

183RD Meeting**Erskineville Town Hall
Erskineville****Wednesday, 26 March 1997**

An Ordinary Meeting of South Sydney City Council was held at the Council Chambers, Erskineville Town Hall, Erskineville, at 6.52 pm on Wednesday, 26 March 1997.

PRESENT

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

Councillors - John Bush, Margaret Deftereos, Sonia Fenton, John Fowler, Christine Harcourt, Jill Lay.

INDEX TO MINUTES

Subject	Page No.
Confirmation of Minutes	262
Apology	262
Leave of Absence	262
Minutes by the Mayor	263
Petitions	267
Questions Without Notice	268
Report of Finance Committee	277
Report of Community Services Committee	287
Report of Planning and Development Committee	289

GENERAL MANAGER

Confirmation of Minutes

Moved by Councillor Deftereos, seconded by Councillor Fowler:-

That the minutes of the Ordinary Meeting of Council of 12 March 1997, be taken as read and confirmed.

Carried.

Apology

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

Moved by Councillor Harcourt, seconded by Councillor Lay:-

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

Carried.

Leave of Absence - Councillor Waters

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

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

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

Carried.

At this stage it was moved by the Mayor, seconded by Councillor Fowler, that permission be hereby granted by Council to bring forward business of which due notice has not been given, namely, the promotion of the Hon. Terry Sheahan.

Carried.

As all the members of the Council were not present, the Chairperson (the Mayor) ruled the business to be of great urgency.

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

PUBLIC RELATIONS - PROMOTION OF THE HON. TERRY SHEAHAN

I have pleasure to inform Council that the Hon. Terry Sheahan has been appointed as a Judge to the Bench of the Land and Environment Court and I recommend that a letter be forwarded under the hand of the Mayor congratulating him.

Carried.

MINUTE BY THE MAYOR

26 March 1997

**ANNUAL REPORT - RH DOUGHERTY AWARD FOR
COMMUNITY REPORTING 1996 (P58-00444)**

It gives me great pleasure to inform Council that we have been recognised once more for our excellence in community reporting.

Council's 1995/96 Annual Community Report was awarded runner-up to Fairfield Council in the NSW Local Government and Shires Association's RH Dougherty Award from a field of 50 councils across the State.

The Award was established to promote greater accountability by councils to their local communities, and on this score, South Sydney Council has an impressive record. This latest recognition means that we have won the Award three times, been runner-up once and last year a category was created to recognise this Council's continued excellence in community reporting.

In summary, South Sydney Council has been recognised five times in the past seven years for our Community Report.

RECOMMENDATION:

That the General Manager write to the staff and firms involved in the production of the 1995/96 Annual Community Report congratulating them on the production of an excellent publication and inviting them to join the members of the Annual Report Editorial Committee at the next full Council meeting on 23 April 1997.

Councillor Vic Smith (SGD)

Mayor

GENERAL MANAGER

Moved by Councillor Lay, seconded by Councillor Bush:-

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

Carried.

MINUTE BY THE MAYOR

26 March 1997

PLANNING - PLANNING DRAFT LEP AND DRAFT URBAN DESIGN DCP (2009125)

It will be some months before the new controls in the Draft Local Environment Plan and Draft Development Control Plan come into force.

In the meantime, there is a likelihood that speculative development will be proposed by the private sector in the form of trying to obtain consents for schemes which exceed the proposed controls but which conform to current controls.

Due to the growing number of applications for approval, the consequential pressures on limited staff time and resources generally, there is merit in bringing into force now those provisions of the draft instruments relating to height and floor space ratio which the private sector are seeking to avoid by lodging speculative applications or applications that will not be permissible due to planning and urban design controls in the draft instruments. There is strong community support for these controls.

In effect, the making of the controls in a limited form and on an interim basis will enable the larger Local Environment Plan and Development Control Plan to be processed more efficiently and facilitate the early makings of those instruments.

Recommendation:

- (1) That Council seek an urgent meeting with the Deputy Director of Urban Affairs and Planning and Parliamentary Counsel to seek direction as to whether Council can submit a Draft Local Environment Plan which reflects the heights and floor space ratios exhibited in the Draft Development Control Plan without the need to exhibit this Draft Local Environment Plan. In the event this is confirmed Council ask the Minister for Planning to make an urgent Local Environment Plan with controls over height and floor space to enable the Council to restrict speculative development that is being proposed;

GENERAL MANAGER

- (2) That work on the balance of the Local Environment Plan and Development Control Plan continue and be brought forward to Council for consideration as a matter of urgency.

Councillor Vic Smith (SGD)

Mayor

Moved by the Mayor, seconded by Councillor Fowler:-

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

Carried.

MINUTE BY THE MAYOR

26 March 1997

PUBLIC RELATIONS - FIFTH ANNUAL NSW LOCAL GOVERNMENT PARKES TOUCH FOOTBALL CARNIVAL 1997, INTER-COUNCIL SIX A SIDE CRICKET TOURNAMENT AND MAYOR'S 11 VS GENERAL MANAGER'S 11 CRICKET MATCH (2008932)

On Saturday, 15 February 1997, South Sydney Council was represented by three touch football teams at the Fifth Annual Parkes Touch Football Carnival.

The Mens A Grade team reached the final of the tournament playing Parkes A . We were defeated in a close match, but showed tremendous South Sydney spirit against a well drilled Parkes side.

Council's other teams, Mens B Grade and Mixed team also performed well, the Mixed team reaching the semi-finals, losing 3-2 against Penrith City Council.. All of the South Sydney teams, competing in the tournament along with supporters, trainers and managers were a credit to Council as ambassadors, both on and off the field helping to contribute to the pending Sister City Relationship with Parkes Council.

Another sporting event entered by South Sydney Council was the Inter City Six a Side Cricket Tournament held on Sunday, 9 February 1997, at Camperdown Oval, hosted by Marrickville Council. South Sydney Council entered two teams in the tournament, the A side reaching the final losing to Marrickville in the last over of the match and the B side reaching the quarter finals.

The most recent sporting event was the inaugural Challenge Shield Cricket Match held on Sunday 23 March 1997, at Waterloo Oval between sides representing the

GENERAL MANAGER

Mayor's 11 and General Manager's 11. The sides comprising of Councillors, Department Heads, Council staff and a former Councillor contested a closely fought match, victory eventually going to the General Manager's side.

RECOMMENDATION:

That in recognition of South Sydney Council's sporting performances, approval be given to a reception being held at Erskineville Town Hall on Friday 11 April 1997, at 6,00 p.m. to thank all players, officials, and supporters who participated in the Parkes Touch Football Carnival, Inter City Six a Side Cricket Tournament and Mayor's 11 and General Manager's 11 Cricket Match, for which funds are available in the 1996/97 Revenue Estimates.

Councillor Vic Smith (SGD)

Mayor

Moved by the Mayor, seconded by Councillor Harcourt:-

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

Carried.

MINUTE BY THE MAYOR

26 March 1997

**PUBLIC RELATIONS - ST JOHN'S ANGLICAN CHURCH -
THANKSGIVING SERVICE FOR EMERGENCY WORKERS (5246350)**

I have received a request from the Reverend Bill Lawton of St John's Anglican Church Darlinghurst for Council to provide assistance for a special Thanksgiving Service for emergency workers. The service which will be widely advertised in the community as a non-sectarian event, has the full co-operation of St Canice's Roman Catholic Church, Elizabeth Bay.

It is proposed to hold the event in St John's church grounds on Sunday, 6 April 1997.

The service which will commence at Noon will focus on the emergency and rescue components of the Police Service, Fire Brigade, Ambulance, Salvation Army and the hospitals. St John's sees the event as an opportunity for the community to publicly support all the emergency services organisations.

The Police Band will play prior to the brief service of thanks. It is proposed that short speeches of welcome and congratulations will be made by the Reverend Bill Lawton, myself and Clover Moore, Member for Bligh.

GENERAL MANAGER

St John's has requested that Council host a sausage sizzle/BBQ on the day for approximately 150 people, by providing labour, food, drink and equipment including 2 BBQ's, 4 large umbrellas, recycling bins, a lectern and the hire of a sound system.

The total estimated cost for providing labour, food, drink and equipment for this event is \$2,200 and for which funds have not been allocated.

Recommendation

That Council host a sausage sizzle/BBQ for the Thanksgiving Service for emergency workers being organised by St John's Church Darlinghurst on Sunday, 6 April 1997 to commence at noon by providing labour, food, drink and equipment, which is estimated to cost \$2,200 and would constitute a donation under Section 356 of the Local Government Act (1993), and that such funds be added to the 1996/97 Estimates.

Councillor Vic Smith (SGD)

Mayor

Moved by Councillor Harcourt, seconded by Councillor Lay:-

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

Carried.

In connection with the foregoing matter, Councillor Fenton declared an interest and did not take part in discussions or voting on the Item.

PETITIONS

1.

Councillor Fowler tabled nine individual petitions from residents surrounding the park on the corner of Chisholm Street and Hannam Street, Darlinghurst, requesting Council to create a safer and quieter neighbourhood.

Received.

2.

Councillor Harcourt tabled a petition with approximately 27 signatures appended from residents in Steel Street and Adelaide Street requesting that Council immediately close Adelaide Street, Surry Hills, in accordance with Council's previous approval.

Received.

GENERAL MANAGER

QUESTIONS WITHOUT NOTICE

1.

PLANNING - INVESTIGATION INTO UNDERPRICED SECTION 94 CONTRIBUTION FEES PER UNIT AND TOWNHOUSE - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2014340)

Question:

It has been brought to my attention that South Sydney Council has an under-priced Section 94 fee per unit and town house compared with neighbouring councils and councils that have similar massed development as proposed in and around the Green Square area.

Could the Director of Planning and Building please prepare a report for Council to highlight the radical differences in those Section 94 fees?

Answer by the Mayor:

That would be all part of the Section 94 plan that comes to Council and is being prepared at the present time.

Councillor Bush, can I ask you to have discussions with the Director of Planning and Building prior to the report coming to Committee so that any amendments can be made.

2.

PLANNING - LAND THAT CAN BE PURCHASED BY COUNCIL AS OPEN SPACE VIA SECTION 94 CONTRIBUTION FEES - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2014340)

Question:

Could the Director of Corporate Services please prepare a report that identifies land that can be purchased by Council as open space via Section 94 fees? Substantial opportunities exist with the redevelopment of Green Square and the Southern Industrial area.

Answer by the Mayor:

I will have that report prepared for you.

3.

PUBLIC RELATIONS - LIST OF FEDERAL, STATE AND LOCAL GOVERNMENT LAND IN THE SOUTH SYDNEY REGION - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2013721)

Question:

In September 1996, I asked a question requesting a list of all Federal, State and Local Government land in the South Sydney Council region. That list was to have included land, both currently owned and sold in the 1990's. To date I have not had an answer to that question.

Answer by the Mayor:

I will ask the Officers to have that report prepared for Committee as soon as possible and I will ask the Director of Corporate Services to prepare an Interim Report in relation to response given by Councillor Fenton so that Councillor Bush can be brought up to date with the current situation.

4.

BUDGETS - CONSTRUCTION ZONE FEES AND COST TO COUNCIL IN THE PLACEMENT AND REMOVAL OF SIGNS - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (B53-00110)

Question:

Could the Director of Public Works and Services please prepare a report for Council on Construction Zone Fees and the cost to Council in the placement and removal of signs and the report be made available to Councillors for the next Plan of Management meeting?

Answer by the Mayor:

I will ask the Director of Public Works and Services to prepare a report for you, but it is my understanding that it will come up in the budget and Council can make its decision whether to increase those fees.

5. TRAFFIC - ALTERNATIVE TRAFFIC SOLUTIONS FOR INTERSECTION AT ELIZABETH STREET AND JOYNTON AVENUE, ZETLAND - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (T52-00080)

Question:

There have been an extraordinary number of accidents at the corner of Elizabeth Street and Joynton Avenue. Could the Director of Public Works and Services investigate alternative traffic solutions to alleviate this dangerous intersection?

Answer by the Mayor:

I will ask the Director of Public Works and Services to refer that matter to the Traffic Committee.

6. STREETS - PROPOSAL OF A BUS SHELTER AT MITCHELL ROAD AND MADDOX STREET, ALEXANDRIA - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (2002400)

Question:

I have a request that Council investigate the proposal of a bus shelter on Mitchell Road and Maddox Street. There are a number of residents who catch the bus there.

Answer by the Mayor:

I will ask the Director of Public Works and Services to investigate that matter for you given the decision made by the Traffic Committee and for a report to be prepared for the Councillors Information Service.

7. TREES - COUNCIL'S POLICIES AND PROCEDURES IN REGARDS TO TRIMMING OF TREES - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (2005360 - 2009309)

Question:

I had a phone call from a number of residents in Wilson Street, Darlington, regarding the trimming of trees on the Eveleigh Street side. There is quite a deal of concern about how these procedures take place.

I would like a report regarding this matter and also information on Council's policy and procedures on street tree trimming.

Answer by the Mayor:

In relation to the second part of your question, I will have a report prepared for Committee. The first part, I also received the same phone call and I asked the Parks Manager to go out immediately to the site and investigate what was going on and have a report prepared for my information. Once I have that report I will have it included in the Councillors Information Service.

8.**DRIVER AVENUE, 60A, MOORE PARK - COMPLAINTS REGARDING NOISE FROM CLEANING MACHINES AT SYDNEY FOOTBALL STADIUM - QUESTION WITHOUT NOTICE BY COUNCILLOR DEFTEREOS (2005074)****Question:**

On 12 February 1997, I asked a Question Without Notice regarding the cleaning of the Sydney Football Stadium that takes place after 11.00 p.m.

On 14/15 March 1997, the cleaning was again conducted from about 11.30 p.m. until 2.30 a.m. The noise from the cleaning machines was clearly audible in the South Paddington area.

Could Council as a matter of urgency contact the relevant Minister about this continuing problem as the area is under constant disturbance and noise from events that occur at the Sydney Football Stadium, Sydney Cricket Ground and Sydney Showground? Residents should not have to put up with the additional noise/lights late at night and in the early hours of the morning.

Answer by the Mayor:

I will write to the Minister concerned regarding your question.

9.**TRAFFIC - INVESTIGATION OF VISIBILITY OF SPEED LIMIT SIGNS IN THE SOUTH SYDNEY AREA - QUESTION WITHOUT NOTICE BY COUNCILLOR DEFTEREOS (T52-00167)****Question:**

Could Council investigate the adequate visibility of the signed speed limits within the South Sydney Area? I have received complaints from residents that some drivers are not aware of what speed limits actually apply because of inadequate signage - especially near schools and kindergartens.

Answer by the Mayor:

I will ask the Director of Public Works and Services to investigate that matter for you and also liaise with the relevant Patrol Commander to have more police enforcement in relation to speeding vehicles in the area.

10.

OXFORD STREET, NO.257, PADDINGTON - INVESTIGATION OF COMMERCIAL OPERATION - QUESTION WITHOUT NOTICE BY COUNCILLOR DEFTEREOS (2003828)

Question:

No. 257 Oxford Street, Paddington, is the School of Photography and La Mensa Restaurant. This restaurant is a visible commercial operation - trading seven days a week with a liquor licence.

My understanding is that the restaurant operates independently of the School of Photography and pays rent to the School. It was argued, by the School at the time of lodgement of the Development Application, that this coffee shop was an ancillary necessity for the School's patrons and students.

Could Council please investigate as the School enjoys the privilege of a rate free operation in the vicinity of \$24,000 per annum and it would appear that the School has changed direction on the site and rates may now have to be levied on the commercial operation?

Answer by the Mayor:

I will ask both the Director of Planning and Building and the General Manager to investigate that matter. Firstly, the Director of Planning and Building in relation to its operation and its consent to operation and the General Manager in relation to the rates.

11.

STREETS - REQUEST FOR A BUS SHELTER OUTSIDE NO. 94 OXFORD STREET, DARLINGHURST - QUESTION WITHOUT NOTICE BY COUNCILLOR DEFTEREOS (2001974)

Question:

Requests have been received for a bus seat to be installed outside No. 94 Oxford Street, Darlinghurst. Could that matter be referred to the Director of Public Works and Services?

Answer by the Mayor:

I will ask the Director of Public Works and Services to investigate the installation of the bus seat.

12.

COUNCILLOR - CIRCULATION OF CODE OF PRACTICE ISSUED BY THE STATE GOVERNMENT - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (A54-00013)

Question:

Could a copy of the new guidelines for Councillors' Code of Practice issued by the State Government today be circulated in the Councillors Information Service as soon as it is available?

Answer by the Mayor:

Yes, I will have that circulated in the Councillors Information Service and there will be a report coming to Committee from the General Manager who attended the Press Conference this morning.

13.

COUNCILLOR - DEVELOPMENT APPLICATION TO BE LODGED FOR CARETAKERS FLAT AT 94 OXFORD STREET, DARLINGHURST TO BE USED AS OFFICE SPACE - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (A54-00016)

Question:

Regarding the re-relocation of the Community Independent Councillors to the No. 94 Oxford Street penthouse, I have not been able to confirm that the penthouse caretakers flat at No. 94 Oxford Street has ever been used as anything but a caretakers flat and therefore development approval would be required to be gained from our Council to allow these premises to be used as offices.

Has a Development Application been lodged?

Answer by the Mayor:

To the best of my knowledge, the answer is no. I shall have a report prepared for the Councillors Information Service.

14.

BUILDING - POSSIBILITY OF EXTENSIONS ON ROOFTOP AT 94 OXFORD STREET, DARLINGHURST - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (5265663)

Question:

Is the current building at No. 94 Oxford Street within the current plot ratio for that zone? Oxford Street rentals are at a premium and if the building is structurally able to take an extension on the rooftop additional rates from these premises would pay for themselves in a short period of time as there would be no capital cost for land. Has this been investigated?

Answer by the Mayor:

It has never been considered or requested.

15.

COUNCILLOR - COSTS OF RELOCATION OF COMMUNITY INDEPENDENTS TO OXFORD STREET PREMISES - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (A54-00016)

Question:

How much did it cost to locate the Community Independent Councillors in the Oxford Street premises?

How much did it cost to relocate them in the Joynton Avenue premises - including the relocation of computers, furniture, filing cabinets and refrigeration as well as the phone and fax lines and any reprinting of stationery?

How much is it going to cost to re-relocate the Community Independent Councillors to the Oxford Street Penthouse, including all of the above expenses?

Answer by the Mayor:

I will ask the General Manager to prepare a report for the Councillors Information Service.

16.

PARKS - INCREASING INCIDENTS OF ANTI-SOCIAL BEHAVIOUR AT THE PARK ON THE CORNER OF HANNAM AND CHISHOLM STREETS, DARLINGHURST - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (P52-00124) (2004198)

Question:

I refer to the tabled letters relating to the park at the corner of Hannam and Chisholm Streets, Darlinghurst. There is a concern at the increasing incidence of anti-social behaviour here and in Bourke Street near Short Street of homeless and alcohol abused adults. While it is a large social problem, can a report be done by Council's Social Planner with relevant Officers to ameliorate the negative impacts of alcohol in this residential precinct?

Answer by the Mayor:

I had a meeting on Monday with the Police and with representatives of Edward Eager Lodge from St. Margarets Hospital and the new proprietor of the Beresford Hotel. I did indicate at the end of the discussion that in terms of the problems the Beresford Hotel has been experiencing, the fact is that it is not Mosman, it is Darlinghurst and there are a number of social problems in that area. It was agreed to that a sub-committee would be formed including Council's Officers to meet with Police and representatives of Edward Eager Lodge to see how we could address that problem. But I certainly will ask Council's Social Planner to have that report prepared for you.

17.

LEASING - RENTAL SUBSIDY FOR THE INNER CITY LEGAL SERVICE AT 94 OXFORD STREET, DARLINGHURST - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (L52-00081)

Question:

I have had enquiries regarding the rental subsidy for the Inner City Legal Service, a tenant at No. 94 Oxford Street. As there have been considerable funding cutbacks from State and Federal sources and as this service is of great value to many residents of the city, can a report be generated that outlines Council's position in maintaining this service?

Answer by the Mayor:

I will ask the General Manager to have a report prepared in conjunction with the Director of Corporate Services for Committee.

GENERAL MANAGER

18.

VICTORIA STREET, NO.98, POTTS POINT - DETAILS OF HISTORY OF PROPOSALS - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (U97-00173)

Question:

I have had a number of representations regarding Development Application 0173/97 for No. 98 Victoria Street, Potts Point. An application has been previously rejected on this site and this proposal seems to be similar in that it is out of character with the objectives of the zone and has severe impacts on surrounding property holders through loss of vegetation, sunlight and privacy.

Could the Director of Planning and Building assure Council that the assessment of this proposal will give full details of the history of proposals on this site?

Answer by the Mayor:

I will ask the Director of Planning and Building to prepare a report for Committee prior to the application coming before the Councillors.

19.

PUBLIC RELATIONS - USE OF REDFERN TOWN HALL BY THE SOUTH SYDNEY HERITAGE SOCIETY FOR MEETINGS - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (2001645)

Question:

I understand that South Sydney Heritage Society have used a room at Redfern Town Hall which will be refurbished because of fire. Could this active and valuable local Organisation be afforded some space to conduct their meetings after the refurbishment?

Answer by the Mayor:

I will ask the Director of Corporate Services to give that question consideration.

20.

STREETS - IMPROVEMENT OF STREET LIGHTING AND TRIMMING OF TREES OUTSIDE ST. MARGARETS HOSPITAL AT BOURKE STREET - QUESTION WITHOUT NOTICE BY THE MAYOR (2000165 - 2005248)

Question:

In regards to Bourke Street outside St. Margarets Hospital, I ask the Director of Public Works and Services, as a matter of urgency, to investigate the improvement of street lighting in that area and also the trimming of trees. I know that there is a flood light focusing on Edward Eager Lodge, but maybe that can be lowered to be focused on the street and footway.

Could that be investigated as a matter of urgency and a report prepared for the Councillors Information Service?

21.

HEALTH - INVESTIGATION INTO THE CLEANLINESS OF BREAD AND FOOD SHOPS IN THE SOUTH SYDNEY AREA - QUESTION WITHOUT NOTICE BY THE MAYOR (2010369)

Question:

I don't want this to sound like a jerk-knee reaction to what has happened in Victoria over the last few days, but I would ask the Director of Health and Community Services to have the Council's Health Surveyors carry out investigations of all bread and food shops in the South Sydney area in relation to the cleanliness and the operation of those premises.

Could I have a report for Committee in relation to those investigations and if there is any action to be taken by Council.

REPORT OF THE FINANCE COMMITTEE

19 March, 1997

PRESENT

Councillor Sean Macken (Chairperson)

Councillors - Margaret Deftereos, Sonia Fenton, Greg Waters.

At the commencement of business at 6.36. 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 Item 7 and further, access to

GENERAL MANAGER

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 7 - Lease and Contractual Matter

Moved by Councillor Fenton, seconded by Councillor Deftereos:-

That the Report of the Finance Committee of its meeting of 19 March 1997, be received and the recommendations set out below for Items 2 to 9, inclusive, 12 to 16 inclusive be adopted. The recommendations set out below for Items 1,10,11. having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

1.

COMMUNITY SERVICES - COMMUNITY NOTICE BOARDS- ERECTION IN PUBLIC PLACES (W51-00038)

That arising from consideration of a report by the Director of Corporate Services dated 1 March 1997, regarding the erection of noticeboards in public places it be resolved that:-

- (1) the notice boards be constructed by the Council Trades Group at a cost of approximately \$900 each with dimensions of 1.5 metres wide and 0.9 metres high;
- (2) \$25,200 be allocated (Account BBG.1GMF/5GMF) for the construction of 28 notice boards at \$900 each for the advertising of Development and Building Applications;
- (3) Building and Development Applications be advertised for 14 days on the notice boards and then removed.
- (4) the design for the notice boards be referred back to the Finance Committee for approval;
- (5) Green Park, Fitzroy Gardens, Ward Park, Shannon Reserve, and Gilligan's Island at Taylor Square be deleted from the list of sites detailed in the Director's report;

At the request of Councillor Harcourt and by consent the motion was amended by the deletion of Clause (2) of the recommendation and the insertion in lieu thereof of the following new clause (2) namely:-

- (2) That the amount of \$20,700 be allocated to Account BBG IGMF/SGMF for the construction of 23 notice boards at \$900 each for the advertising of Development and Building Applications.

At the request of Councillor Fenton, and by consent the motion was amended by the addition of a clause (6) to the recommendation, namely:-

- (6) That Council staff investigate what noticeboards are available from Commercial Operators prior to building the noticeboards.

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

2.

COMMUNITY SERVICES - YOUTH WEEK 1997 - THE ANNUAL 'VIDEO PRODUCTION CAMP' (5273446)

That approval be given to the continuation of the Video Production Camp, as part of Council's 1997 Youth Week Program, for which an additional \$3,500 can be made available from the Health and Community Services Department's 1996/97 Budget Estimates (KHM 0003 77FO).

(ADHCS Report 28.2.97)

Carried.

3.

PERSONNEL - TRAINING FOR ABORIGINAL PROGRAM (TAP) (G52-00005)

That arising from consideration of a joint report by the Director Public Works and Services and the Director of Employment Services dated 26 February, 1997, approval be given to accept DEETYA (CES) funding to employ Mr Collis for an initial 13 week period (subject to medical).

Carried.

4.

CONFERENCES/MEETINGS - 1996 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION GENERAL ASSEMBLY HELD IN CANBERRA 1 TO 4 DECEMBER 1996 - ATTENDANCE OF COUNCIL'S REPRESENTATIVES - CLAIM FOR EXPENSES (C61-00207)

That arising from consideration of a minute by the Civic Affairs Manager/Public Officer dated 3 March 1997, approval be given to the claim in the sum of \$13,071.59, being the expenses incurred by Councillors Bush, Deftereos, Fenton, Fowler, Lay and Harcourt and the General Manager in respect of their visit to Canberra as Council's representative at the Australian Local Government Association 1996 General Assembly held in Canberra from 1 to 4 December 1996, for which funds are available in the 1996/97 Revenue Estimates (EBE.77LO, 77MO).

Carried.

5.

COMMUNITY FACILITIES - SURRY HILLS NEIGHBOURHOOD CENTRE - 1996/97 WORKS PROGRAMME (D53-00387)

That arising from a report by the Acting/Director of Health and Community Services dated 27 February, 1997, approval be given to:-

- (1) the amount of \$13,000 from the Surry Hills Neighbourhood Centre towards additional refurbishments to be carried out to the building in the 1996/97 Works Programme;
- (2) the amount of \$13,000 in Clause (1) above being combined with the remaining \$12,000 in funds allocated to the refurbishment of the Surry Hills Neighbourhood Centre in Council's 1996/1997 Priority Works Program, and used as follows:-
 - (a) refurbishments to the existing kitchen \$15,000
 - (b) refurbishing of toilets to accommodated nappy change facilities and a washbasin at child height \$2,500
 - (c) new removable child safety fence in main hall \$2,000
 - (d) additional built in storage space \$2,500
 - (e) works to Crown Street entrance to ensure better security and access \$1,000
 - (f) other miscellaneous building upgrades (Council resources) \$2,000

TOTAL \$25,000

Carried.

6.

PLANT AND ASSETS - SUPPLY AND DELIVERY OF 19 MOTOR VEHICLE FLEET ITEMS - ACCEPTANCE OF TENDER (2012574)

That approval be given to:-

- (1) Council rescinding the resolution of Council of 26 February, 1997 in relation to Item 9A (5) of the Finance Committee;
- (2) the acceptance of the tender submitted by Phil McCarroll Ford Pty Ltd. for the supply and delivery of one Ford Falcon GLi sedan in the sum of \$24,800 less a trade in allowance of \$17,517 in the total nett sum of \$7,283 in accordance with Council's Specification PWS 27/96 Category 'A' and the firm's tender dated 28 January, 1997;

-for which funds are available in the 1996/97 Revenue Estimates.

(A/DPWS Report 3/3/97)

Carried.

7.

LEASING - OXFORD STREET, NO. 84, DARLINGHURST - MR SHEDHEV GREWAL T/AS: INDIAN EXPERIENCE - REQUEST FOR RENTAL ABATEMENT DUE TO WATER LEAKAGE (L52-00174)

That the recommendation as contained in the report by the Director of Corporate Service dated 10 March 1997, regarding the request for a rental abatement by Mr. Shedhev Grewal for Council premises No.84 Oxford Street, Darlinghurst, due to water leakage, be approved and adopted.

Carried.

8.

**COMPUTERISATION - INFORMATION TECHNOLOGY RESEARCH STUDY -
USE OF THE INTERNET TO PROVIDE AND DELIVER SERVICES OF
COUNCIL (2013327)**

That arising from a report by the Director of Corporate Services dated 10 March 1997, approval be given to:-

- (a) Expressions of Interest/Quotations being called from suitable applicants for the purchase of a Sun Microsystems Internet Server NFS 150 at an estimated cost of \$29,500. Funds being available from the Information Technology Section 96/97 Revenue Estimates;
- (b) Council purchasing a direct internet connection from Telstra (ISDN 128k) at an estimated cost of \$2,500. Funds being available from the Information Technology Section 96/97 Revenue Estimates;
- (c) Information Technology Section being granted approval to proceed with the construction of Council's Internet web site and Local Net Network;
- (d) an inter-department working group being formed to oversee this process.

- at a total estimated cost for this project of \$32,000.

Carried.

9.

**PERSONNEL - EXTERNAL TRAINING - CERTIFICATE IN RECREATION
MANAGEMENT PRACTICES (2001051)**

That arising from a report by the Director of Health and Community Services dated 12 March 1997, approval be given to Mr Robert Ison, Leisure Services Co-ordinator, to undertake a Certificate in Recreation Management Practices course at the Leisure Australia Management College, Adelaide, South Australia, during the week of 5-9 May 1997, at a cost of \$2,518, including all expenses, and on the basis of leave-with-pay for the duration of the program, for which funds are available in the Health and Community Services Department's 1996/97 Budget (KHJ 77RO & KHJ 0004RO).

Carried.

10.

**PROPERTIES - TOWN HALLS BUSINESS PLAN RECOMMENDATIONS
(2013595)**

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

That the report by the Director of Corporate Services dated 4 March 1997, regarding the recommendations for the future uses of Council's Town Halls be deferred to the next Finance Committee to be held on 16 April 1997.

Carried.

11.

**PADDINGTON TOWN HALL - LOGO AND STATIONERY FOR PROMOTION
OF TOWN HALL (2014323)**

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

- (A) That Cato be appointed to carry out the creative concept and design of material to position Paddington Town Hall for a fee of \$26,000 and that Out PR be appointed to project manage the printing etc for a fee of \$22,635, for which funds have not been allocated in the Media and Community Liaison Budget and Council votes a total of \$48,635 for this purpose.
- (B) That the design be referred back to the Finance Committee for final approval.

(DCS Report 27.2.97)

It was moved by Councillor Harcourt , seconded by Councillor Fowler that the motion be amended by the deletion of the whole of the resolution and the insertion in lieu thereof of the following new resolution, namely:-

That the report by the Director of Corporate Services dated 27 February 1997, regarding promotion logo and stationery for Paddington Town Hall be deferred back to the General Manager for the calling of quotations..

Motion, as amended, carried.

12.

VEHICLES - PLANTS AND ASSETS - SUPPLY AND DELIVERY OF SEVEN MOTOR VEHICLE FLEET ITEMS (2012574)

That approval be given to the acceptance of:-

- (A) (1) the tender submitted by Dominelli Ford Sutherland for the supply and delivery of one Ford Falcon GLi Sedan in the sum of \$24,496 in accordance with Council's Specification No PWS3/97 Category 'A; and the firm's tender dated 24 February 1997;
- (2) the tender submitted by Sinclair Ford Pty Ltd for the supply and delivery of one Ford Falcon GLi Sedan in the sum of \$24,808.16 less a trade-in allowance of \$19,350 on Council vehicle No 6201 Toyota Camry CSi Station Wagon, in the total nett sum of \$5,458.16 in accordance with Council's Specification PWS3/97 Category 'A' and the firm's tender dated 26 February 1997;
- (3) the tender submitted by Suttons Homebush Holden for the supply and delivery of one Holden Commodore Executive sedan in the sum of \$24,134 less a trade-in allowance of \$17,000 on Council vehicle No 6280 Mitsubishi Magna sedan, in the total nett sum of \$7,134. in accordance with Council's Specification PWS3/97 Category 'A' and the firm's tender dated 24 February 1997;
- (4) the tender submitted by John Abrahams Holden for the supply and delivery of two Holden Commodore Executive sedans in the sum of \$24,110 per vehicle and one Holden Executive station wagon in the sum of \$25,455, in the total sum of \$73,675 less a total trade-in allowance of \$60,500 on Council vehicles Nos. 6286 Toyota Camry sedan and 6285 and 6200 Toyota Camry station wagons, in the total nett sum of \$13,175 in accordance with Council's Specification PWS3/97 Categories 'A' and 'B' and the firm's tender dated 27 February 1997;
- (5) the tender submitted by Greg Ball Automotive for the supply and delivery of one Holden Commodore Executive station wagon in the sum of \$25,496.70 less a trade-in allowance of \$17,000 on Council vehicle No 6266 Mitsubishi Magna station wagon in the total nett sum of \$8,496.70 in accordance with Council's Specification PWS3/97 Category 'B' and the firm's tender dated 25 February 1997;

- for which funds are available in the 1996/97 Revenue Estimates.

GENERAL MANAGER

- (B) The disposal of Council vehicle No 4072 Mitsubishi Magna station wagon at auction.

(DPWS Report 3.3.1997)

Carried.

13.

**FINANCE - GRANTS - DEPARTMENT OF SPORT AND RECREATION
(2014792)**

That Council accept the following Grants offered from the NSW Department of Sport and Recreation under the conditions outlined in the Director of Public Works and Services report dated 17 March 1997 and that funds be voted for Items 1 and 2 from the 1996/97 Parks Works Programme "FWP Park Upgrading, Works to be specified," and that Item 3 be included in the 1997/98 Parks Works Programme, namely:-

<u>Item</u>	<u>Project Cost</u>	<u>Grant</u>
(1) Turruwul Park - Practice Cricket Net	\$ 5,995	\$ 2,900
(2) Rushcutters Bay Oval - 2 Portable Grandstands	\$ 7,000	\$ 3,500
(3) Alexandria Park - Synthetic Cricket Wicket	\$ 5,500	\$ 2,750

Carried.

14.

**STREETS - WESTEND LANE, ULTIMO - PROPOSED RENAMING -
REQUEST FOR RECONSIDERATION OF REFUSAL (2012739)**

That the report by the Director of Public Works and Services dated 17 March 1997, regarding the proposed renaming of Westend Lane, Ultimo be deferred for a period of three months.

(DPWS Report 17.3.97)

Carried.

15.

FINANCE - FINANCIAL ASSISTANCE GRANTS (5273200)

That arising from a report by the Director of Finance dated 18 March 1997, it be resolved that:-

- (1) the matter be raised with Local Federal Members of Parliament and that they be advised that South Sydney Council:
 - Opposes any reduction in FAGs to Local Government
 - Opposes Local Government FAGs being included in grants to the states
 - Opposes any reduction in road funding
 - Supports the restoration of funds for national highways which were cut in the 1996/97 Budget;
- (2) the media be advised of the issues in the format of the sample press release provided by the Local Government and Shires Associations of NSW;
- (3) Council support the Local Government and Shires Associations of NSW in opposing any cuts to FAGs or road funding.

Carried.

16.

PROPERTIES - ADVERTISING BANNER BY A C.O.N. - NO. 94 OXFORD STREET, DARLINGHURST (5265663)

At the Committee Meeting Councillor Waters declared an interest in the item and did not take part in discussions or voting.

- (A) That Council grants its approval to allow the Aids Council of NSW (ACON) to hang a banner as depicted in the attachment accompanying the Director's report for a period of four weeks.
- (B) That a further report be submitted to Council by the Director of Public Works and Services investigating possible sites for the erection of banners in the South Sydney City Council area.

(DCS Report 18.3.97)

Carried.

REPORT OF THE COMMUNITY SERVICES COMMITTEE

19 March 1997

PRESENT**Councillor Sonia Fenton (Chairperson)****Councillors - Margaret Deftereos, Sean Macken, Greg Waters.**

At the commencement of business at 7.35. pm those present were -

Councillors - Deftereos, Fenton, Macken, Waters.

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

That the Report of the Community Services Committee of its meeting of 19 March 1997 , be received and the recommendations set out below for Items ,1 to 3, inclusive, be adopted. The recommendations set out below for Item 4 having been dealt with as shown immediately following such items.

Carried.

The Committee **recommended** the following:-

1.

COMMUNITY SERVICES - COMMITTEES - APPOINTMENT OF NEW CULTURAL COMMITTEE MEMBER (C57-00028)

That arising from consideration of a report by the Acting Director of Health and Community Services dated 27 February 1997, Council accepts the nomination of Ms Jo Holder as a community representative on Council's Cultural Advisory Committee for a period of two years.

Carried.

2.

COMMUNITY SERVICES - YOUTH WEEK 1997 PROPOSED PROGRAMME OF EVENTS (5273346)

That approval be given to:-

- (a) the proposed programme of events for Youth Week 1997, as per the attached schedule, including the launch of Youth Week 1997 at

GENERAL MANAGER

South Sydney Youth Services, Waterloo Oval on Sunday April 20 from 11.00 a.m. to 5.00 p.m.;

- (b) the Youth Awards/Betty Makin Scholarships Ceremony followed by a Civic Reception to be held in the function room, Erskineville Town Hall at 7.00 p.m. Thursday, April 20 1997;
- (c) the expenditure of \$5,000 on the Youth Week 1996/97 Programme, for which provision has been made in the Health and Community Services Department 1997 Revenue Estimates (KEL).

(DHCS 11.3.97)

Carried.

3.

PARKS - COOK AND PHILLIP PARK, EAST SYDNEY - DRAFT PLAN OF MANAGEMENT - COMMUNITY MEETING (P52-00088)

That the report by the Director of Public Works and Services dated 13 March 1997, on the status of the Sydney City Council's Draft Plan of Management for Cook and Phillip Parks, be received and noted.

Carried.

4.

SPORTS FACILITIES - VICTORIA PARK POOL - APPROVAL OF EXHIBIT - REFURBISHMENT PROPOSALS (2009715)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

That approval be given to:-

- (a) the exhibition of the proposed refurbishments to Victoria Park Pool for public comment, at the Victoria Park Pool, Newtown Library and Council's Administrative Offices, Zetland for a period of four weeks;
- (b) the submission of a Development Application for the proposed works simultaneously with the exhibition period, and that any changes required be made as an amendment to the Development Application.

(DPWS Report 17.3.97)

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

- (c) That the plans being placed on exhibition to be clearly marked in regard to Council's Access Policy as expressed in Development Control Plan No.10.

Motion, as amended by consent, carried.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

19 March, 1997

PRESENT

The Mayor, Councillor Vic Smith (Chairperson)

Councillors - John Bush, John Fowler, Christine Harcourt.

At the commencement of business at 6.38 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 Harcourt:-

That the Report of the Planning and Development Committee of its meeting of 19 March 1997, be received and the recommendations set out below for Items 1 to 4, inclusive, 6 to 10, inclusive, 12, 14, 19, 21 and 22 be adopted. The recommendations for Items 5, 11, 13, 15 to 18, inclusive, 20, 23 and 24 having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

1.

BUILDING - FIRE SAFETY, STATE GOVERNMENT PROPOSAL TO MAINTAIN LOW COST BOARDING HOUSE ACCOMMODATION (F53-00126)

- (1) That the Council assist the office of Housing Policy - Dept. of Urban Affairs and Planning in the administration of Boarding House Financial Assistance Program.
- (2) That the Council grant delegation to the General Manager under Section 377 of the Local Government Act, 1993, to process and sign the application forms in relation to the Boarding House Financial Assistance Program and the letters/correspondence in relation to this program.
- (3) That a list of properties where applications are lodged be circulated on a weekly basis in the Councillors Information Service.

Carried.

2.

ROBERTSON ROAD, NO.3, CENTENNIAL PARK - PROPOSED NEW STRUCTURE TO EXISTING HOUSE - DEVELOPMENT APPLICATION (U96-00395)

That consideration of the application submitted by Dods and Zuccon Pty Ltd, with the authority of Mr K Couzens, for permission to demolish the existing garage and erect a detached dual occupancy comprising a new two storey dwelling fronting Oxley Lane and alterations and additions to the existing building to convert it into a single dwelling, be deferred to the next meeting of the Planning and Development Committee to be held on 16 April 1997.

Carried.

3.

BOUNDARY STREET, NOS. 15 - 19, DARLINGHURST - CONSTRUCT RESIDENTIAL DEVELOPMENT WITH SOME RETAIL/COMMERCIAL - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U96-00934)

- (A) That the Council resolve that it is satisfied that the objections against the development standards relating to floor space ratio and height in LEP 101 are well founded and compliance is therefore unreasonable and unnecessary for the following reasons, namely:-

That the proposed additional floor space and height incorporated into the new building fronting Barcom Avenue represents a good

GENERAL MANAGER

quality infill development matching the scale, bulk and height of adjoining development.

(B) That the Council as the responsible authority grants its consent to the application submitted by Brentwood Properties Pty Ltd, to demolish the two storey annex building and dwelling fronting Barcom Avenue, convert the existing Boundary Street building into 5 retail tenancies at ground floor level and 85 units above and to erect a new residential flat building fronting Barcom Avenue containing 51 units, subject to the following conditions, namely:-

- (1) That the development shall be generally in accordance with plans A01A, A02A, DA10A-13A inclusive, DA 15A-17A inclusive, DA20A-24A inclusive, and DA 30A as amended by DA 40, 41, 20B-22B and 24B;
- (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:

FACILITY	AMOUNT	ACCOUNT
Civic Improvement, Open Space and Recreation	\$140,502	2 EJ-BGY 0
Child Care	\$ 7,381	2 EK-BGY 0
Community Facilities	\$ 7,307	2 EL-BGY 0
Transport and Access	\$ 27,360	2 EM-BGY 0
Environmental Improvements	\$ 4,422	2 EN-BGY 0
TOTAL:	\$186,972	

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/ or the premises are occupied whichever occurs first.**

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.

GENERAL MANAGER

- (3) 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;
- (4) That the retail frontage at ground level shall be set back in part to provide a colonnade. Details are to be submitted with the building application and to be to the satisfaction of the Director of Planning and Building;
- (5) That the Boundary Street driveway access area including visitor spaces Nos. 109-114 and adjacent landscaping shall be redesigned so that the access driveway is relocated along the northern boundary of the site to allow for the creation of a north facing forecourt adjacent to the entrance of Shop 4. Details including special pavement treatment, lighting, landscaping and other appropriate design elements shall be submitted with the building application and to be to the satisfaction of the Director of Planning and Building. This design amendment will require the removal of at least 3 of the visitor parking spaces;
- (6) That the landscaping plan submitted with the Building Application shall provide a row of advanced trees along both the Boundary Street frontage and Barcom Avenue frontage of the site, to be to the satisfaction of the Director of Public Works and Services and Director of Planning and Building;
- (7) That details of all proposed building finishes shall be submitted with the Building Application for the approval of the Director of Planning and Building;
- (8) That all vehicles shall be driven in a forward direction into and out of the site;
- (9) That all car parking spaces are to be clearly marked and have minimum dimensions of 2.5m x 5.5m or 2.6m x 5.4m, and aisle widths shall be not less than 6 metres;
- (10) That disabled persons' parking space shall have minimum dimensions of 3.0m x 5.5m and shall be signposted and marked for such use only;
- (11) That the entry and exit driveways shall be clearly signposted, and used as such;

- (12) That all loading and unloading shall be carried out wholly within the site;
- (13) That the Boundary Street driveway shall be redesigned so that the entry width shall be 5 metres and the exit width shall be 4 metres with a separation of 1 metre;
- (14) That a minimum headroom of 2.2 metres (or 2.5 metres for areas with disabled access) shall be provided over all car parking areas;
- (15) That a minimum headroom of 3.6 metres shall be provided over all areas traversed by service vehicles;
- (16) That all ramp gradients and widths shall meet the requirements of Australian Standards (AS 2890);
- (17) That the stacked parking spaces shall be allocated to the 3 bedroom units and that no more than 1 space shall be allocated to any one or two bedroom units;
- (18) That visitor spaces Nos. 45-62 shall be relocated to the beginning of the one-way loop in the car park and signs provided to direct visitors to those spaces;
- (19) That the area between the garbage room, loading dock and access points to the car parks, shall be linemarked appropriately to provide channelisation of all vehicular movements;
- (20) That access to the site shall be via left in and left out movements only and that the driveways shall be clearly marked accordingly;
- (21) That the developer shall apply to the Director of Public Works and Services and meet all costs involved with the design and construction of:-
 - (a) a median extending from the channelisation island at the intersection of McLachlan Avenue to a point south of Gosbell Street;
 - (b) slow way treatment on the approach to the corner of McLachlan Avenue.
- (22) That the owner shall dedicate to Energy Australia, free of cost, an area of land adjoining the street alignment to enable an electricity substation to be established, if such is required, the size and location of which is to be in accordance with the requirements of Energy Australia and the Director of Planning and Building and so that the opening of any doors of such substation shall not intrude upon the public way;

- (23) That subject to the approval of the owners of premises Nos. 31 to 87 Barcom Avenue, a dilapidation report shall be carried out on those premises and shall be submitted with the Building Application;
- (24) That a photographic record with comment shall be prepared by a suitably qualified heritage consultant which includes a fabric analysis and a statement of significance of the site and shall be submitted to Council with the Building Application and to be to satisfaction of the Director of Planning and Building;
- (25) That the premises including car park and ensuites shall be ventilated in accordance with the requirements of the BCA and Council's Ventilation Code;
- (26) That adequate measures shall be taken to ensure that all liquid waste particulate matter or loose solids created during the course of demolition or construction is retained within the premises;
- (27) That the spread of noise from operations on the building site shall be controlled in accordance with Australian Standard 2436-1981 Section 6.
- (28) That the developer shall advise any purchaser of a unit or tenant where units are not to be sold that it is Council policy not to issue resident parking permits to residents of new residential flat developments located in Resident Parking Scheme Areas;
- (29) That plans and specifications showing details of:-
- (i) all required mechanical ventilation systems;
 - (ii) the garbage room;
 - (iii) the facilities for the retention and storage of excess packaging material;
 - (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;
- (30) That at least one car parking space measuring 3.5 m x 5.5 minimum shall be provided as a car wash bay for vehicles associated with the development and shall be provided with a water connection drained and discharged to the satisfaction of the Director of Planning and Building;

and the following adopted standard conditions;

- (31) HSC001 - Compliance to Director of Health and Community Services;
- (32) HSC103 - Environmental site assessment being carried out;
- (33) HSC104 - Car wash bay to sewer;
- (34) HSC037 - Disabled access;
- (35) HSC300 - Air handling systems for future food premises;
- (36) HSC100 - Removal of spoil from site;
- (37) HSC111 - Liquid wastes to sewer;
- (38) HSC705 - Construction of garbage room;
- (39) HSC706 - Storage of recyclables;
- (40) HSC801 - Noise from premises;
- (41) LDA260 - On-site stormwater detention;
- (42) LDA376 - Hours of building work;
- (43) LDA377 - Construction noise regulation;
- (44) LDA384 - New alignment levels;
- (45) LDA387 - Footway crossings;
- (46) LDA389 - Stormwater disposal requirements;
- (47) LDA392 - No obstruction to public way;
- (48) LDA394 - Cost of alteration to signposting;
- (49) LDA396 - Works within boundaries;
- (50) That the Building Application when submitted, shall include a report from a Structural Engineer together with a Geotechnical Report and the Building Application be then forwarded 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, including adverse effects relating to the emission of noise and vibration, overshadowing, privacy loss, streetscape qualities, heritage issues, traffic and parking congestion, and would not be in the public interest.

- (C) That in order to comply with this Local Government Act (Approvals) Regulation, 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-(Table 3) of the BCA;
 - (2) That all relevant sections of the BCA shall be complied with;
 - (3) That the proposed fire isolated stair shall be redesigned to comply fully with the requirements of Part D of the BCA with specific attention directed to Clauses D.1.7(b) and D.2.4 of the BCA;
 - (4) That additional exits shall be provided so that distances between alternative exits shall comply fully with the requirements of Clause D.1.5(c) of the BCA.
- (D) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

4.

TRAFFIC - EVELEIGH STREET, REDFERN - ROAD CLOSURE (T52-00031)

That:

- (a) Council seeks approval under Section 116 of the Road Act 1993, to fully close to vehicular traffic, the section of Eveleigh Street, Redfern, between Lawson Street and Caroline Lane, and
- (b) Council consider a further report following the review of written submissions from all interested parties in relation to this full closure.

(DPWS Report 7.3.97)

Carried.

5.

TELOPEA STREET, NO.48, REDFERN - ADDITION OF SCREENED REAR BALCONY AND DOORS AT FIRST FLOOR LEVEL - BUILDING APPLICATION (Q96-00783)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mr Martin Gorrick, for permission to erect a rear "Juliet" balcony at the abovementioned premises, subject to the following conditions, namely:
 - (1) That the "Juliet" balcony shall have dimensions of 1850 x 500 mm and be provided with a 1000mm high balustrade;
 - (2) That the sides of the balcony in (1) above shall be screened to a height of 1800mm to the satisfaction of the Director of the Planning and Building Department;
 - (3) That the double doors to the balcony shall be within a brickwork opening of 1650mm wide and shall allow for an opening sash above the doors;
 - (4) That the balustrades shall comply with D2.16 of the BCA;
 - (5) That details shall be submitted to Council showing compliance with the above conditions (1-4) prior to construction commencing;

and the following adopted standard conditions:

GENERAL MANAGER

- (6) BC2 - Compliance with Local Government Act 1993;
 - (7) BC3 - Compliance with conditions on plan;
 - (8) BC8 - Details of contractor;
 - (9) BC11 - Inform Council for inspections;
 - (10) BC15 - Approval relates to coloured work;
 - (11) BC111 - Hours of work;
 - (12) BC113 - Work to comply with noise standards;
 - (13) BC603 - Damp and weatherproofing;
 - (14) That the Frangipani tree in the rear yard is subject to a tree preservation order and shall not be lopped, topped or removed without the prior approval of Council.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

With regard to the above, the Mayor directed the Director of Planning and Building to note the comments raised by Councillor Bush and pass on to the applicant.

6.

LAMBERT STREET, NO.19, ERSKINEVILLE - ALTERATIONS AND ADDITIONS TO PREMISES - BUILDING APPLICATION (Q96-00832)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Ms J E Cain, for permission to carry out alterations to the existing bathroom including laundry facilities, to construct an enclosed passageway and to erect a deck and stair at the rear of the abovementioned premises, all in accordance with the submitted amended unnumbered plan dated 6 February 1997, subject to the following conditions, namely:
- (1) That the finishes of the proposed materials shall match with the existing materials;
 - (2) That privacy screens to a height of 1600mm shall be provided on the western and eastern sides of the deck as indicated in red on the approved plan, details of the privacy screens shall be submitted to Council and approved prior to their installation;;

GENERAL MANAGER

- (3) That the skylights above the kitchen and the corridor shall have a minimum size of 1m x 1m and it shall be vented;
- (4) That the door in the corridor leading to the existing room behind the kitchen shall be a glass door so as to provide natural light to the existing dining room in accordance with part F of the BCA;
- (5) That the non-openable obscured glass block panels on the eastern external wall of the premises shall have an FRL of not less than 60/60/60 in accordance with specification C1.9-4 of the BCA;
- (6) 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;
- (7) 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;
- (8) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (9) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (10) 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;
- (11) 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:

- (12) BC2 - Compliance with Local Government Act 1993;
- (13) BC3 - Compliance with conditions on plan;
- (14) BC8 - Details of contractor;
- (15) BC15 - Approval relates to coloured work;

- (16) BC20 - Premises to remain as single dwelling;
- (17) BC11 - Inform Council for inspections;
- (18) BC65 - Boundary walls not to be party walls without neighbour's consent;
- (19) BC62 - Survey Certificate for setup of building;
- (20) BC63 - Survey Certificate for finished building;
- (21) BC111 - Hours of work;
- (22) BC113 - Work to comply with noise standards;
- (23) BC114 - Existing building to be kept in stable condition;
- (24) BC116 - New work not to encroach boundaries;
- (25) BC119 - Requirements when excavating below footings;
- (26) BC123 - Demolition to comply with standard;
- (27) BC167 - Structural details and certification to be submitted;
- (28) BC170 - Structural certificate upon completion;
- (29) BC175 - Comply with Timber Framing Code;
- (30) BC176 - Approval for permanent work only;
- (31) BC184 - Foundation material under slabs;
- (32) BC186 - No structural work until approval granted;
- (33) BC189 - Termite protection;
- (34) BC337 - Construction of boundary walls;
- (35) BC340 - Non-flammable sarking materials;
- (36) BC352 - Glazing materials;
- (37) BC529 - Smoke alarm systems;
- (38) BC601 - Water closets and shower compartments;
- (39) BC602 - Clothes washing and drying facilities;
- (40) BC603 - Damp and weatherproofing;

- (41) BC608 - Ceiling heights;
 - (42) BC609 - Natural light and ventilation;
 - (43) BC615 - Common walls sound transmission;
 - (44) BC617 - Rain or dampness penetration;
 - (45) HSC500 - Premises to be ventilated;
 - (46) HSC542 - Approved bathroom system;
 - (47) HSC501 - Plans and specification of ventilation;
 - (48) HSC800 - Use of appliances emitting intrusive noise.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

7.

BANNERMAN CRESCENT, NO.53, ROSEBERY - ERECT NEW FRONT FENCE AND GATE PILLARS - BUILDING APPLICATION (Q96-01023)

- (A) That the Council, as the responsible authority, grants its consent to the application submitted by Michael Dysart & Partners for permission to erect a new front fence with pillars at the abovementioned premises all in accordance with the submitted plan numbered 9611 dated 23 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);
 - (2) That compliance shall be given to all of the conditions shown on the approved plan;
 - (3) That this approval is for front fence details only and shall be read in conjunction with all previous Council approvals and accompanying conditions;
 - (4) That the approval shall only relate to the work shown coloured on the approved plans;
 - (5) That a Survey Certificate shall be submitted at the completion of the building work from a Registered Surveyor certifying the

GENERAL MANAGER

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

- (6) 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;
- (7) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
- (8) That new work including footings shall not project beyond the street alignment or boundaries of the allotment;
- (9) That all excavations must be properly guarded and protected to prevent them from being dangerous to life or property;
- (10) 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;
- (11) 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;
- (12) That this approval shall relate to permanent work only and does not include temporary work;
- (13) That no structural work shall be commenced until approval is granted by Council;
- (14) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (15) 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;
- (16) 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;

- (17) 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.
- (B) That the person who made representations in respect of the proposal be advised of Council's decision.

Carried.

8.

HUTCHINSON STREET, NOS. 15-27, SURRY HILLS - CONVERT EXISTING WAREHOUSE INTO 28 RESIDENTIAL FLATS - DEVELOPMENT APPLICATION (U96-00957)

- (A) That the Council as the responsible authority refuses its consent to the application submitted by De La Vega Architects , with the authority of Rusdig Exploration Pty Ltd, for permission to convert an existing warehouse building to flats involving structural changes, for the following reasons:
 - (1) That the mix of unit sizes in the proposal is substantially different from that in the vicinity, as evidenced by the ABS census figures and approval would therefore be contrary to the aims of draft Development Control Plan No.1 to ensure an appropriate mix;
 - (2) That the high proportion of one bedroom units would adversely vary the social mix within the immediate area and provide lack of housing choice;
 - (3) That no satisfactory case has been made that the proposal is intended to provide affordable housing;
 - (4) That approval would not be in the public interest.
- (B) That the applicants be advised that the Council regards the development as approved on 24 April 1996 as being more appropriate to the area.
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

9.

DANKS STREET, NOS. 21-25, WATERLOO - USE PREMISES FOR WAREHOUSING AND WHOLESALING OF TIMBER PRODUCTS AND AN ANCILLARY OFFICE - DEVELOPMENT APPLICATION (U97-00093)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Colin Dalton and Associates Pty Ltd, with the authority of Ferille Pty Ltd, for permission to use the premises for the warehousing and wholesaling of timber, hardware, fasteners and building supplies and as ancillary offices, subject to the following conditions, namely:
- (1) That prior to 7.30 a.m. Mondays to Fridays and 8.00 a.m. Saturdays, the docking saw (or any similar equipment installed in the future) shall not be used or the premises be serviced by vehicles of greater than 5 tonne capacity;
 - (2) That the hours of operation shall be restricted to between 6.30 a.m. and 6.00 p.m. Mondays to Fridays, 7.30 a.m. and 2.00 p.m. Saturdays;
 - (3) That a minimum of 12-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;

and the following adopted standard conditions:

- (4) LDA36 - Loading only within confines of the site;
- (5) LDA44 - Driving in forward direction only;
- (6) LDA47 - Loading, parking and access to be kept clear;
- (7) LDA102 - Maintain existing landscaped area;
- (8) LDA201 - Make separate application for sign;
- (9) LDA257 - Regulation of noise transmissions;
- (10) LDA351 - Building Application required;
- (11) LDA356 - Office use to be ancillary;
- (12) BC26 - Comply with BCA.

The reason for Council granting consent, subject to the above conditions, is:-

GENERAL MANAGER

Granting unconditional consent would be likely to adversely affect the amenity of the neighbourhood, including adverse effects relating to traffic and parking congestion, 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.

**RAPER STREET, NOS. 2 - 4, SURRY HILLS - CHANGE OF HOURS STUDIO
- DEVELOPMENT APPLICATION (U96-00924)**

- (A) That the Council as the responsible authority grants its consent to the application submitted by the Brett Whiteley Foundation, with the authority of the Ministry for the Arts, for permission to extend the opening hours by an extra 8 days per month as well as the existing hours of 10.00 a.m. to 4.00 p.m. Thursdays (by appointment), Saturdays and Sundays, subject to the following conditions, namely:-

- (1) That the additional operating hours beyond 4.00pm approved by this consent shall cease after a period of one year 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 extended operating hours.

- (2) That any buses associated with the use shall not enter Davies Street, Raper Street, Esther Street or Violet Street;
- (3) That no queueing of visitors shall occur outside the premises and that, should queueing occur, appropriate management procedures shall be implemented to overcome this problem;
- (4) That the hours of operation shall be restricted to between 10.00 a.m. and 4.00 p.m. on Thursday (by appointment), Saturdays and Sundays and on the maximum 8 additional days per month provided that on up to one day per week the premises may stay open between 4.00pm and 9.00pm;
- (5) That the eight additional days per month shall be by appointment only and shall be limited to one event per day.
- (6) That a maximum of 60 persons shall attend any event on the 8 additional days per month;

- (7) That the management of the Brett Whiteley Studio shall submit to Council every 3 months a program showing the dates and times which the studio is to be operating over the following 3 months;
- (8) That the entry door to the studio shall be kept closed at all times, except to allow persons to enter and leave the premises;
- (9) That all publicity material associated with the studio shall state that parking is not available in Davies Street and Raper Street;
- (10) That the lower half of the first floor windows on the eastern elevation shall be provided with obscure glazing and shall be made unopenable to the satisfaction of the Director of Planning and Building. This work shall be undertaken prior to the extension of operating times being commenced;
- (11) That a small plaque shall be erected near the entrance to the premises which identifies the museum, displays the opening hours and a contact telephone number for enquiries;
- (12) That service vehicles associated with the museum shall not cause obstruction along Raper Street at any time;
- (13) That at no time shall food or drinks be sold on the premises;
- (14) That a separate application shall be submitted at the appropriate time for any proposed signs;
- (15) That the use of the premises shall not give rise to:-
 - (a) transmission of vibration to any place of different occupancy;
 - (b) a sound level in any place of different occupancy greater than 3dB above the L90 background level in any octave band from 31.5 Hz to 8000 Hz centre frequencies inclusive; however, when the L90 background levels in frequencies below 63 Hz are equal to or below the threshold of hearing as specified by the equal loudness contours for octave bands of noise, this sub-clause shall not apply to any such frequencies;
 - (c) a sound level at any point on the boundary of the site greater than the levels specified in Australian Standard 1055-1984;
 - (d) an "offensive noise" as defined in the Noise Control Act, 1975;

-the method of measurement of sound levels in (b) and (c) shall be carried out in accordance with Australian Standard 1055-1984;

(16) 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;

(17) That no entertainment shall be provided on the premises.

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

Carried.

11.

PLANNING - BILLYARD AVENUE, ELIZABETH BAY - REQUEST FOR CONSTRUCTION ZONE (2004345)

That Council authorises, under powers delegated by the Roads and Traffic Authority, the following:

- (1) That the kerbspace on the northern side of Billyard Avenue, Elizabeth Bay, between points 163.0 metres and 180.0 metres west of Ithaca Road, be reallocated as "Construction Zone 7.30am - 5.00pm Mon - Fri, 7.30am - 3.00pm Sat".
- (2) That the kerbspace on the southern side of Billyard Avenue, Elizabeth Bay, between points 162.0 metres and 181.0 metres west of Ithaca Road, be reallocated as "No Standing 7.30am - 5.00pm Mon - Fri, 7.30am - 3.00pm Sat".

(DPWS Report 11.3.97)

Carried.

With regard to the above, the Mayor directed the Director of Public Works and Services to take on board the comments raised by Councillors Bush and Fowler with regard to fees charged for construction zones and the matter to be addressed in the coming review of the Schedule Fees and Charges.

12.

MOREHEAD STREET, NO.27, REDFERN - DEMOLISH EXISTING STRUCTURE AND ERECT 3 UNITS - DEVELOPMENT APPLICATION (U97-00027)

That consideration of the application submitted by Mr Y Gatenby to demolish the existing buildings at No. 27 Morehead Street, Redfern and erect a

residential flat building containing 3 dwellings, be deferred to the next meeting of the Planning and Development Committee to be held on 16 April 1997, as requested by the applicant in Fax dated 19 March 1997.

Carried.

13.

MOORGATE STREET, NOS. 9 - 27, CHIPPENDALE - CONVERT EXISTING WAREHOUSE INTO RESIDENTIAL APARTMENTS - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U97-00078)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

- (A) That Council is satisfied that the State Environmental Planning Policy No. 1 objection against the development standard in Local Environmental Plan No. 66 relating to the maximum permissible building height of 12m is well founded and compliance is therefore unreasonable and unnecessary for the following reason, namely:-

That the exceedance is only minor, is located in the middle of the site and accordingly will not result in impact on surrounding properties.

- (B) That the Council as the responsible authority grants its consent to the development application submitted by Moorgate Developments Pty Ltd with the authority of the owner Oriental Enterprises Co Pty Ltd to convert the abovementioned building into a residential flat building, involving the erection of mezzanine levels and an additional storey subject to the following conditions:-

- (1) That the development shall be generally in accordance with plans 372.01DA to 372.07DA inclusive;
- (2) That this consent shall lapse after a period of two years from the date of this consent. (The applicant is advised that an application can be made to the Council before the period expires for an extension of one year);
- (3) That the development shall be amended to the satisfaction of the Director of Planning and Building to provide for -
 - (a) the redesign of the roof structure by increasing the setback, reducing the height and rationalisation and simplifying the roof to a more symmetrical form in order to reduce the extent of overshadowing of properties to the west, to reduce the visibility of the additional levels and to

GENERAL MANAGER

better integrate the roof form with the architecture of the existing building;

- (b) the provision of a 1700mm lattice type privacy screen and 0.5m minimum width planter box within the existing western parapet or such alternative means as will maintain adequate privacy from overlooking from the top floor balconies to the properties to the west whilst maintaining a minimum balcony width of 2m.
- (4) That a maximum of 27 resident and 4 visitor 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. The area occupied by the five spaces to be deleted shall be incorporated within the floor space of ground floor units or provided as secure storage spaces for units within the development and shall not be capable of being used as car parking spaces;
- (5) 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;
- (6) That the ramps shall have a maximum grade of 1 in 15 for the first 4m from the alignment and then 1 in 8 without transitions of 1 in 6 with a suitable transition at the other end;
- (7) That at least 14 class 1 and 4 Class 3 (bicycle storage facilities AS 2890.3) shall be provided for residents and visitors respectively;
- (8) That a Certificate under Section 73 of the Water Board (Corporation) Act 1994 in respect of the proposed development shall be submitted to Council prior to the release of the approved building plans;
- (9) That any proposed landscaping planting on slab shall provide a minimum 100mm soil depth for tree planting, 600mm for shrub planting and 300mm for turf area - these dimensions are to include suitable water proofing and drainage layer;
- (10) That before completing the design for the development the applicant shall apply to the Director of Public Works and Services for the issuing of alignment levels to be adopted for the site and shall ensure that the designs for the floor levels, pedestrian and vehicular entrances conform to the approved alignment levels;

- (11) That all lot/unit number in the building proposed to be strata subdivided shall correspond to the lot numbers in the strata plan of subdivision and where this is impractical the relevant lot number shall be permanently affixed to each unit;
- (12) That all parking or utility lots shall be part of a parent lot or otherwise shall be subject to a restriction as to user under Section 39 of the Strata Titles Act 1973;
- (13) 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
Civic Improvement, Open Space and Recreation	\$47,015	2 EJ-BGY 0
Child Care	\$2,470	2 EK-BGY 0
Community Facilities	\$2,445	2 EL-BGY 0
Transport and Access	\$9,155	2 EM-BGY 0
Environmental Improvements	\$1,478	2 EN-BGY 0
TOTAL:	\$62,563	

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.

- (14) 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;

- (15). That the car parking area shall be ventilated in accordance with the requirements of the Building Code of Australia and AS 1668.2 - 1991, Section 4;
- (16) That any portion of the proposed commercial usage shall not be used for the cooking of food unless an approved air handling system is installed to the cooking appliances;
- (17) That plans and specifications showing details of:-
 - (a) all required mechanical ventilation systems;
 - (b) car park ventilation systems;
 - (c) the garbage room;
 - (d) the recycling storage area;
 - (e) the layout, disposition and method of installation of fixtures and fittings, together with wall, floor and ceiling finishes to any proposed 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:

- (18) LDA48 - Safe walking surface on crossing;
- (19) LDA66 - Minimum 2.2m headroom;
- (20) LDA152 - Schedule of finishes;
- (21) LDA153 - Reflectivity of external glazing;
- (22) LDA160 - Provide service ducts within building;
- (23) LDA161 - Provide common television aerial;
- (24) LDA163 - New brickwork to match existing;
- (25) LDA261 - Washing down of trucks;
- (26) LDA351 - Building Application required;
- (27) LDA365 - Consolidation of lots;
- (28) LDA366 - Liaise with Natural Gas Company;
- (29) LDA367 - Timing device on alarms;

- (30) LDA368 - Display of street numbers;
- (31) LDA376 - Hours of building work;
- (32) LDA377 - Construction noise regulation;
- (33) LDA387 - Footway crossings;
- (34) LDA389 - Stormwater disposal requirements;
- (35) LDA391 - Builder's Hoarding Permits;
- (36) LDA392 - No obstruction to public way;
- (37) LDA393 - Delivery of refuse skips;
- (38) LDA394 - Cost of alteration to signposting;
- (39) HSC101 - Not give rise to emissions into the environment;
- (40) HSC103 - Environmental site assessment being carried out;
- (41) HSC111 - Liquid wastes to sewer;
- (42) HSC706 - Storage of recyclables;
- (43) HSC800 - Use of appliances emitting intrusive noise;
- (44) That the developer shall contribute the sum of \$4,000 towards the cost of suitable threshold treatments and landscaping in Moorgate Street, subject to a suitable design being approved by the Local Traffic Committee.

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, overshadowing, privacy loss, streetscape qualities, heritage issues, traffic and parking congestion, 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 Secretary of the Department of Urban Affairs and Planning be notified of Council's determination under SEPP No. 1 in accordance with the Department's Circular No. 117 of 9 December 1986.

GENERAL MANAGER

Carried.

14.

LIVERPOOL STREET, NO.180, DARLINGHURST - USE PREMISES AS BROTHEL - DEVELOPMENT APPLICATION (U96-00591)

That consideration of the application submitted by V F Stanaway, with the authority of AC B Roche and A J Bewg for permission to use the terrace house as a commercial brothel between 9.00a.m. and 3.00a.m. Mondays to Saturdays and 12.00noon and 12.00 midnight Sundays, be deferred to the next meeting of the Planning and Development Committee to be held on 16 April 1997, as requested by applicant in fax dated 19 March 1997.

Carried.

15.

FURBER ROAD, NO.11, CENTENNIAL PARK - ALTERATIONS AND ADDITIONS - BUILDING APPLICATION (Q96-00852)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Fowler:-

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 for discussions between the applicant, the objectors and the appropriate Council Officers.

Carried.

16.

INTEGRATED DEVELOPMENT ASSESSMENT - PROPOSED AMENDMENTS TO THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (2012924)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Fowler:-

(A) That the contents of this report be received and noted.

- (B) That a copy of this report be forwarded to the Department of Urban Affairs and Planning as Council's submission in response to the draft Bill.
- (C) That the comments and recommendation put forward by Councillor Fowler be forwarded also with the report.

(DPB Report 11.3.97)

Carried.

17.

MADDOX STREET, NO.1B, ALEXANDRIA (PERRY PARK) - A.K.A. NOS. 53-57, MADDOX STREET, ALEXANDRIA - ERECT FOUR BASKETBALL COURTS AND AMENITIES - DEVELOPMENT APPLICATION (U96-01066)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

- (A) That the Council, as the existing and future trustee of land on which the proposed development at 1B Maddox Street, Alexandria (Perry Park) is located, grants its consent to the lodgment of the Development Application.
- (B) That the Council as the responsible authority grants its consent to the application submitted by The City of Sydney Basketball Association Ltd, with the authority of The New South Wales Department of Land and Water Conservation, to carry out an extension to an existing Basketball Stadium into Perry Park, to accommodate an additional 4 Basketball Courts and associated facilities, subject to the following conditions, namely:-
 - (1) That the development shall be generally in accordance with Plans Nos. 94003/1-2 dated 8 August, 1996;
 - (2) That neither the existing stadium or the new stadium shall be used for late night dance/rave parties;
 - (3) That no work shall commence until written approval from the NSW Department of Land and Water Conservation is obtained (which shall be provided to council prior to the release of building plans);
 - (4) That the works shall not commence on Crown land until a Surrender of Lease document (RP20) is completed and returned to the Sydney Metropolitan Office of the NSW Department of Land and Water Conservation on the basis that the area currently held under special Lease 1963/2 Metropolitan (subject of the Surrender document) is to be added to Perry Park;
 - (5) That all leasing requirements of the Council and the NSW Department of Land and Water Conservation shall be met and the Building Application shall not be released until satisfactory leasing arrangements have been completed;
 - (6) That a plan for the landscaping of the site by a landscape architect shall be lodged with the Building Application for Council's approval, with such a plan to indicate;

GENERAL MANAGER

- (i) all existing trees, their species, height, caliper and whether they will be retained or removed (in survey form);
- (ii) alternative locations for existing facilities disrupted or affected by the proposed development, including cricket wickets and picnic shelters;
- (iii) the parking area treatment;
- (iv) any directional signage;
- (v) pedestrian links in and around the site, including along the northern edge of the site and a main pedestrian link to the park;
- (vi) a new planting scheme including location, species and mature height (excessive shrub planting should be avoided to improve visibility across the site and to reduce litter build up);
- (vii) details of hardworks, including garden paving types, garden bed edging and furniture (bike stands, seats etc.),

You are strongly encouraged to consult with Council's Landscape Architects prior to preparation of the Landscape Plan (contact Ms Francis Hamilton phone number 9313 0249);

- (7) That details of the seating area (which shall not exceed 500 people) shall be lodged with the Building Application, to the satisfaction of the Director of Planning and Building;
- (8) That the existing landscaped areas shall be upgraded and additional super advanced trees and/or shrubs planted in accordance with an approved landscaping plan and maintained to the satisfaction of the Director of Planning and Building and the Director of Public Works and Services;
- (9) That all relevant sections of the BCA shall be complied with;
- (10) That the construction of the kiosk shall comply with the requirements of National Code for the construction and fitout of food premises;
- (11) That 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 the kiosk

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

and the following adopted standard conditions:

- (12) LDA107 - Make application to remove trees;
- (13) LDA351 - Building Application required;
- (14) LDA152 - Schedule of finishes;
- (15) LDA153 - Reflectivity of external glazing;
- (16) LDA376 - Hours of building work;
- (17) LDA377 - Construction noise regulation;
- (18) LDA387 - Footway crossings;
- (19) LDA389 - Stormwater disposal requirements;
- (20) LDA392 - No obstruction to public way;
- (21) LDA393 - Delivery of refuse skips;
- (22) HSC500 - Premises to be ventilated;
- (23) HSC018 - Sanitary facilities;
- (24) HSC700 - Compliance with code for Garbage Handling System;
- (25) HSC701 - Contaminated material;
- (26) 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, including adverse effects relating to traffic and parking congestion, and would not be in the public interest.

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

It was moved by Councillor Fowler, seconded by Councillor Deftereos, that the above application be refused.

Amendment negatived.

Motion carried.

18.

ASHMORE STREET, NO.10, ERSKINEVILLE - ADDITIONAL STOREY TO THE REAR TO CREATE DUAL OCCUPANCY - DEVELOPMENT APPLICATION (U96-00035)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

- (A) That the Council is satisfied that the State Environmental Planning Policy No. 1 objection against the development standard relating to floor space ratio and site area in clauses 19(2)(d) and 9(1)(a) of State Regional Environmental Plan No. 12 is well founded and compliance is therefore unreasonable and unnecessary for the following reason, namely:-

That the proposal is consistent with the nature of development in the locality and will not result in adverse effects to the local amenity.

- (B) That the Council as the responsible authority grants its consent to the application submitted by Debora Picone to erect additions in order to create a dual occupancy subject to the following conditions:-
- (1) That the development shall be generally in accordance with plans dated 16 January 1997 and held on Council file U97-00035;
 - (2) That the open space at the rear of the property shall be used as communal open space with access from both occupancies.
 - (3) 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;
 - (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)

GENERAL MANAGER

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;
- (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 plans and specifications showing details of all required mechanical ventilation systems shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;
- (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.
- (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 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 a suitable automatic fire detection and alarm system shall be installed to comply with E1.7 of the BCA;
 - (3) That natural light and ventilation shall be provided in accordance with requirements of Part F4 of the BCA;
 - (4) That all internal bathrooms and laundries shall be mechanically ventilated in accordance with requirements of F4.5 of the BCA;
 - (5) That the walls between flats or units shall be constructed of materials having sound transmission classes in accordance with F5.4 of the BCA;
 - (6) 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;
 - (7) That clothes washing and drying facilities shall be provided in accordance with the requirements of F2.1 of the BCA;
 - (8) That the ceiling beneath the first floor of the premises shall be constructed of materials have resistance to the incipient spread of fire of one hour;
 - (9) That the proposal stairway shall be separated from the ground floor area by construction having a minimum fire resistance level.
- (D) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

19.

BILLYARD AVENUE, NO.27, ELIZABETH BAY - ERECT NEW RESIDENTIAL BUILDING WITH BASEMENT CAR PARKING - DEVELOPMENT APPLICATION (U96-01124)

- (A) That the Council as the responsible authority refuses its consent to the application submitted by Mr G Baker, with the authority of the Registered Proprietors Strata Plans 15566 and 37158, to make alterations and rear additions to the existing residential flat building including removal of one existing unit and to provide seven new units over four storeys with basement parking under, for the following reasons:
- (1) That the proposal exceeds the maximum permissible height limit under LEP 101, the proposed maximum FSR of 1.5:1 under DDCP 1996 and is considered an overdevelopment of the site;
 - (2) That the proposal will result in the loss of a number of trees, the loss of communal open space, unsatisfactory provision of open space for occupants and will adversely impact on the existing landscape and scenic quality;
 - (3) That the proposal will detrimentally affect the amenity of adjoining properties in terms of loss of privacy, outlook and solar access/overshadowing and therefore will not be in the public interest;
 - (4) That the consent of all owners has not been received.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

20.

DARLINGHURST ROAD, NOS. 66-66A, KINGS CROSS - CHANGE OF USE AND ALTERATIONS AND ADDITIONS - DEVELOPMENT APPLICATION (U96-00757)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Deftereos:-

- (A) That the Council as the responsible authority grants its consent to the application submitted by Family Entertainment (NSW) Pty Ltd with the authority of Nommack (No 86) Pty Ltd for permission to refurbish the ground and first floor of the subject premises for a leisure entertainment centre subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans DA01-DA05 dated 6 September 1996;
 - (2) That the hours of operation shall be restricted to between 9:00 am to 3.00 a.m. daily for a 12 month period from the date of commencement and that the hours revert to 12 midnight at the end of this period. The applicant is advised that another Development Application may be lodged one month prior for an extension of hours beyond midnight;
 - (3) That the "Code of Ethics" submitted to Council shall be complied with at all times and a copy prominently displayed adjacent to the entrance of the premises in a visible location;
 - (4) That no alcohol or drugs or persons visibly affected by such be permitted on the subject premises;
 - (5) That the Kellett Street exit shall remain closed at all times and used for the unloading and loading of machinery and games only. Details to be submitted with the Building Application to the satisfaction of the Director of Planning and Building;
 - (6) That no games for profit or gambling shall be conducted on the premises;
 - (7) That no external speakers or loud hailers shall be used as a means of attracting customers;
 - (8) That a separate application shall be submitted at the appropriate time for any proposed signs;
 - (9) That the use of the premises shall not give rise to:-
 - (a) transmission of vibration to any place of different occupancy;

GENERAL MANAGER

- (b) a sound level in any place of different occupancy greater than 3dB above the L90 background level in any octave band from 31.5 Hz to 8000 Hz centre frequencies inclusive; however, when the L90 background levels in frequencies below 63 Hz are equal to or below the threshold of hearing as specified by the equal loudness contours for octave bands of noise, this sub-clause shall not apply to any such frequencies;
 - (c) a sound level at any point on the boundary of the site greater than the levels specified in Australian Standard 1055-1984;
 - (d) an "offensive noise" as defined in the Noise Control Act, 1975;-the method of measurement of sound levels in (b) and (c) shall be carried out in accordance with Australian Standard 1055-1984;
- (10) 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;
 - (11) That the use shall be confined to the ground and first floor sections of the premises;
 - (12) That no dancing shall be conducted on the premises;
 - (13) That no entertainment shall be provided on the premises;
 - (14) That the building shall be so designed as to give full compliance with all aspects of Standards Association of Australia Code AS 1428-1977 - "Design Rules for Access by the Disabled";
 - (15) That no persons (such as those commonly known as spruikers) shall be located on Council owned property, the subject property or any other property so as to publicise the use of the subject premises;
 - (16) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
 - (17) That the premises shall comply with the requirements of the Resolution of Council made on 23 August 1989 as amended - "Amusement Parlour Resolution 1989";

- (18) That full compliance shall be given to any requirement of the Director of Health and Community Services;
- (19) That sanitary and other facilities shall be provided in accordance with the requirements of the Building Code of Australia, Part F2;
- (20) That the garbage room shall be constructed in accordance with the requirements of Council's Code for the Construction of Garbage Handling Systems;
- (21) That the applicant shall enter into a commercial contract for the daily removal of trade waste;
- (22) That the use of the premises shall not give rise to the emission into the surrounding environment of gases, vapours, odours, dust, or other impurities which are a nuisance or injurious or dangerous or prejudicial to health;
- (23) That plans and specifications showing details of all liquid storage areas shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced.
- (24) That the number of machines on the premises shall not exceed 55 without further approval being obtained from Council;
- (25) That the placement of machines to ensure maximum visibility of all areas by staff;
- (26) That all patrons shall enter and exit via Darlinghurst Road entry;
- (27) That children aged less than 15 who are not accompanied by a parent or guardian shall not be permitted to remain on the premises beyond 6.00 p.m. This condition to be implemented on a trial basis for 12 months, and reviewed at the expiration of this period;
- (28) That school aged children shall not be permitted on the premises during normal school hours;
- (29) That incident reports shall be submitted to Council every six months to enable effective monitoring;
- (30) That lighting levels shall be bright, white in nature;
- (31) Clear glazing of the centre's shopfront to ensure good visibility from the footpath on Darlinghurst Road.

The reason for Council granting consent, subject to the above conditions, is:-

GENERAL MANAGER

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:-
- (1) 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;
 - (2) That portable fire extinguishers shall be provided throughout the building to the requirements of E1.6 of the BCA and AS 2444;
 - (3) That hose reels shall be installed throughout the building in accordance with the requirements of E1.4 of the BCA and AS2441;
 - (4) That hydrants shall be installed throughout the building in accordance with the requirements of E1.3 of the BCA and AS2419.1;
 - (5) 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;
 - (6) That exit signs shall be provided in accordance with the requirements of E4.5, E4.7, E4.8 of the BCA and AS2293-1;
 - (7) That the exit doors shall swing in the direction of egress complying with the requirements of D2.20 of the BCA. The doors shall be openable by single handed action in accordance with the requirements of D2.21 of the BCA and shall not encroach the street alignment;
 - (8) 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;
 - (9) That the doorways that open to fire isolated stairways shall be protected by -/60/30 fire doors in accordance with the requirements of C3.8 of the BCA;
 - (10) That entertainment shall not be conducted on the premises until a Certificate of Classification has been issued;

- (11) That loading walls of the proposed fire isolated passage at first floor level shall be constructed of materials having a minimum fire resistance level of 60/60/60;
 - (12) That proposed roller shutters shall be deleted and exit doorways redesigned to comply fully with the requirements of Part D of the BCA with specific attention directed to Clause D2.19 of the BCA;
 - (13) That the garbage room door shall be redesigned so as not to encroach upon the Kellett Street alignment;
 - (14) That smoke hazard management shall comply fully with the requirements of Part E2.2 of the BCA;
 - (15) That the door opening from the "vacant area" into the eastern stairway shall be redesigned to comply fully with the requirements of Part D1.7.
- (C) That the persons who made representations in respect of the proposal be notified of Council's decision.

Carried.

21.

ALBION STREET, NO.45, SURRY HILLS - SECTION 102 AMENDMENT - DEVELOPMENT APPLICATION (U96-00966)

That the Council as the responsible authority grants its consent to the application submitted by Moderngarde Architects for permission to amend, pursuant to Section 102 of the Environmental Planning and Assessment Act 1979, the consent granted on January 10 1997, by deleting the following conditions:-

- (1) That the development be generally in accordance with the plans No.96.91 DA 01-07 dated 7 November 1996;
- (3) That the existing loading dock shall be maintained with a minimum area of 3m x 5.5m for use in connection with the ground floor, in accordance with a plan to be submitted with the building application to the satisfaction of the Director of Planning and Building;

and the insertion in lieu thereof of the following new conditions:-

- (1) That the development be generally in accordance with the plans No. 96.91 section 01 dated January 20 1997;
- (3) That the proposed metal cladding be deleted from the Albion Street entrance and that the said entrance and Albion Street ground floor facade be redesigned so as to address the symmetry and fenestration

GENERAL MANAGER

inherent in the design of the building, with the new plans to accompany the Building Application.

Carried.

22.

EPSOM ROAD, NOS. 10-16, ZETLAND - CONVERT EXISTING FACTORY INTO 15 STRATA RESIDENTIAL UNITS - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U96-00008)

- (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 114 is well founded and compliance is therefore unreasonable and unnecessary for the following reason:-

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 as the responsible authority grants its consent to the application submitted by Mr. N. Turner with the authority of Mr H. And J. Haralambides to convert the existing factory into 15 residential units and 12 parking spaces at to strata subdivide the units, subject to the following conditions, namely:-

- (1) That the development shall be generally in accordance with plans date stamped 17 March 1997;
- (2) That the internal light wells shall be a minimum width of 1.5m and shall be extended to the kitchen walls to the satisfaction of the Director of Planning and Building;
- (3) That this consent shall lapse after a period of two years from the date, this consent becomes effective;
- (4) That the balconies for unit 6, 7, 8 and 9 shall be increased to 8m² for unit to the satisfaction of the Director of Planning and Building;
- (5) That details of the planter boxes shall be submitted for approval by the Director of Planning and Building;
- (6) That garbage storage area shall be located within the car park with rear lane access to the satisfaction of the Director of Planning and Building;

GENERAL MANAGER

- (7) That the landscape strip fronting Epsom Road shall be upgraded to the satisfaction of the Director of Planning and Building;
- (8) That the development shall be generally in accordance with plans drawn by Riverside Drafting Pty Ltd dated stamped the 6 January 1997;
- (9) That plans and specifications showing details of:-
- (i) all proposed mechanical ventilation systems
 - (ii) car park ventilation systems shall be submitted to Director of Planning and Building for approval;
- (10) 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
Civic Improvement, Open Space and Recreation	\$13,701	2 EJ-BGY 0
Child Care	\$791	2 EK-BGY 0
Community Facilities	\$731	2 EL-BGY 0
Transport and Access	\$2,668	2 EM-BGY 0
Environmental Improvements	\$43x2	2 EN-BGY 0
TOTAL:	\$18,233	

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.

- (11) 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

GENERAL MANAGER

issue resident parking permits to residents of new residential flat developments located in Resident Parking Scheme areas;

- (12) That a minimum of 12-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;

and the following adopted standard conditions:

- (13) LDA21 - No resident parking for residential flat developments;
- (14) LDA29 - Provide sign indicating parking;
- (15) LDA31 - Provision of cycloracks in parking area;
- (16) LDA152 - Schedule of finishes;
- (17) LDA153 - Reflectivity of external glazing;
- (18) LDA161 - Provide common television aerial;
- (19) LDA351 - Building Application required;
- (20) LDA368 - Display of street numbers;
- (21) LDA376 - Hours of building work;
- (22) LDA377 - Construction noise regulation;
- (23) LDA384 - New alignment levels;
- (24) LDA387 - Footway crossings;
- (25) LDA388 - Stormwater disposal details;
- (26) LDA391 - Builder's Hoarding Permits;
- (27) LDA392 - No obstruction to public way;
- (28) LDA394 - Cost of alteration to signposting;
- (29) LDA396 - Works within boundaries;
- (30) HSC103 - Environmental site assessment being carried out;
- (31) HSC500 - Premises to be ventilated;

- (32) HSC555 - Bathroom ventilation;
- (33) HSC018 - Sanitary facilities;
- (34) HSC700 - Compliance with code for Garbage Handling System;
- (35) HSC706 - Storage of recyclables;
- (36) 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 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-(3) 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 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;
 - (9) That exit signs shall be provided in accordance with the requirements of E4.5, E4.7, E4.8 of the BCA and AS2293-1;
 - (10) That natural light and ventilation shall be provided in accordance with requirements of Part F4 of the BCA;
 - (11) That all internal bathrooms and laundries shall be mechanically ventilated in accordance with requirements of F4.5 of the BCA;
 - (12) That the walls between flats or units shall be constructed of materials having sound transmission classes in accordance with F5.4 of the BCA;
 - (13) That all relevant sections of the BCA shall be complied with;
 - (14) That smoke hazard management shall comply fully with the requirements of Part E.2.2 of the B.C.A.;
 - (15) That additional exits shall be provided to the car park level and shall comply fully with the requirements of Part D of the BCA;
 - (16) 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 Department of Urban Affairs and Planning be notified of SEPP 1;
- (D) That the people who made submissions be advised of Council's decision.

Carried.

23.

RENNY STREET, NO.38, PADDINGTON - ALTERATIONS AND ADDITIONS TO SINGLE DWELLING - DEVELOPMENT APPLICATION (U97-00050)

GENERAL MANAGER

This matter was submitted to Council without consideration.

Moved by Councillor Harcourt, seconded by Councillor Deftereos:-

- (A) That the Council resolves pursuant to State Environmental Planning Policy No. 1 that it is satisfied that objections against the development standard relating to heights in Clause 16(2) of IDO 22 are well founded and compliance is therefore unreasonable and unnecessary for the following reason, namely:-
- (1) That the proposal complies with the objectives of the zone;
 - (2) That the proposed attic room is within the existing roof space and does not increase the existing overall height of the terrace.
- (B) That the Council as the responsible authority grants its consent to the development application submitted by Mr TG Glynn with the authority of Mr N Kolesovs for permission to make alterations and ground first and second floor additions to the existing terrace house subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans DWG 01 to 03 Revision 2 dated 19 February 1997;
 - (2) That the addition of the room at the rear of the 1st floor level which protrudes beyond the building envelope shall be deleted;
 - (3) That the rear two storey annex roof shall be amended to include a skillion roof profile with a south-north fall to match the roof form of adjoining terraces and these details being submitted with the building application to the satisfaction of the Director of Planning and Building;
 - (4) That coloured elevations, a schedule of finishes and samples of materials shall be submitted prior to the approval of the Building Application, for the approval of the Director of Planning and Building, in respect of the following:-
 - (i) external walls;
 - (ii) roofing;
 - (iii) fences;
 - (iv) windows and doors;
 - (5) That this consent shall lapse after a period of 2 years from the date that this consent becomes effective.
 - (6) That residents vehicles and construction vehicles shall not hinder or restrict access into the car parking spaces on premises 257a Oxford Street;

and the following adopted standard conditions;

- (7) LDA156 - Dormer to be constructed of timber;
- (8) LDA351 - Building Application required;
- (9) LDA367 - Timing device on alarms;
- (10) LDA376 - Hours of building work;
- (11) LDA377 - Construction noise regulation;
- (12) LDA387 - Footway crossings;
- (13) LDA389 - Stormwater disposal requirements;
- (14) HSC500 - Premises to be ventilated;
- (15) HSC800 - Use of appliances emitting intrusive noise;
- (16) HSC111 - Liquid wastes to sewer.

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, overshadowing, privacy loss, streetscape qualities, heritage issues, traffic and parking congestion, 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.

Carried.

24.

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

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by the Mayor:-

- (A) That the Council as the responsible authority grants 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, all generally in accordance with the

submitted plan numbered A01/B dated 4 February 1997 subject to the following conditions, namely:-

- (1) That the lower half of the east facing window to attic bedroom 1 shall be of obscure glazing and shall be fixed;
- (2) That the east facing window in attic bedroom 2 shall be deleted and the south facing window change to a pair of vertically proportioned windows, details to be submitted prior to construction commencing and to be to the satisfaction of Council;
- (3) That compliance shall be given to the provisions of the Local Government Act, 1993, Local Government Regulations and the Building Code of Australia (BCA);
- (4) That compliance shall be given to all of the conditions shown on the approved plan;
- (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 the use of the premises shall remain as dwelling in single occupation only;

- (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 proposed side boundary wall 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;
- (11) 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;
- (12) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
- (13) That the existing building shall be maintained in a stable condition during construction and/or demolition work to Council's approval;
- (14) That new work shall not project beyond the street alignment or boundaries of the allotment;
- (15) That the demolition work shall comply with Australian Standard 2601-1991;
- (16) That structural certification shall (include 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 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;
- (18) 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;
- (19) 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;

- (20) That this approval shall relate to permanent work only and does not include temporary work;
- (21) That no structural work shall be commenced until approval is granted by Council;
- (22) 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;
- (23) That the rooflights or the like (in a class 1 and 10 building) shall comply with Specification C1.9-9 of the BCA;
- (24) That all glazing materials shall be selected and installed in accordance with the relevant provisions of AS1288 "Glass Installation Code".
- (25) 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;
- (26) 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;
- (27) That suitable smoke alarm systems shall be provided in accordance with the requirements of E1.7 of the BCA;
- (28) 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;
- (29) That all damp and weatherproofing provisions shall be in accordance with Part F1 of the BCA;
- (30) That minimum ceiling heights of rooms or spaces in buildings shall comply with the requirements of Part F3 of the BCA;
- (31) That natural light and ventilation shall be provided in accordance with requirements of Part F4 of the BCA;
- (32) 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;

- (33) That a flashing shall be provided to prevent water entering between the proposed and existing external boundary walls of the adjoining properties;
 - (34) 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;
 - (35) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
 - (36) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
 - (37) 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;
 - (38) 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;
 - (39) That 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;
 - (40) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
 - (41) 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;
 - (42) That a vented rooflight of minimum area of 0.95m x 0.95m shall be provided to attic bedroom 1.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

At 8.19 p.m. the meeting terminated.

Confirmed at a meeting of South Sydney City Council
held on 1997

CHAIRPERSON

GENERAL MANAGER

GENERAL MANAGER