) above the Council as the responsible authority grants its approval to the application submitted by Stoic & Co Pty Ltd for permission to convert the existing warehouse into three separate dwellings at the abovementioned premises, all in accordance with the submitted plans numbered 96-700 BA dated 24 December 1996, subject to the following conditions and any other requirements imposed by the EPA:

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- (1) That compliance shall be given to the provisions of the Local Government Act, 1993, Local Government Regulations and the Building Code of Australia (BCA);
- (2) That compliance shall be given to all of the conditions shown on the approved plan;
- (3) That compliance shall be given to the conditions of the Director of Health and Community Services contained in the accompanying report dated 13 January 1997;
- (4) That additional details shall be submitted for approval in accordance with condition 3 of the report dated 13 January 1997 of the Director of Health and Community Services prior to the commencement of that work;
- (5) That, in accordance with the requirements of Clause 29 of the Local Government (Approvals) Regulation 1993, the Council shall be informed in writing **prior to the commencement of work** of the following:-
  - (a) the name and contractor's licence number of the licensee who has contracted to do or intends to do the work; or
  - (b) the name and permit number of the owner-builder who intends to do the work;and the Council shall be immediately informed in writing if:-
  - (a) a contract is entered into for the work to be done by a different licensee; or
  - (b) arrangements for the doing of the work are otherwise changed;
- (6) That the applicant shall inform Council once the stages indicated on the approved plans have been reached so inspections can be carried out by Council officers;
- (7) That the approval shall only relate to the work shown coloured on the approved plans;
- (8) That a Survey Certificate shall be submitted from a Registered Surveyor to the effect that the proposed building has been set out so that the dimensions and location on the site are in accordance with the approved plan prior to the foundation excavations being commenced;
- (9) That a Survey Certificate shall be submitted at the completion of the building work from a Registered Surveyor certifying the

location of the building in relation to the boundary lines of the allotment;

- (10) That the hours and days during which building work may be carried out shall be restricted to between 7.30 am and 5.00 pm Mondays to Fridays and 7.30 am and 3.00 pm Saturdays with no work being carried out on Sundays or public holidays;
- (11) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
- (12) That the existing building shall be maintained in a stable condition during construction and/or demolition work to Council's approval;
- (13) That structural details (including underpinning and/or shoring details) shall be submitted for consideration and approved prior to the commencement of any structural work. You are advised that by a resolution of Council, all structural plans must be accompanied by a certificate from an **approved** practising Structural Engineer. Details of the procedure of Structural Certification are attached herewith;
- (14) That structural certification justifying the capacity of the existing structure to carry the proposed new loads shall be submitted from a practising structural engineer and approval granted prior to the commencement of work;
- (15) That the common walls shall be of construction with a fire resistance level of not less than 60/60/60 and must extend to the underside of a non-combustible roof cladding or not less than 450mm above a roof with a combustible roof-cladding, in accordance with Specification C1.9-7 of the BCA;
- (16) That all glazing materials shall be selected and installed in accordance with the relevant provisions of AS1288 "Glass Installation Code".
- (17) That the rooflights or the like (in a class 1 and 10 building) shall comply with Specification C1.9-9 of the BCA;
- (18) That any sarking-type material used in the roof of the building shall have a flammability index of not more than 5, in accordance with Specification C1.9-8 of the BCA;
- (19) That the private stairs shall be provided with goings and risers in accordance with D2.13 of the BCA and balustrades in accordance with D2.16 of the BCA;

- (20) That a suitable automatic fire detection and alarm system shall be installed to comply with E1.7 of the BCA;
  - (21) That the developer shall make application to the Public Works and Services Department for the issuing of new alignment levels to be adopted for the design of the building and other on-site works;
  - (22) That the developer shall make application to the Director of Public Works and Services for the provision and meet the cost of the necessary vehicular footway crossings and bear the cost of the reinstatement of the footpath where any existing crossings adjacent to the site are no longer required;
  - (23) That the developer shall submit for the approval of the Director of Public Works and Services the details of the stormwater disposal and drainage for the development;
  - (24) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
  - (25) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
  - (26) That refuse skips shall be delivered and placed on the public way only by approved suppliers who comply with Council's code for the placement of waste containers on the public way;
  - (27) That to eliminate concrete and other wastes entering the drainage system, the washing down of concrete trucks and trucks used for the disposal of spoil shall be carried out in a suitable off-street area and not in the public way, in accordance with the requirements of the Director of Public Works and Services;
  - (28) That this approval is conditional upon the requirement that structural details shall be submitted, showing independent support for each dwelling upon each separate allotment.
- (D) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

20.

**WARATAH STREET, NO. 27, RUSHCUTTERS BAY - ERECT 10 X TWO  
BEDROOM UNITS - DEVELOPMENT APPLICATION (U96-01061)**

**GENERAL MANAGER**

- (A) That the Council as the responsible authority refuses its consent to the application submitted by Max Sgammotta Architects with the authority of Meea Investments Pty Ltd and Janlz Constructions Pty Ltd for permission to demolish a boarding house and erect a five storey residential flat building comprising 10 x 2 bedroom units above a ground level car park containing 15 car spaces for the following reasons, namely:-
- (1) That the necessary concurrence has not been granted by the Director of Housing pursuant to Clause 7(1) of State Environmental Planning Policy No. 10;
  - (2) That the proposal exceeds the maximum floor space ratio of 2:1 applicable to the site pursuant to Clause 11(1) of Local Environmental Plan No. 101;
  - (3) That the proposed building does not comply with the setback requirements of Development Control Plan No. 1;
  - (4) That the proposal will result in an unreasonable loss of views and outlook for the adjoining property to the south of the subject site and does not comply with the requirements of Clause 4.9 of Development Control Plan No. 1;
  - (5) That the proposal does not comply with the car parking requirements of Development Control Plan No. 11;
  - (6) That the proposal exceeds the proposed height limit of 12m applicable to the site under Draft Development Control Plan 1996;
  - (7) That the proposal exceeds the proposed floor space ratio of 1.5:1 applicable to the site under Draft Development Control Plan 1996;
  - (8) That the proposal will unreasonably overshadow the adjoining property to the south of the subject site;
  - (9) That the proposal is unreasonable in terms of bulk and scale and is therefore considered an over development of the site;
  - (10) That the granting of consent is not appropriate in the circumstances of the case;
  - (11) That the granting of consent is not in the public interest;
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

21.

**FORBES STREET, NO. 132 AND CATHEDRAL STREET, NOS. 173 - 175,  
WOOLLOOMOOLOO - DEVELOPMENT APPLICATION - CONTRIBUTION  
INCLUDED IN CONSENT (U95-00808)**

This matter was submitted to Council without recommendation.

Moved by Councillor Waters, seconded by Councillor Fenton:-

- (A) That the Council resolves it is satisfied that the objection against the development standard relating to floor space ratio contained in Clause 11 of Local Environmental Plan No 101 is well founded and compliance is therefore unreasonable and unnecessary for the following reason, namely:-

That the proposed floor space ratio will not result in a building form that is incompatible with surrounding developments and is not considered to adversely impact on the amenity of the locality.

- (B) That the Council as the responsible authority grants its consent to the application submitted by Cyril Smith Pty Ltd, with the authority of B M B Development Corporation Pty Ltd, for permission to make alterations and additions to the existing building at No. 132 Forbes Street including a first floor addition and erect a part 3/part 4 storey 20 room boutique hotel with basement parking at Nos. 173-175 Cathedral Street, subject to the following conditions, namely:-

- (1) That the development shall be generally in accordance with plans Nos BR 15-BR 23 dated 18 June 1996;
- (2) The third floor (shown as the penthouse plan) being deleted and the floor space ratio not exceeding 1.85:1;
- (3) That the three fin walls on the northern elevation of the first floor level shall be deleted;
- (4) That the developer shall make a monetary contribution of \$5,000 to Council to cover the cost of relocating and re-establishing the community garden affected by the proposal;
- (5) As a consequence of this development, Council has identified an additional demand for public facilities Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Contributions Plan 1993, the following monetary contributions towards the cost of providing facilities are required:

FACILITY	AMOUNT	ACCOUNT
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**GENERAL MANAGER**

Civic Improvement, Open Space and Recreation	\$23,095	2 EJ-BGY 0
Child Care	\$11,000	2 EK-BGY 0
Community Facilities	\$619	2 EL-BGY 0
Transport and Access	\$4,549	2 EM-BGY 0
Environmental Improvements	\$725	2 EN-BGY 0
<b>TOTAL:</b>	<b>\$28,999</b>	

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

Payment shall be made **before the release of the approved building plans.**

Applications for the payment of contributions by dedicating land or carrying out works-in-kind will be considered on their merits. In the case of works, Council requires the submission, for formal approval, of complete construction documentation and detailed cost estimates of the works based on established industry standards. Security in the form of a bank guarantee for the full contribution amount is to be lodged with Council and will be held until the approved works have been certified as complete to the satisfaction of Council and future management agreed.

Applicants are advised to contact the Council as soon as possible concerning any particular proposal;

- (6) That the existing and proposed restaurant may be open for business only between (8.00 a.m. and 12.00 midnight) and, upon expiration of the permitted hours, all restaurant service and entertainment shall immediately cease, no person shall be permitted entry and all customers on the premises shall be required to leave within the following hour;
- (7) That any entertainment shall be restricted to the ground floor of the existing restaurant between 8.00 a.m. and 11.30 p.m.;
- (8) That an expert wind consultant shall prepare a wind rose for the site showing wind conditions for the site and this information shall be submitted with the Building Application to the satisfaction of the Director of Planning and Building;
- (9) That a minimum of 20 off-street car parking spaces shall be provided and, except where elsewhere stipulated, each space shall be a minimum of 5.4m x 2.6m or 5.5m x 2.5m, located, prepared and marked to the satisfaction of the Director of Planning and Building;
- (10) That the applicant shall install a superior type fence along the land adjoining State Rail land to the requirement of State Rail;

- (11) That drainage shall not be directed onto State Rail land;
- (12) That no work shall be carried out on or from State Rail land;
- (13) That existing State Rail access shall not be impeded in any way;
- (14) That the applicant shall submit with the Building Application a report by a qualified acoustic consultant showing how the noise and vibration from nearby trains, including the reverberation of noise to nearby buildings should be addressed;
- (15) That the recommendations contained in the acoustic consultants report shall be implemented to the satisfaction of the Director of Planning and Building;
- (16) That the premises including all internal rooms not provided with adequate natural ventilation shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (17) That the car park shall be ventilated in accordance with Australian Standard 1668 - 1991.1 Specification 7 and Australian Standard 1668.2 Section 4.;
- (18) That a Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 in respect of the proposed development shall be submitted to Council prior to the release of the approved building plans;
- (19) That the storage and handling of garbage shall comply with Council's Waste Management Policy;
- (20) That plans and specifications showing details of:-
  - i) all required mechanical ventilation systems;
  - ii) the location of exhaust/and intake vents;
  - iii) the garbage room;
  - iv) the recycling storage area;
  - v) the coolroom;
  - vi) the layout, disposition and method of installation of fixtures and fittings, together with wall, floor and ceiling finishes to all food preparation and storage areas;

shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;

and the following adopted standard conditions:-

- (21) LDA28 - Off-street parking not to be public;
- (22) LDA33 - Loading Docks;
- (23) LDA36 - Loading only within confines of the site;
- (24) LDA46 - Loading and access to be kept clear;
- (25) LDA63 - Surface marking for traffic circulation;
- (26) LDA66 - Minimum 2.2m headroom;
- (27) LDA151 - Schedule of finishes;
- (28) LDA153 - Reflectivity of external glazing;
- (29) That a colour scheme for the building, incorporating light hue heritage colours, shall be submitted for the approval of the Director of Planning and Building and that all elevations shall be painted in accordance with the approved colour scheme;
- (30) LDA160 - Provide service ducts within building;
- (31) LDA161 - Provide common television aerial;
- (32) LDA201 - Make separate application for sign;
- (33) LDA202 - No flashing lights to be installed on site;
- (34) LDA351 - Building Application required;
- (35) LDA365 - Consolidation of lots;
- (36) LDA367 - Timing device on alarms;
- (37) LDA369 - Allocation of street numbers;
- (38) LDA371 - No dancing;
- (39) LDA376 - Hours of building work;
- (40) LDA377 - Construction noise regulation;
- (41) LDA384 - New alignment levels;
- (42) LDA387 - Footway crossings;
- (43) LDA388 - Stormwater disposal details;
- (44) LDA391 - Builder's Hoarding Permits;

- (45) LDA392 - No obstruction to public way;
- (46) LDA394 - Cost of alteration to signposting;
- (47) LDA396 - Works within boundaries;
- (48) HSC001 - Compliance to Director of Health and Community Services;
- (49) HSC200 - Compliance with Food Premises Code;
- (50) HSC301 - Cooking of food only if air handling system is provided;
- (51) HSC100 - Removal of spoil from site;
- (52) HSC111 - Liquid wastes to sewer;
- (53) HSC706 - Storage of recyclables;
- (54) HSC711 - Commercial contract (trade waste);
- (55) HSC801 - Noise from premises.
- (56) That all plant able to be contained within the proposed building shall be so located and any plant required to be placed on the roof shall be appropriately located and screened to the satisfaction of the Director of Planning and Building;
- (57) That all deliveries and collections, including waste, shall only be carried out between 6.00am and 10.00pm;
- (58) That the premises shall not be used as a brothel;
- (59) That rooms in the hotel shall only be available for rent for a period of one night or more;
- (60) That the Building Application when dealt with shall be referred back to Committee for consideration.

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.

NOTE: The Developer's attention is drawn to the availability from Council's Health and Community Services Department of the Waste

Management - Minimisation "Fact Sheets", Garbage Storage Areas, Facilities and Receptacles.

- (C) That the applicant be advised that in order to comply with the Local Government Act and (Approvals) Regulation 1993 the following is required, namely:-
- (1) That the proposed construction is of reinforced concrete. This would satisfy the Type "A" construction requirement. The existing Woolshed Restaurant shall be fire upgraded if the requirement arises;
  - (2) That the fire isolated stair at the western end connecting the four storeys of the proposed building shall be discharged directly to a road or an open space in accordance with the requirements of Clause D1.7 of the BCA;
  - (3) That the stair at the southern end connecting the lower and upper basement floor shall be discharged directly to a road or an open space without excessive travel along ground floor;
  - (4) That all openings less than three metres from boundary (excluding boundaries facing road ways) shall be protected to comply with the requirements of Clause C3.2 of the BCA;
  - (5) That all doorways of residential units and fire isolated stairways shall be provided with self closing -/60/30 fire doors;
  - (6) That the following fire fighting equipment shall be provided:-
    - (a) Fire Hydrants
    - (b) Fire hose reels
    - (c) Portable fire extinguishers
    - (d) Exit signs and emergency lighting
    - (e) Smoke alarms to comply with Australian Standard 1670

The above requirements are as for Section "E" of the BCA.

- (7) That noise transmission and insulation between residential rooms, natural light and ventilation, sanitary and other facilities shall be provided in accordance with the requirements of Section "F" of the BCA;
- (8) That access for disabled persons shall be provided to comply with the requirements of Section D3 of the BCA;
- (9) That sanitary facilities for disabled persons shall be provided to comply with the requirements of Section F 2.4 of the BCA;

- (10) That under Clause 58 of the Local Government Approvals (Regulation) 1993, the building area and the floor area exceeds the allowable limits considering the fact that the proposed building is in a residential zone.
- (11) That a Section 82 objection under the Local Government Act shall enable the applicant to make an appeal at the building application stage for any possible concessions.
- (D) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

22.

**FURBER ROAD, NO. 11, CENTENNIAL PARK - ALTERATIONS AND FIRST FLOOR ADDITIONS TO DWELLING - BUILDING APPLICATION (Q96-00852)**

This matter was submitted to Council without recommendation.

Moved by Councillor Lay, seconded by Councillor Deftereos:-

That consideration of the application submitted by Susan Vickery for permission to carry out alterations to the rear of the abovementioned premises involving family room, kitchen, laundry, addition of two bedrooms on first floor and new fence at the abovementioned premises, all in accordance with the submitted (amended) plans numbered A01 and A02 received on 28 January 1997, and specifications received on 30 October 1996, be deferred to the next meeting of the Planning and Development Committee to be held on 19 March 1997 to allow the applicant the opportunity to submit amended plans.

Carried.

23.

**HARGRAVE STREET, NOS. 16 - 18, DARLINGHURST - CONTINUE THE USE OF PREMISES AS A BROTHEL - DEVELOPMENT APPLICATION (U97-00003)**

- (A) That the Council as the responsible authority refuses its consent to the application lodged by Wayne Boyle and Associate on behalf of David Green Investments Pty Ltd to continue to operate a brothel for the following reasons, namely:-
  - (1) That the proposed use is not considered to be permissible in the zone as it does not serve the local population;

- (2) That the proposal also occupies the upper floor of the existing building it is not considered to comply with clause 12 of LEP 101.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.
- (C) That the applicant be advised that the unauthorised use shall cease within 30 days of being given notice, otherwise legal action to cease the use will be commenced.
- (D) That a register be kept for approved applications submitted for brothels.

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

That consideration of the application be deferred to the meeting of the Planning and Development Committee to be held on 16 April 1997.

Motion, as amended by consent, carried.

24.

**ZAMIA STREET, NO. 6, REDFERN - ALTERATIONS AND ADDITIONS TO EXISTING DWELLING - BUILDING APPLICATION (Q96-00753)**

- (A) That the Council as the responsible authority refuses its consent to the application submitted by Attic Roof Conversions with the authority of Nicholas and Dina Zafiriou for permission to erect a first floor addition at the abovementioned premises, for the following reasons, namely:-
- (1) That the proposal is an overdevelopment of the site, particularly exceeding the draft height control applying to the site (Clause 12(1)(b) of the Local Government (Approvals) Regulation 1993);
  - (2) That granting consent would be detrimental to the heritage streetscape values in the draft conservation area due to the bulk and scale of the rear addition (Clause 12(i)(p) of the Local Government (Approvals) Regulation 1993);
  - (3) That granting consent would result in a loss of privacy to surrounding properties, thus adversely impacting on other land and buildings (Clause 12 (1)(p) of the Local Government (Approvals) Regulation 1993).
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

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

That consideration of the matter be deferred to the next meeting of the Planning and Development Committee to be held on 19 March 1997, so that the applicant can address the Committee.

Motion, as amended by consent, carried.

25.

**OXFORD STREET, NOS. 85 - 91, DARLINGHURST - MAKE ALTERATIONS TO FACILITATE EXPANSION OF EXISTING NIGHT CLUB - DEVELOPMENT APPLICATION (U96-00952)**

- (A) That the Council as the responsible authority grants its consent to the application submitted by Peter Mulrone Pty Ltd, with the authority of Ogen Nominees Pty Ltd, for permission to extend the existing night club/hotel at ground floor level, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with amended plans numbered 9617-DA01 dated 23 January 1997;

**GENERAL MANAGER**

- (2) That collection of bottles and garbage shall not take place between 4.00 p.m. and 9.00 a.m. on any day;
- (3) That deliveries to or from the premises via the rear lane shall not take place between 8.00 p.m. and 8.00 a.m. on any day;
- (4) That bottles shall not be transferred from inside the premises to the rear lane garbage room between 8.00 p.m. and 8.00 a.m. on any day;
- (5) That all patrons entering and leaving the premises shall do so via the Oxford Street entrance and the exit was opening on to Arnold Place shall be used as an emergency exit only;
- (6) That no garbage, recyclable material or other material or goods shall be left in the rear lane for collection;
- (7) That the premises shall be provided with smoke hazard management systems in accordance with Part E2 of the BCA;
- (8) That plans and specifications showing details of:-
  - i) all required mechanical ventilation systems;
  - ii) the layout, disposition and method of installation of fixtures and fittings, together with wall, floor and ceiling finishes of the proposed liquor serve bar;

shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;

and the following adopted standard conditions:-

- (9) HSC801 - Noise from premises;
- (10) LDA259 - Provide acoustic consultant's report;
- (11) LDA163 - New brickwork to match existing;
- (12) LDA201 - Make separate application for sign;
- (13) HSC500 - Premises to be ventilated;
- (14) HSC018 - Sanitary facilities;
- (15) HSC200 - Compliance with Food Premises Code;
- (16) LDA376 - Hours of building work;
- (17) LDA392 - No obstruction to public way;

- (18) LDA396 - Works within boundaries;
  - (19) LDA351 - Building Application required.
- (B) That the applicant be advised that in order to comply with the Local Government Act and (Approvals) Regulation 1993 the following is required, namely:-
- (1) That all existing essential services installed in the existing premises shall be extended to cover the new area;
  - (2) That the entertainment area shall be separated from the rest of the building by construction having a fire-resistance level of not less than 60/60/60;
  - (3) That all relevant sections of the BCA shall be complied with;
  - (4) That entertainment shall not be conducted on the premises until a Certificate of Classification has been issued;
  - (5) That all doors serving as required exits or forming part of a required exit and any door, shutter, grille or the like which is installed in a path of travel to a required exit, shall comply with the requirements of D2.19, D2.20 and D2.21 of the BCA.
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

26.

**WILLIAM STREET, NOS. 244 - 246, POTTS POINT - ERECT SEVEN STOREY BUILDING OF 22 RESIDENCES AND GROUND FLOOR RETAIL - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U96-01094)**

- (A) That the Council as the responsible authority grants its consent to the application submitted by Wolff Architecture Pty Ltd with the authority of the State Bank of New South Wales to demolish the existing building and erect a residential flat building comprising 22 residential units and a shop on the ground floor, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans Nos. DA001-3 revision A dated December 1996 and as amended by plan Nos. DA004-5 revision A dated February, 1997.;

**GENERAL MANAGER**

- (2) That the northern part of the roof area shall be provided as open space so as to provide a minimum of 440m<sup>2</sup> of open space for the whole development to the satisfaction of the Director of Planning and Building;
- (3) That the windows on the western elevation shall be deleted and shall be modulated to provide some architectural interest to the satisfaction of the Director of Planning and Building;
- (4) That the western elevation of the proposed balconies shall be constructed in solid masonry to the satisfaction of the Director of Planning and Building;
- (5) As a consequence of this development, Council has identified an additional demand for public facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Contributions Plan 1993, the following monetary contributions towards the cost of providing facilities are required:

<b>FACILITY</b>	<b>AMOUNT</b>	<b>ACCOUNT</b>
Civic Improvement, Open Space and Recreation	\$18,227	2 EJ-BGY 0
Child Care	\$ 957	2 EK-BGY 0
Community Facilities	\$ 948	2 EL-BGY 0
Transport and Access	\$ 3,550	2 EM-BGY 0
Environmental Improvements	\$ 574	2 EN-BGY 0
<b>TOTAL:</b>	<b>\$24,256</b>	

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

Payment shall be made **before the release of the approved building plans.**

Applications for the payment of contributions by dedicating land or carrying out works-in-kind will be considered on their merits. In the case of works, Council requires the submission, for formal approval, of complete construction documentation and detailed cost estimates of the works based on established industry standards. Security in the form of a bank guarantee for the full contribution amount is to be lodged with Council and will be held until the approved works have been certified as complete to the satisfaction of Council and future management agreed. Applicants are advised to contact the Council as soon as possible concerning any particular proposal.

- (6) That no off-street car parking shall be provided on the site for the residential units;

**GENERAL MANAGER**

- (7) That two car spaces, including a loading space, shall be provided for the shop and shall be accessed by a turntable to allow vehicles to enter and leave the site in a forward direction to the satisfaction of the Director of Planning and Building;
  - (8) That bicycle parking shall be provided in the form of 7 x class III facilities for residents and 2 x class I facilities for visitors as specified in AS2890.3 to the satisfaction of the Director of Planning and Building;
  - (9) That a 2.4 m wide ground floor colonnade shall be provided along the William Street elevation to the satisfaction of the Director of Planning and Building;
  - (10) That the development shall comply with the requirements of AS 2107-1987 and AS 3671-1989 to the satisfaction of the Director of Planning and Building;
  - (11) That a separate application shall be submitted at the appropriate time for the specific use of the ground floor shop ;
  - (12) That a Noise Management Plan for any demolition and excavation works shall be submitted with the Building Application to the satisfaction of the Director of Health and Community Services;
  - (13) That plans and specifications showing details of:-
    - (i) all required mechanical ventilation systems;
    - (ii) the garbage room and garbage chute;
    - (iii) the garbage room or garbage receptacle storage area;
    - (iv) the layout, disposition and method of installation of fixtures and fittings, together with wall, floor and ceiling finishes to all food preparation and storage areas;shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;
  - (14) That a Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 in respect of the proposed development shall be submitted to Council prior to the release of the approved building plans;
  - (15) That this consent shall lapse after a period of two years from the date of this consent;
- and the following adopted standard conditions:-
- (16) LDA21 - No resident parking for residential flat developments;

- (17) LDA36 - Loading only within confines of the site;
- (18) LDA152 - Schedule of finishes;
- (19) LDA153 - Reflectivity of external glazing;
- (20) LDA158 - Treatment of exposed walls;
- (21) LDA160 - Provide service ducts within building;
- (22) LDA161 - Provide common television aerial;
- (23) LDA172 - Projections beyond street alignment;
- (24) LDA201 - Make separate application for sign;
- (25) LDA351 - Building Application required;
- (26) LDA366 - Liaise with Natural Gas Company;
- (27) LDA367 - Timing device on alarms;
- (28) LDA368 - Display of street numbers;
- (29) LDA376 - Hours of building work;
- (30) LDA377 - Construction noise regulation;
- (31) LDA384 - New alignment levels;
- (32) LDA385 - Colonnade and footpath levels;
- (33) LDA387 - Footway crossings;
- (34) LDA388 - Stormwater disposal details;
- (35) LDA391 - Builder's Hoarding Permits;
- (36) LDA392 - No obstruction to public way;
- (37) LDA396 - Works within boundaries;
- (38) HSC500 - Premises to be ventilated;
- (39) HSC101 - Not give rise to emissions into the environment;
- (40) HSC700 - Compliance with code for Garbage Handling System;
- (41) HSC705 - Construction of garbage room;

(42) HSC801 - Noise from premises.

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 applicant be advised that in order to comply with the Local Government Act and (Approvals) Regulation 1993 the following is required, namely:-
- (1) That the openings in the external wall/s shall be protected by wetting sprinklers or -/60/30 fire doors or -/60/- fire windows or fire shutters or by construction having an FRL of not less than -/60/- in accordance with the requirements of C3.2, C3.3 and C3.4 of the BCA;
  - (2) That entrance doorways to all sole occupancy units at each floor level shall be protected by self-closing or automatic closing -/60/30 fire doors in accordance with the requirements of C3.11 of the BCA;
  - (3) That the proposed work shall be constructed in Type (A) construction in accordance with the requirements of specification C1.1-(3) of the BCA;
  - (4) That new stairways and ramps shall be at least 1000mm in width which shall be increased as required in accordance with D1.6 of the BCA and shall have a minimum unobstructed vertical clearance throughout of 2000mm with goings and risers for stairs in accordance with D2.13 of the BCA and shall be provided with balustrades and handrails in accordance with D2.16 of the BCA respectively;
  - (5) That all doors serving as required exits or forming part of a required exit and any door, shutter, grille or the like which is installed in a path of travel to a required exit, shall comply with the requirements of D2.19, D2.20 and D2.21 of the BCA;
  - (6) That portable fire extinguishers shall be provided throughout the building to the requirements of E1.6 of the BCA and AS 2444;
  - (7) That hose reels shall be installed throughout the building in accordance with the requirements of E1.4 of the BCA and AS2441;

- (8) That hydrants shall be installed throughout the building in accordance with the requirements of E1.3 of the BCA and AS2419.1;
  - (9) That a system of emergency lighting shall be installed throughout the building in accordance with the requirements of E4.2, E4.3, E4.4 of the BCA and AS2293.1;
  - (10) That exit signs shall be provided in accordance with the requirements of E4.5, E4.7, E4.8 of the BCA and AS2293-1;
  - (11) That a suitable automatic fire detection and alarm system shall be installed to comply with E1.7 of the BCA;
  - (12) That natural light and ventilation shall be provided in accordance with requirements of Part F4 of the BCA;
  - (13) That all internal bathrooms and laundries shall be mechanically ventilated in accordance with requirements of F4.5 of the BCA;
  - (14) That the walls between flats or units shall be constructed of materials having sound transmission classes in accordance with F5.4 of the BCA;
  - (15) That the floors between the flats shall be constructed of materials having sound transmission class not less than 45 in accordance with the requirements of F5.3 of the BCA;
  - (16) That all relevant sections of the BCA shall be complied with;
  - (17) That vertical separation shall comply fully with the requirements of Clause C.2.6 of the BCA;
  - (18) That proposed balconies shall comply fully with the requirements of Clause of the Local Government (Approvals) Regulations, 1993;
  - (19) That sanitary and other facilities shall comply fully with the requirements of Table E2.1 of the BCA.
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

27.

**DRIVER AVENUE, NO. 5A, CENTENNIAL PARK - RAS SHOWGROUND - PROPOSED FILM STUDIO - STAGES 2 AND 3 (2006102)**

**GENERAL MANAGER**

This matter was submitted to Council without recommendation.

Moved by Councillor Lay, seconded by Councillor Deftereos:-

- (A) That a copy of this report be forwarded to the Department of Urban Affairs and Planning as this Council's submission on the Development Application for stages 2 and 3 with a request that the matters raised be taken into consideration by the Minister in determining the applications.
- (B) That a copy of the submission tabled by Councillor Deftereos at the Council Meeting be forwarded with Council's submission.

(DPB Report 4.3.97)

Carried.

28.

**DEVELOPMENT - OPTUS AERIAL CABLING NETWORK INSTALLATION - CONSERVATION AREAS PROPOSAL (2011177)**

At the Council Meeting, Councillor Waters declared an interest and did not take part in discussions or voting on the Item.

That:

- (A) Council endorse the roll out of Optus Vision Ltd aerial cables in South Dowling (part only), Ridge and Bourke (part only) Streets within the Bourke Street Conservation Area in Surry Hills, as shown on the attached Map 1.
- (B) Council endorse the roll out of Optus Vision Ltd aerial cables in selected streets within the Hollis Park Conservation Area and the North Newtown Conservation Area, as shown on the attached Map 3.
- (C) Council notify Optus Vision Ltd of its decision.
- (D) the Director of Planning and Building convey to his staff on behalf of the Councillors their gratitude on the handling of the matter.

(DPB Report 3.3.97)

Carried.

At 7.40 p.m. the meeting terminated.

Confirmed at a meeting of South Sydney City Council

**GENERAL MANAGER**

held on ..... 1997

**CHAIRPERSON**

**GENERAL MANAGER**

**GENERAL MANAGER**