

**184TH Meeting****Erskineville Town Hall  
Erskineville****Wednesday, 23 April 1997**

An Ordinary Meeting of South Sydney City Council was held at the Council Chambers, Erskineville Town Hall, Erskineville, at 6.39 pm on Wednesday, 23 April 1997.

**PRESENT**

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

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

**INDEX TO MINUTES**

<b>Subject</b>	<b>Page No.</b>
Confirmation of Minutes	340
Minutes by the Mayor	340
Minute by the General Manager	345
Petitions	346
Questions Without Notice	347
Report of Management Review Committee	361
Report of Finance Committee	363
Report of Community Services Committee	377
Report of Planning and Development Committee	385

**GENERAL MANAGER**

**Confirmation of Minutes**

Moved by Councillor Macken, seconded by Councillor Lay:-

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

Carried.

Welcome to Contributors to Council's Award Winning Annual Community Report for 1995/96

The Mayor welcomed guests who were contributors to the Council's award winning Annual Community Report for 1995/96.

**MINUTE BY THE MAYOR**

22 April 1997

**PUBLIC RELATIONS - OPENING OF THE  
WOOLLOOMOOLOO COMMUNITY CENTRE (2012191)**

The recently completed Woolloomooloo Community Centre at No. 49 McElhone Street, is a multi-purpose community facility where tenants can meet, participate in recreational and other programs and where organisations can provide services, skills development and advice to improve the quality of life for public tenants in the area.

After many months of planning and building works, the official opening is scheduled for 3.30pm on 5 May 1997.

To assist the Woolloomooloo Community Centre Management Committee which has no operational funding and relies on volunteer support, it has been requested that Council provides catering for the Centre's opening. This would involve Council organising and partly funding a public BBQ for approximately 300 people at a cost of \$2,000, 50% of this cost will be met by the Department of Housing.

Currently no specific funds to cover this expenditure have been allocated in the 1996/97 Budget, however funds are available in the Health and Community Services Department's 1996/97 Budget (KCB 77NO).

**Recommendation:**

**GENERAL MANAGER**

That Council provide catering services for the opening of the Woolloomooloo Community Centre on 5 May 1997, at a cost of \$1,000, for which funds are available in the Health and Community Services Department's 1996/97 Budget (KCB 77NO).

Councillor Vic Smith (SGD)

**Mayor**

Moved by Councillor Macken, seconded by Councillor Lay:-

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

Carried.

## **MINUTE BY THE MAYOR**

15 April 1997

### **PUBLIC RELATIONS - OFFICIAL OPENING OF "ONE STOP" SHOP AT SOUTH SYDNEY COUNCIL (2013705)**

Following the findings of the Custom Survey report, Council established, in January 1997, a "one stop" shop to better meet the needs of the residents of South Sydney.

The period between January and May 1997 has been used to fine tune the services of the "one stop" shop and to train staff in all functions of Council.

The "one stop" shop will be fully operational by June and it is proposed to acknowledge this achievement by holding an official opening on Wednesday, 4 June 1997.

The official opening would take the form of a morning tea from 10.30 a.m. to 11.30 a.m.. It is proposed to invite the Mayor and General Manager of Botany, Marrickville, Leichhardt, Randwick, City of Sydney and Woollahra Councils, as well as representatives of the media. Residents of South Sydney will be invited by taking out advertisements in the Wentworth, Southern and Western Couriers, placing a banner on the Joynton Avenue premises and distributing invitations to customers at the counter.

The total estimated cost for promoting and holding the event is \$1,700 and for which funds have not been allocated.

**Recommendation:**

**GENERAL MANAGER**

That Council hold an official opening of the "one stop" shop at a morning tea on Wednesday, 4 June 1997 from 10.30 a.m. to 11.30 a.m. and that invitations be extended to the Mayor and General Manager of Botany, Marrickville, Leichhardt, Randwick, City of Sydney and Woollahra Councils, as well as representatives of the media and residents of South Sydney. The event is estimated to cost \$1,700 and for which additional funds will have to be voted.

Councillor Vic Smith (SGD)  
**Mayor**

Moved by Councillor Macken, seconded by Councillor Lay:-

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

It was moved as an amendment by Councillor Fowler, seconded by Councillor Deftereos, that Waverley Council be also invited to the official opening.

Motion, as amended by Councillor Fowler, carried.

## **MINUTE BY THE MAYOR**

23 April 1997

### **LEASING - RELOCATION OF KINGS CROSS COMMUNITY AND INFORMATION CENTRE (2014512/L55-00014)**

Work on Council's new community facilities in Kings Cross is expected to be finished in early May 1997. These new facilities, once completed will provide a larger and fully accessible library and three multipurpose spaces to accommodate a broad range of uses to benefit the local community.

At its meeting of 11 December 1996, Council resolved that it was unable to make a commitment to relocate the Kings Cross Community and Information Centre Inc. into the new Council owned community facilities adjoining Fitzroy Gardens. This decision was taken on the basis that Council had, at that time, not determined its own needs for use of the space. It was also felt that if this space was not required for Council programs a comprehensive needs assessment would need to be undertaken to determine the best use of the space, in the long term, to benefit the wider community of Kings Cross.

On this basis Council staff entered into negotiations with the Kings Cross Community and Information Centre Inc. to discuss the options for the future accommodation of the service. Council subsequently made an offer to relocate the service into space within

**GENERAL MANAGER**

the Reginald Murphy Activity Club. However this offer was refused as it was not considered to meet the spatial and locational requirements of the service. With the support of the Kings Cross Place Management Project further meetings were convened with representatives of Kings Cross Community and Information Service and its funding bodies - the Department of Community Services and the Ageing and Disability Department - to resolve the issue of accommodation of the service. Two meetings were held to discuss the issue.

Taking into account the need for a comprehensive review of human services needs in the area still to be undertaken, as well as the short term viability of the Kings Cross Community and Information Centre, I proposed at the last meeting, subject to Council approval, that the Kings Cross Community and Information Centre Inc. be offered a 12 month lease, rent free, on the area known as Multipurpose space #1 only (see marked area on plan) within the new Council premises adjoining Fitzroy Gardens, subject to the following conditions;

- a lease being signed which outlines the terms of the Kings Cross Community and Information Centre's use of Multipurpose space #1, which will remain vested in Council. The lease will also outline the costs which will be borne by the service as a result of their occupation of the space including, electricity, telephone, cleaning and refuse collection;
- Council will reassess the best long term use of the space after 12 months, taking into account the recommendations of the Human Services Review which will be undertaken by the Kings Cross Place Management Project;
- a formal agreement between Kings Cross Community and Information Centre Inc., South Sydney Council and the two funding bodies - the Department of Community services and the Ageing and Disability Department - being signed which outlines acceptance of these accommodation arrangements for the space and support of the review process;
- the management, and all bookings of, the adjoining meeting room (known as Multipurpose space #2) being handled directly by Council staff to ensure that this space is accessible by the wider community;
- A working party involving Council and the Kings Cross Community and Information Centre Inc. being convened as soon as possible to better co-operate in providing aged services in the Kings Cross area;

A joint press release by Council and Kings Cross Community and Information Centre Inc. being issued following Council's resolution of the matter, which reflects the agreement which has been reached;

- The Kings Cross Community and Information Centre Inc. organising a meeting (proposed time 2.00pm on Tuesday 29 April, 1997) to allow the Mayor to address the members of the Kings Cross Community and Information Centre to explain the agreement.

I consider this proposal to be in the best interests of the wider Kings Cross community at this point in time.

**RECOMMENDATION:**

I recommend that Council resolve to offer Kings Cross Community and Information Centre Inc. a 12 month lease, rent free, on the area known as Multipurpose space #1 only within the new Council premises adjoining Fitzroy Gardens, subject to the following conditions:-

- a lease being signed which outlines the terms of the Kings Cross Community and Information Centre's use of Multipurpose space #1, which will remain vested in Council. The lease will also outline the costs which will be borne by the service as a result of their occupation of the space including, electricity, telephone, cleaning and refuse collection;
- Council will reassess the best long term use of the space after 12 months, taking into account the recommendations of the Human Services Review which will be undertaken by the Kings Cross Place Management Project;
- a formal agreement between Kings Cross Community and Information Centre Inc. , South Sydney Council and the two funding bodies - the Department of Community services and the Ageing and Disability Department - being signed which outlines acceptance of these accommodation arrangements for the space and support of the review process;
- the management, and all bookings of, the adjoining meeting room (known as Multipurpose space #2) being handled directly by Council staff to ensure that this space is accessible by the wider community;
- a working party involving Council and the Kings Cross Community and Information Centre being convened as soon as possible to better co-operate in providing aged services in the Kings Cross area;

- a joint press release by Council and Kings Cross Community and Information Centre being issued following Council's resolution of the matter, which reflects the agreement which has been reached;
- the Kings Cross Community and Information Centre organising a meeting (proposed 2.00pm on Tuesday 29 April, 1997) to allow the Mayor to address the members of the Kings Cross Community and Information Centre to explain the agreement.

Councillor Vic Smith (SGD)

**Mayor**

Moved by Councillor Macken, seconded by Councillor Harcourt:-

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

Carried.

## **MINUTE BY THE GENERAL MANAGER**

21 April 1997

### **ADMINISTRATION - PROPOSED ADMINISTRATION CENTRE (2008384)**

The Administration Building Taskforce resolved, at the meeting on Tuesday, 15 April, 1997, that the following matters be furthered examined:

- (1) That a consultant be engaged to explore all options for No. 140 Joynton Avenue, Zetland;
- (2) That Expressions of Interest be called for a joint venture partnership for the development of the Bourke Street site.

In order to investigate the possible options for the building at No. 140 Joynton Avenue, it is first proposed that a structural engineer be engaged to investigate the site of No. 140 Joynton Avenue and the structure of the current building.

To investigate the possible interest with commercial developers, it is proposed that an invitation be placed for Expressions of Interest to joint develop the Bourke Street site.

**GENERAL MANAGER**

**RECOMMENDATION:**

That approval be given:-

- (1) for the calling of quotations to engage a structural/civil engineer to examine the foundations, the structure and the subterranean conditions of 140 Joynton Avenue building with a view of exploring other options for the building;
- (2) if the existing building is sound and the subterranean conditions do not limit the types of development of the building, then quotations be called to engage an architectural consultant to provide some concept proposals;
- (3) to call for Expressions of Interest for a joint venture partner to develop the site at Bourke Street.

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

Moved by Councillor Harcourt, seconded by Councillor Lay:-

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

Carried.

**PETITIONS**

1.

The Mayor tabled three petitions received by the General Manager with approximately 32 signatures each appended from residents of Taylor Village, Surry Hills, requesting road resurfacing and street cleaning in Surry Hills and Darlinghurst and the construction of a footpath and parking areas on the west side of Little Bloomfield Street, Surry Hills.

Received.

2.

The Mayor tabled a petition received by the General Manager with approximately 87 signatures appended from residents of Potts Point and

**GENERAL MANAGER**

surrounding suburbs objecting to the Development Application at Nos. 91-93C Macleay Street, Potts Point.

Received.

3.

Councillor Macken tabled a petition with approximately 107 signatures appended from residents of Newtown requesting the establishment of an Alcohol-Free Zone in Newtown to include Whitehorse Street, the top end of Newman Street, from King Street to the end of the La Nita Shopping Centre car park, Thomas Street and the top end of Railway Lane to the end of the car park and that part of King Street where the students catch the buses, i.e. outside Corellis Cafe to outside La Nita Shopping Centre, Norfolk Street and the Fowler Reserve.

Received and the Director of Corporate Services be requested to expedite the matter and submit a report to the Finance Committee.

4.

Councillor Deftereos tabled a petition with approximately 269 signatures appended requesting Council to reverse its decision to demolish the Florence Bartley Library building and rehouse the Community Centre in the new development.

Received.

### **QUESTIONS WITHOUT NOTICE**

1.

**GEORGE STREET NO.101 REDFERN - COMPLAINTS BE RESIDENTS IN RELATION TO THE HOARDING AROUND THE TELSTRA SITE - QUESTION WITHOUT NOTICE BY COUNCILLOR HARCOURT (2001432)**

**Question:**

Residents have complained that the hoarding around the Telstra site on No. 101 George Street, Redfern, looks dangerous and untidy, attracts a build-up of rubbish and is being used by children as a place to congregate, use drugs and harass passers-by. Could Council Officers investigate and report on action Council can take to have Telstra address these problems?

**GENERAL MANAGER**

**Answer by the Mayor:**

I will ask the Director of Planning and Building to investigate that matter and have a report prepared on action that can and might be taken as a result of that and have it included in the Councillors Information Service.

2.

**TRAFFIC - DANGEROUS TRAFFIC CONDITIONS IN THE AREA OF BELVOR AND CLISDELL STREETS SURRY HILLS. - QUESTION WITHOUT NOTICE BY COUNCILLOR HARCOURT (T02-00215)****Question:**

A resident of Goodlet Street, Surry Hills has written to me about dangerous traffic conditions in the area of Belvoir Street and Clisdell Street. Vehicles have damaged his balcony and road signs on the street (two of which have yet to be replaced). A number of complaints have been made to Council and Surry Hills Police since 1995.

Are there works still to be completed for the West Surry Hills Local Area Traffic Management Scheme? What further action can Council take to improve driver observance of speed restraints and the one-way system in Belvoir Street?

**Answer by the Mayor:**

I will ask the Director of Public Works and Services to investigate that matter for you and have a report prepared for Council's Committee.

3.

**HEALTH - SOUTH SYDNEY COUNCIL SUPPORT IN SUTHERLAND SHIRE OPPOSING THE SITTING OF NUCLEAR REPROCESSING PLANT AND A NEW NUCLEAR REACTOR AT LUCAS HEIGHTS - QUESTION WITHOUT NOTICE BY COUNCILLOR HARCOURT (H51-00492)****Question:**

In a letter dated 9 April 1997, the Mayor of Sutherland Shire has requested support for his Council's strong opposition to the sitting of a nuclear reprocessing plant and a new nuclear reactor at Lucas Heights. These are both possibilities being canvassed by the Minister for Science and Technology, the Honourable Peter McGauran.

As an active member Council of the Australian Local Government Nuclear Free Zones Secretariat and as fellow Council members of SSROC would the Mayor write a letter on behalf of South Sydney Council expressing our solidarity with Sutherland Shire in total opposition to any expansion of the nuclear industry in Australia and specifically our opposition to more nuclear facilities being placed

**GENERAL MANAGER**

at Lucas Heights in close proximity to rapidly growing residential areas, a large area of national park, and adjacent to what may become the site of an international airport?

**Answer by the Mayor:**

I certainly will write a letter on behalf of the Council.

4.

**PARKING - FEASIBILITY OF EXTENDING HOURS OF OPERATION FOR RESIDENT PARKING IN THE AREA BOUNDED BY KING STREET, SALISBURY ROAD, CHURCH STREET AND MISSENDEN ROAD, NEWTOWN - QUESTION WITHOUT NOTICE BY COUNCILLOR MACKEN (P51-00284)**

**Question:**

Could Council Officers investigate the feasibility of extending the hours of operation of resident parking in the area bounded by King Street, Church Street, Salisbury Road and Missenden Road, Newtown. Currently resident parking hours are from 8.00 a.m. to 6.00 p.m., however residents are still experiencing difficulties after these hours.

**Answer by the Mayor:**

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

5.

**PUBLIC RELATIONS - SOUTH SYDNEY COUNCIL AND LEICHHARDT COUNCIL BOUNDARIES - CLARIFICATION - QUESTION WITHOUT NOTICE BY COUNCILLOR MACKEN (P58-00009)**

**Question:**

Could Council staff provide me with maps of the exact boundary of South Sydney Council and Leichhardt Council, especially in relation to the Alexandria Children's Hospital and the Orphan School Creek Gully?

Residents of that area are looking at undertaking environmental improvements to the Gully, but are unclear as to which parts are in South Sydney and which are in Leichhardt.

**Answer by the Mayor:**

I will ask the Director of Public Works and Services to provide you with those maps by the end of the week.

6.

**ANTI SOCIAL ACTIVITY - REVIEW OF STAFF LEVELS OF BEAT POLICE IN THE SOUTH SYDNEY COUNCIL AREA - QUESTION WITHOUT NOTICE BY COUNCILLOR WATERS (2013947)**

**Question:**

Could the Mayor write to the Minister of Police and the Commissioner of Police requesting that Police review staffing levels in Patrols within the South Sydney Council area?

The Mayor should focus on the problems of providing beat police to protect the safety of the South Sydney community due to so many officers working weekends and public holidays and being unavailable for their basic patrol work.

South Sydney, as the home of the Showground, Football Stadium, Cricket Ground, Oxford Street and Kings Cross, regularly is home to major events requiring Police to be seconded to parking, traffic and security duties.

South Sydney Patrols are not being adequately compensated in staffing for these events.

**Answer by the Mayor:**

I will write to both the Commissioner and the Minister for Police for you.

7.

**TRAFFIC - HUGHES STREET, POTTS POINT - REVIEW OF TRAFFIC IN RELATION TO SPEEDING CARS - QUESTION WITHOUT NOTICE BY COUNCILLOR WATERS (T52-00174)**

**Question:**

Could Council Officers review the traffic situation in Hughes Street, Potts Point, which has lead to a situation of cars travelling at extremely fast speeds along the street, causing noise problems and threatening residents safety?

**Answer by the Mayor:**

In investigating that matter through the Director of Public Works and Services, I will also ask him to refer that matter to the Kings Cross Patrol Commander for further policing.

**8.****CLEANING - FORBES STREET, NOS. 240-242 DARLINGHURST-  
INVESTIGATION OF GARBAGE BEING DUMPED OUTSIDE PREMISES . -  
QUESTION WITHOUT NOTICE BY COUNCILLOR WATERS (C56-00016)****Question:**

Could Council's Ordinance Officers investigate once more the ongoing problem of garbage being dumped loose or in plastic bags outside of Nos. 240 - 242 Forbes Street, Darlinghurst, and a report be submitted to the Councillors Information Service on what action is being taken to abate a repeated nuisance from householders?

**Answer by the Mayor:**

That matter is already being dealt with. I received a letter and photographs in relation to that matter and that has been investigated by the Ordinance Inspectors and I will have a report prepared on the outcome of the investigations.

**9.****BARCOM AVENUE, NOS. 240-274, DARLINGHURST - DEVELOPMENT  
APPLICATION REGARDING THE WIDENING OF BARCOM AVENUE AND  
BOUNDARY STREET AT WEST STREET, DARLINGHURST - QUESTION  
WITHOUT NOTICE BY COUNCILLOR FENTON (U96-01021)****Question:**

Woollahra Councillor, Drew Robertson, has inquired about the Development Application for the widening of Barcom Avenue and Boundary Street at West Street, Darlinghurst. I believe the Development Application involved taking away part of the parkland and increasing the width of the pavement on the Woollahra side of the roadway.

Could the Director of Planning and Building advise on the status of this Development Application?

**Answer by the Mayor:**

I will ask the Director of Planning and Building to have a report prepared for the Councillors Information Service.

10.

**PROPERTIES - JOYNTON AVENUE, NO. 140, ZETLAND, COUNCIL'S ADMINISTRATION BUILDING. - SURVEY OF STAFF RE APPEARANCE OF OFFICES. - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (P56-00200)****Question:**

The curtains at Joynton Avenue Administration Building have been removed, apparently for laundering. I was amazed at the modern, streamlined, clean open, friendly appearance of the premises.

Could a small poll or survey be taken before the curtains are replaced? Perhaps some other form of sight protection for sensitive space could be considered?

**Answer by the Mayor:**

I will ask the General Manager to investigate and prepare a response for you.

11.

**OXFORD STREET, NOS. 82-106, DARLINGHURST - USE OF CARETAKERS FLAT BY COMMUNITY INDEPENDENT COUNCILLORS - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (U97-00265)****Question:**

I refer to my Question Without Notice on Wednesday, 26 March 1997, regarding the use of the caretaker's penthouse flat by the Community Independent Councillors at No. 94 Oxford Street and notice there has been no response in the Councillors Information Service. However, I note Item 15 on this evening's Planning Paper related to this Development.

The date of lodgement of the Development Application is 1 April 1997. Allowing for Monday to Thursday, Good Friday, Easter Saturday, Easter Day, then the Easter Monday holiday, only one working day passed between my question and the lodgement of the Development Application.

Was this Development Application given priority over other work in Council's Planning Department?

Notification to the rent paying, rate paying tenants at No. 94 Oxford Street, was dated and delivered on 1 April 1997, the day of the lodgement. Was this

**GENERAL MANAGER**

Development Application given priority over other Development Applications by the Planning and Building Department?

I would be grateful if the General Manager would request Council's Internal Auditor to investigate and report on these two questions.

**Answer by the Mayor:**

I have a copy of the Councillors Information Service No. 15 dated 11 April 1997 and there is a response.

12.

**OXFORD STREET, NOS. 82-106, DARLINGHURST - USE OF PREMISES WITHOUT DEVELOPMENT APPLICATION APPROVAL - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (P56-00436)**

**Question:**

I have been told by retail tenants in our Oxford Street building that items were moved into the building on Easter Saturday. Were these the furnishings and fittings for the Community Independent Penthouse and were they being moved in without an approved Development Application?

**Answer by the Mayor:**

I will ask the General Manager to respond to that question for you.

13.

**OXFORD STREET, NOS. 82-106, DARLINGHURST - COST OF INSTALLATION OF AIR CONDITIONING SYSTEM - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (P56-00436)**

**Question:**

I understand that an air conditioning system has been or is to be installed in the Councillors Room at Oxford Street, Darlinghurst. The occupant for the past 70 years as well as other paying tenants in the building have no air conditioning. Is that luxury going in and if so, what is the cost?

**Answer by the Mayor:**

I will ask the General Manager to respond to that question for you.

14.

**INSURANCE'S - OXFORD STREET, NOS. 82-106, DARLINGHURST -  
LIABILITY OF COUNCIL FOR INJURIES SUSTAINED ON PREMISES -  
QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (2014198)**

**Question:**

Could Council's Risk Assessment Manager please prepare a report before the Penthouse is occupied, about Council's liability if a Councillor is injured on the roof or penthouse or an unpleasant incident occurs?

**Answer by the Mayor:**

I will ask the General Manager to respond to that question for you.

15.

**RATES - OXFORD STREET, NOS. 257, PADDINGTON - INVESTIGATION  
INTO RATE EXEMPTION - QUESTION WITHOUT NOTICE BY  
COUNCILLOR DEFTEREOS (2001975)**

**Question:**

Recently I asked a question at Council regarding the ratability of No. 257 Oxford Street, Paddington.

It was mentioned at the Council Meeting that a report was being prepared to list the various lands within the boundaries of South Sydney Council which were exempt from rates.

The report dated 20 March 1997 under Delegated Authority listed the various properties and the relevant part of the Local Government Act of 1993.

Could Council Officers please investigate No. 257 Oxford Street, Paddington, as I do not believe there is a category in the Act for a commercial venture in a school.?

**Answer by the Mayor:**

I will ask the Director of Finance to provide a report for you.

16.

**LANDMARKS - RELOCATION OF THE STATUE OF JOY IN YURONG STREET, DARLINGHURST - QUESTION WITHOUT NOTICE BY COUNCILLOR DEFTEREOS (L51-00021)**

**Question:**

I refer to the Cultural Committee Report of March 1997 which noted the re-location of the Statue of Joy in Yurong Street, Darlinghurst.

Could Council Officers inform me what date in May 1997 the statue is to be removed?

**Answer by the Mayor:**

I will ask the General Manager to have a response for you in the Councillors Information Service.

17.

**STREETS - FURBER ROAD AND FURBER LANE, CENTENNIAL PARK UPDATE OF ROADWORKS - QUESTION WITHOUT NOTICE BY COUNCILLOR DEFTEREOS (5254159)**

**Question:**

It has been brought to my attention that Furber Road and Furber Lane, Centennial Park is in need of updating. Could the Director of Public Works and Services indicate when Furber Road is to be sealed and brought up to a safe standard?

**Answer by the Mayor:**

I will ask the Director of Public Works and Services to provide that information in the Councillors Information Service.

18.

**COMMUNITY FACILITIES - REG MURPHY CENTRE AND AQUATIC CLUB, POTTS POINT - SALE AND REDEVELOPMENT - QUESTION WITHOUT NOTICE BY COUNCILLOR DEFTEREOS (2011964)**

**Question:**

Has the Council or any Councillor received any approaches regarding the sale or redevelopment of the Reg Murphy Centre in conjunction with the former Aquatic Club in Greenknowe Avenue, Potts Point?

**Answer by the Mayor:**

The answer is no.

19.

**COMMUNITY FACILITIES - ATTENDANCE BY COUNCILLORS AT THE  
"PATHWAYS TO SUSTAINABILITY" CONFERENCE IN NEWCASTLE -  
QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (2001479)**

**Question:**

I refer to a Conference in Newcastle, "Pathways to Sustainability", the brochure which I would table.

This is an impressive Conference on a real question of planning policy, at which one of Council's Planners is giving a paper. Could this matter be placed on the next Committee papers in order for the question of attendance by Councillors to be set?

**Answer by the Mayor:**

Yes, I will have the General Manager prepare a report for Committee.

20.

**PLANNING - SECTION 94 FUNDS, EXISTING FINANCIAL ALLOCATIONS  
AND PROPERTIES IN THE WORKS PROGRAMS - DETAILS OF  
AVAILABLE FUNDS - QUESTION WITHOUT NOTICE BY COUNCILLOR  
LAY (2012313)**

**Question:**

Could I please be provided with a report detailing the available Section 94 funds, the existing financial allocations and priorities in the Works Programs?

**Answer by the Mayor:**

I will ask the Director of Public Works and Services to have that report prepared for Committee.

21.

**DONATIONS - AVAILABILITY OF CUISINE ON THE GREEN AND OTHER SUCH EVENTS TO THE COMMUNITY THROUGH THE GRANTS PROGRAMME - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (2012703)**

**Question:**

Several meetings ago, I asked for a report on the breakdown of funds and in kind support, based on target groupings, that Council makes available to the community through the Grants Programme, Cuisine on the Green and other such events. Would it be possible to have this report prior to the Grants Programme Meeting?

**Answer by the Mayor:**

Yes, I will ask the General Manager to have that report prepared for you.

22.

**PARKS - GATEHOUSE AT VICTORIA PARK, CHIPPENDALE - UPGRADING OF PATHWAYS AND RESTORATION - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (P52-00068)**

**Question:**

As a regular walker in Victoria Park, Chippendale and the area around Hollis Park in Newtown, I would like to congratulate Council Staff on the magnificent work being done in these areas. A number of residents and park users have approached me to express their thanks to Council for these improvements, and in particular, the upgrading of the pathways and the restoration of the Gatehouse.

Could the Director of Public Works and Services please advise the staff concerned with these works the appreciation of this Councillor and a number of the local residents?

**Answer by the Mayor:**

I will ask the Director of Public Works and Services to pass on that information to staff in written form.

23.

**CLEANING - IMPLEMENTATION OF NEW METHODS IN THE DISPOSAL AND RECYCLING OF ORGANIC (PUTRESCIBLE) WASTE - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2015184)**

**Question:**

This question is directed to the Manager of the Cleansing Services Branch.

There have been a number of new methods being trailed in the disposal and recycling of organic (putrescible) waste. Could the Manager write to Frankston Council, Melbourne for information on the implementation of a project they have undertaken?

I believe also that John Denley is trailing E.L.O.W. bins at Castle Hill. Could a report come to Council on the objectives and outcomes of these projects?

**Answer by the Mayor:**

I will ask the Director of Public Works and Services to have a report prepared for Council in relation to both of those matters.

24.

**PLANNING - GREEN SQUARE MASTER PLAN - BUILDINGS WITH HERITAGE SIGNIFICANCE - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2013184)**

**Question:**

Could the Director of Planning and Building request that the Consultants of the Green Square Master Plan prepare a report on the possible Heritage significance of buildings both listed and unlisted, those recorded and possibly not recorded in Tropman & Tropman's report?

**Answer by the Mayor:**

I will ask the Director of Planning and Building to prepare a report for Committee and whether or not it is feasible for the Consultant to carry out that request.

25.

**VEHICLES - GAS OPERATED WASTE COLLECTION VEHICLES BY  
WAVERLEY COUNCIL - TRIAL OF VEHICLES AT SOUTH SYDNEY  
COUNCIL- QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH  
(2015181)**

**Question:**

Waverley Council has decided to trial gas operated waste collection vehicles. Could the Manager of Cleansing report on the savings on fuel and the progress of Waverley's trial use of these vehicles?

**Answer by the Mayor:**

I think it is a bit early for any report. It was only launched at the end of last week by the Minister for Local Government and his response was that if it was successful, then it could be trialed in other Local Government areas.

**Answer by Councillor Macken:**

I can provide that information for Councillor Bush after the meeting.

26.

**BOTANY ROAD, NO. 355, WATERLOO - WATERLOO INCINERATOR -  
POSSIBLE DECONTAMINATION AND DEVELOPMENT OF SITE -  
QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2003817)**

**Question:**

Could Council Officers write to the Environmental Protection Authority in regards to the Waterloo Incinerator and raise certain issues and implications on the possible decontamination and development of the Waterloo Incinerator site?

**Answer by the Mayor:**

I will ask the Director of Planning and Building to have discussions with you in relation to that question, given that there is a Court case that has commenced and the Environmental Protection Authority is involved in that Court case hopefully along with Council at some stage in the future. Whether or not that will affect the legal proceedings, I would have to receive legal advice.

27.

**FOX STUDIOS, MOORE PARK ROAD, MOORE PARK - RATABILITY OF THE SHOWGROUND - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2014833)****Question:**

Legal advice given to me on the ratability of the Showground was that it would commence upon the signing of leases. Could a report be submitted to the Councillors Information Service?

**Answer by the Mayor:**

I will ask the General Manager to respond to that matter for you. It may not be in the Councillors Information Service, but in a confidential manner.

28.

**STREETS - YOUNG STREET, REDFERN - INVESTIGATION OF STREET LIGHTING AND TRIMMING OF TREES - QUESTION WITHOUT NOTICE BY THE MAYOR (2005242) (TREES) (S56-00331) (LIGHTING)****Question:**

Could the Director of Public Works and Services investigate the street lighting and trimming of trees in Young Street, Redfern, between Phillip and Redfern Streets, which is at the rear of the Department of Housing Estate? There are some concerns about street lighting and overgrowing of trees.

29.

**LEASING - COUNCIL'S COMMERCIAL PROPERTIES ALONG OXFORD STREET - INCREASE IN RENT - QUESTION WITHOUT NOTICE BY THE MAYOR (L52-00191)****Question:**

During the week I had a meeting with a tenant of one of Council's commercial properties in Oxford Street, Darlinghurst, in relation to the increase in rent for Council's commercial premises along Oxford Street. I would ask that a report be prepared for Council's Committee indicating the proposed rent increases in line with the market, impact on small businesses due to increases and the report to include advice from Council's Planning Department and Director of Health and Community Services as to the question of determining uses within Council owned commercial premises along Oxford Street.

The reason I ask this question is that I think Council has to make a decision whether it wants a vibrant Oxford Street or does it want its own commercial premises to become a money generating revenue strip.

30.

**GOODS AND EQUIPMENT - COUNCIL EMPLOYEES - POSSIBILITY OF ACQUIRING NEW WORKING GLOVES TO AVOID NEEDLE STICK INJURIES - QUESTION WITHOUT NOTICE BY THE MAYOR (2010576)****Question:**

Some weeks ago I read in the Mercury Newspaper on the South Coast where the Woollongong City Council is looking to acquire working gloves for their gardeners, street sweepers and garbage collectors. These new gloves will have some form of metal on the inside to prevent needle stick injury.

Could I ask the Waste Services Manager through the Director of Public Works and Services to investigate this matter with Woollongong City Council and have a report prepared for Council's Committee so that we may make a decision on acquiring the same materials for our staff?

**REPORT OF THE MANAGEMENT REVIEW COMMITTEE**

22 April 1997

**PRESENT**

At the commencement of business at 5.50 pm those present were -

The Mayor and Councillors - Bush, Deftereos, Fenton, Harcourt and Macken.

**Apologies:**

Apologies for non-attendance at the meeting was received from Councillors Fowler, Lay and Waters.

The Committee **recommended** the following:-

**FINANCE - DRAFT MANAGEMENT PLAN 1997 - 2000 - PROPOSED APPROVAL FOR PUBLIC EXHIBITION (2013185)**

That arising from consideration of a minute by the General Manager dated 21 April 1997, Council approves to immediately place on public exhibition for a period of not less than 28 days the Draft Management Plan 1997 - 2000, subject to the following amendments to the Draft Management Plan, namely:-

re Estimates of Income and Expenditure:

**GENERAL MANAGER**

- (1) Program Element 212 - Branch Library Systems- page 50  
increase expenditure on New Books by \$79,000
- (2) Program Element 454 - Parks and Open Spaces maintenance - page 132  
decrease expenditure on contractors by \$100,000
- (3) Program Element 471 - Plant and Vehicle Management - page 139 (reference 214-012)  
change "(7)" to "(8)"

re Fees and Charges:

- (1) Public Works & Services Department - page 1  
replace "page 1" with the "page 1" attached to Director of Public Works & Services report dated 22 April 1997
- (2) Public Works & Services Department - page 18  
between the word "Wedding" and the word "Ceremonies" insert the words "and Other"
- (3) Health & Community Services Department - pages 48 to 51  
replace "pages 48 to 51" with the updated "pages 48 to 51" issued at meeting
- (4) The addition of fees relating to:-
  - (a) Permit fee
  - (b) Asset Maintenance charge
  - (c) Inspection fee
  - (d) Performance Bond

as detailed in the Director of Public Works and Services report of 22 April 1997.

-and that further to the above amendments pages 2, 29 and 43 of the Fees and Charges schedule relating to "New Driveway Construction", "Paddington Town Hall" and "Libraries" respectively be substituted with the three pages similarly numbered, which were circulated to the Councillors at the Council Meeting.

At the request of Councillor Macken, and by consent, the motion was amended by the addition of the words "and that a report be submitted in six months time to be considered in conjunction with the 1998/99 Budget on the amount of space in the Council's Libraries and their capacity to cater for more books.

Motion, as amended by consent, carried.

## **REPORT OF THE FINANCE COMMITTEE**

**16 April 1997**

### **PRESENT**

**Councillor Sean Macken (Chairperson)**

**Councillors - Margaret Deftereos, Sonia Fenton, Greg Waters.**

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

Councillors - Deftereos, Fenton, Macken, Waters.

The Committee resolved that the press and the public be excluded from the meeting of the Finance Committee during consideration of Items 1,20,25,27,28 and 31, and further, access to correspondence and reports be withheld in respect of such Items because in the opinion of the Committee, publicity of the proceedings of the Committee would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

The reasons for the press and public being excluded from the abovementioned Items are as follows, namely:-

Items .1 and 31 - Lease and Contractual Matters.

Item 20,25,27 and 28 - Personnel Matters.

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

That the Report of the Finance Committee of its meeting of 16 April 1997, be received and the recommendations set out below for Items 1, 4 to 5, 7 to 11 inclusive 13 to 21 inclusive 23 to 26 inclusive 29 to 31, inclusive, be adopted. The recommendations set out below for Items 2, 6, 12, 22, 27, 28 and 32 having been dealt with as shown immediately following such Items.

Carried.

**GENERAL MANAGER**

The Committee **recommended** the following:-

1.

**LEASING - COUNCIL'S SUBSIDISED RESIDENTIAL PROPERTIES  
ANNUAL RENT REVIEW (L52-00010)**

That arising from consideration of a report by the Director of Corporate Services dated 7 April 1997, approval be given to the rent payable by Tenants receiving Subsidised Accommodation of Council's Residential premises, being adjusted as outlined in the Schedule of Residential Tenancies, as per Council's Housing Policy subject to:-

- (1) letters advising Tenants of increases being hand delivered within seven days of the adoption by Council.

Carried.

2.

**LEASING - DOWLING STREET, NO. 238, WOOLLOOMOOLOO - MRS KAY  
GRAY - REQUEST FOR REDUCTION IN RENT (2014538)**

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

That the recommendation as contained in the report by the Director of Corporate Services dated 20 March 1997, regarding the reduction in rental for Council's residential premises at No. 238 Dowling Street, Woolloomooloo, be approved and adopted.

At this stage and at 7.25. pm, it was moved by the Acting Chairperson, Councillor Harcourt, seconded by Councillor Bush.

That the Council resolve to meet as a Committee of the Whole with Press and Public excluded to discuss the foregoing matter.

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

The Acting Chairperson, Councillor Harcourt and Councillors Bush, Deftereos, Fenton, Fowler, Lay, Macken and Waters.

At 7.30 pm the Council Meeting resumed.

The Acting Chairperson, Councillor Harcourt, then asked the Acting Supervising Committee Clerk to read out the recommendation of the Committee of the Whole.

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

That the recommendation as contained in the report by the Director of Corporate Services dated 20 March 1997, regarding the reduction in rental for Council's residential premises at No. 238 Dowling Street, Woolloomooloo, be approved and adopted.

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

3.

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

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, seconded by Councillor Lay:-

That the recommendation as detailed in the report by the Director of Corporate Services dated 4 March 1997, regarding the above matter, be approved and adopted.

Carried.

4.

**PROFESSIONAL SERVICES - HOUSING STRATEGY - PAYMENT OF  
CONSULTANTS (2011738)**

That arising from a report by the Director of Health and Community Services dated 8 April 1997, approval be given to the transfer of the Affordable Housing Strategy grant of \$35,000 to a trust fund to be held by the Department of Urban Affairs and Planning, and overseen by Council's Acting Social Planning Co-ordinator.

Carried.

5.

**PERSONNEL - SKILL MATRIX PROJECT - FUNDING (2014796)**

That approval be given to the additional funds of \$24,000 being granted to assist the Training Unit in completing the Skill Matrix Project in accordance with the forecasted budget.

(DES Report 25.3.97)

Carried.

6.

**COMMITTEES - SYDNEY AIRPORT CONSULTATIVE COMMITTEE (SACC) - APPOINTMENT OF COUNCIL'S REPRESENTATIVE (M53-00002)**

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

That approval be given to Mr. Peter Goaley, Environmental Control Officer, being appointed as Council's representative on the Sydney Airport Consultative Committee.

Carried.

7.

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

That the report by the Director of Planning and Building dated 10 April 1997, regarding the abovementioned matter, be received and noted.

Carried.

8.

**FINANCE - COUNCIL'S RESPONSE TO THE PROPOSED CLOSURE OF THE COMMONWEALTH BANK BRANCH AT ERSKINEVILLE (R51-00083)**

That:-

- (1) the report by the Director of Finance dated 10 April 1997, in so far as it relates to the question by Councillor Macken, be received and noted;
- (2) for the year 1997 arrangements be made for the Commonwealth Bank to use their Locked Box mail receipting scheme;
- (3) a further report be submitted to Council in six months time.

Carried.

9.

**FINANCE - REVENUE COLLECTION - INSTALLATION OF EFTPOS AND CREDIT CARD FACILITIES FOR ONE-STOP SHOP (R51-00083)**

That Council accept credit and debit cards in the following manner:-

- (1) the installation of two Comm2000 terminals in the One Stop Shop for Credit Card and EFTPOS payments;
- (2) the installation of Micro Merchant on One Finance Department PC for the processing of Credit Card payments through the mail;
- (3) that arrangements be made with Cardlink Services Limited to process phone payments on behalf of Council.

(DF Report 10.4.97)

Carried.

10.

**FINANCE - ACCOUNTS - RECONCILIATION WITH BANK PASSBOOKS FOR PERIOD ENDED 28 FEBRUARY 1997 (A52-00240)**

That the report by the Director of Finance dated 8 April 1997, certifying to the Bank Reconciliation of Council's various Cash Books and to the Investments held by Council at the 28 February 1997, be received and noted.

Carried.

11.

**HIRING - REDFERN TOWN HALL - APPLICATION FOR FREE USE BY TORRES STRAIT ISLANDER CORPORATION (P56-00437)**

That approval be given under the provisions of Section 356 of the Local Government Act, 1993, to the payment of a subsidy to the Torres Strait Islander Corporation, in the sum of \$80 toward the cost of hiring the Redfern Town Hall on Tuesday 1 July 1997, between the hours of 10.00 a.m. to 2.00 p.m., and the expenditure involved by provided for in 1997/1998 Revenue Estimates.

(DCS Report 9.4.97)

Carried.

12.

**LEASING - OXFORD STREET, NO. 68, DARLINGHURST - CLAIM FOR WATER DAMAGE TO PAINTINGS FROM MASTERPIECE PICTURES PTY LIMITED (L52-00045)**

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

That Masterpiece Pictures Pty Ltd. be offered a settlement in connection with oil and water paintings and frames which were damaged by water penetration at their leased premises, Shopfront, No. 68 Oxford Street, Darlinghurst, of:-

- (A) An amount of \$4,000 in full and final settlement of their claim against Council; or
- (B) Sixty per cent (60%) of the total value of the paintings subject to the percentage total not exceeding \$4,000;

- and subject to the following conditions:

- (1) That a recognised Art Dealer carry out a Valuation of the paintings;
- (2) That a Masterpiece Pictures Pty Limited retain ownership of the paintings;
- (3) That a Form of Release be prepared by Council's Legal Officer for signature by Masterpiece Pictures Pty Limited in connection with this claim.

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

That consideration of the application by Masterpiece Pictures Pty Ltd., for a damage claim to paintings at Council premises, No.68 Oxford Street, Darlinghurst, be deferred for a further report by the Director of Corporate Services on the matters raised regarding lodgement of insurance claims and Council position as Self Insurer.

Motion, as amended by consent, carried.

13.

**HEALTH - WAVERLEY/WOLLAHRA COUNCILS VS ENVIRONMENT PROTECTION AUTHORITY - LAND AND ENVIRONMENT COURT PROCEEDINGS (2014733)**

That arising from the report by the Director of Public Works and Services dated 9 April 1997, Council's Solicitors, Pike, Pike and Fenwick be instructed in accordance with their recommendations as listed in the Director's report, for which funds for legal fees relating to the Waterloo Incinerator Campaign are available in the 1996/97 Revenue Estimates (DWP 7001).

Carried.

14.

**ADMINISTRATION - R.T.A. AUDIT REPORT (2014949)**

That the Audit Report 96M2359 dated December 1996 by the R.T.A. of Council's "Administration of R.T.A. Allocation of Funds for Roadworks" be accepted and that the R.T.A. be advised that Council has submitted Certificates of Expenditure as required by the Audit recommendations.

(DPWS Report 8.4.97)

Carried.

15.

**DONATIONS - SOUTH SYDNEY DOMESTIC VIOLENCE COMMITTEE - "STOP DOMESTIC VIOLENCE DAY" (2011708)**

That approval be given to the making of a donation under the provisions of Section 356 of the Local Government Act, 1993, in the sum of \$750 to the South Sydney Domestic Violence Committee for the 1997 South Sydney Domestic Violence Day march and rally, and that the amount be added to Council's 1996/97 Budget (Community Grants Program).

(DHCS Report 10.4.97)

Carried.

16.

**ADMINISTRATION - DISABILITY ACTION PLAN MANAGER - TRAINING  
(2012558)**

That the report by the Acting Director of Employment Services dated 8 April 1997, regarding training for the Disability Action Plan Manager, be received and noted.

Carried.

17.

**COMMUNITY FACILITIES - ALEXANDRIA CHILD CARE CENTRE - FEES  
AND CHARGES (2013319)**

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

That arising from a joint report from by the Director of Health and Community Services and the Director of Finance dated 11 April 1997, approval be given to the adoption of the proposed fees for the Alexandria Child Care Centre, and that the schedule of fees and charges be advertised for public comment for the required 28 days and a further report be submitted to Council.

Carried.

18.

**LEASING - CROWN STREET, NOS. 377 - 377A, SURRY HILLS -  
PROPOSED LEASE OF PART OF FOOTWAY (2014598)**

That pursuant to Part 10 Division 2 of the Roads Act 1993 approval be given to:-

- (1) Ms Sally Earle being granted a lease of two square metres of the footway of Crown Street, Surry Hills, as shown stippled on Plan No. S4-130/664, for a term of five years at a rental of \$14 per week, plus the payment of Municipal and Water and Sewerage Rates and taxes and subject to the conditions in the schedule;
- (2) all relevant documents and plans being executed under the Common Seal of Council or by Council's Attorney;
- (3) all Public Utility Authorities being advised of Council's decision.

(DPWS Report 8/4/97).

Carried.

19.

**CONFERENCES - INDUSTRIAL RELATIONS SOCIETY OF NEW SOUTH WALES - 1997 ANNUAL CONFERENCE (C61-00066)**

That approval be given for Councillor Christine Harcourt and the Director of Employment Services, Mr Geoff Lewis, to attend the 38th Annual Convention of the Industrial Relations Society of New South Wales to be held on 16 - 18 May 1997 at a cost of \$580 each person (being registration and accommodation costs) plus reasonable costs associated hereto for which funds can be made available in the 1996/97 Revenue Estimates

(ADES Report 11.4.97)

Carried.

20.

**PERSONNEL - WORKERS COMPENSATION CLAIM - MR J DUNN - SETTLEMENT RECOMMENDATION (5263043)**

That the recommendation as contained in the report by the Acting Director of Employment Services dated 11 April 1997, regarding the compensation claim by Mr. J. Dunn, be approved and adopted.

Carried.

21.

**PERSONNEL - GRATUITY PAYMENTS - AMENDMENT TO POLICY (5263043)**

That consideration of a report by the Acting Director of Employment Services dated 4 April 1997, regarding Council's policy for the payment of gratuities to eligible employees transferred from the Council of the City of Sydney to South Sydney City Council be deferred for a further report and that any further recommendations not include the word "servants" but use of the word "employee".

Carried.

22.

**GOODS AND EQUIPMENT - RECYCLING OF EXCAVATED ROAD MATERIALS AT BURROWS ROAD DEPOT (G51-00227)**

This matter was submitted to Council without recommendation.

Moved by Councillor Macken., seconded by Councillor Harcourt:-

That approval be given to the acceptance of the tender submitted by Davis Earthmoving and Quarrying Pty Ltd to process stockpiled material at the Burrows Rd Depot, to sell it on the open market, maintain and upkeep the depot in a satisfactory manner to the Director of Public Works and Services for an initial period up to 20 May 1998 with the option of a further 18 months renewal subject to satisfactory performance and the successful renewal of the land leasing arrangements.

(DPWS Report 8.4.97)

Carried.

23.

**GOODS AND EQUIPMENT - SUPPLY AND DELIVERY OF READY MIXED CONCRETE IN MINI MOBILE MIXERS (G51-00331)**

That approval be given for the supply and delivery of concrete in Mini Mobile Mixers by:-

Metromix Pty Ltd trading as Able Concrete for quantities up to 1.4m<sup>3</sup>;  
Randwick City Council for quantities between 1.6m<sup>3</sup> and 3.0m<sup>3</sup>;

in accordance with the schedule accompanying the Director's report, for a period of 12 months, with an option of a further 12 months subject to satisfactory performance and:

Randwick City Council for 20MPa recycled aggregate concrete for a six month trial period.

-all the costs for the above will be charged to the relevant Projects and Works.

(DPWS Report 7.4.97)

Carried.

24.

**PLANT AND ASSETS/VEHICLES - SUPPLY AND DELIVERY OF 15 MOTOR VEHICLE ITEMS - TENDER (2012574)**

That approval be given to:-

(A) The acceptance of:

- (1) the tender submitted by Alto Ford Gordon Pty Ltd for the supply and delivery of Ford Falcon GLi sedans in the sum of \$24,661 per vehicle, in the total sum of \$123,305 less a total trade-in allowance of \$98,200 on Council vehicle Nos. 4024, 6019 and 6029 Toyota Camry sedans, No. 6210 Toyota Camry station wagon and No. 4102 Toyota Hi-Lux one tonner, in the total nett sum of \$25,105 in accordance with Council's Specification PWS 4/97 Category 'A' and the firm's tender dated 19 March 1997;
- (2) the tender submitted by Winford Motors (Sales) Pty Ltd for the supply and delivery of three Ford Falcon GLi sedans in the sum of \$24,607 per vehicle in the total sum of \$73,821 less a total trade-in allowance of \$51,300 on Council vehicles Nos. 4153 Toyota Hi-Lux one tonner, 6021 and 6126 Mitsubishi sedans in the total nett sum of \$22,521 in accordance with Council's Specification PWS4/97 Category 'A' and the firm's tender dated 17 March 1997;
- (3) the tender submitted by Sundell Holden for the supply and delivery of one Holden Commodore Executive sedan in the sum of \$23,947 in accordance with Council's Specification PWS4/97 Category 'A' and the firm's tender dated 19 March 1997;
- (4) the tender submitted by Alto Ford Gordon Pty Ltd for the supply and delivery of one Ford Falcon GLi station wagon in the sum of \$21,378, tax exempt and one Ford Falcon Gli station wagon in the sum of \$26,101, tax payable in the total sum of \$47,479 less a total trade-in allowance of \$41,200 on Council vehicles Nos. 4075 and 6078 Toyota Camry station wagons in the total nett sum of \$6,279 in accordance with Council's Specification PWS4/97 Category 'B' and the firm's tender dated 19 March 1997;
- (5) the tender submitted by The Kloster Group for the supply and delivery of one Ford Fairmont Ghia sedan in the sum of \$35,504 less a trade-in allowance of \$17,600 on Council vehicle No 6116 Mitsubishi Magna station wagon in the total nett sum of \$17,904 in accordance with Council's Specification PWS4/97 Category 'C' and the firm's tender dated 14 March 1997;
- (6) the tender submitted by West City Holden for the supply and delivery of one Holden Commodore 'S' Pack utility in the sum of

**GENERAL MANAGER**

\$18,985 less a trade-in allowance of \$32,500 on Council vehicle No. 6282 Holden Calais sedan for a total credit of \$13,515 in accordance with Council's Specification PWS4/97 Category 'D' and the firm's tender dated 17 March 1997;

- (7) the tender submitted by Terry Shields Toyota for the supply and delivery of one Toyota Hi-Lux one tonner in the sum of \$19,890 less a trade-in allowance of \$21,155 on Council vehicle 6355 Toyota Camry station wagon for a total credit of \$1,265 in accordance with Council's Specification PWS4/97 Category 'E' and the firm's tender dated 19 March 1997;
- (8) the tender submitted by Clinton Motor Group for the supply and delivery of one Toyota Hi-Lux one tonner in the sum of \$20,210 less a trade-in allowance of \$23,160 on Council vehicle No. 4389 Holden Commodore 'S' pack utility for a total credit of \$2,950 in accordance with Council's Specification PWS4/97 Category 'E' and the firm's tender dated 17 March 1997;

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

(B) The disposal of Council vehicle No. 6121 Mitsubishi sedan at auction.

(DPWS Report 2.4.97)

Carried.

25.

**PROPERTIES - ELIZABETH BAY ROAD, NOS. 1 - 7, KINGS CROSS - 'FOUNTAIN BISTRO' - LESSEE NEGOTIATIONS WITH SLEIMAN TRADING PTY LTD (2010528)**

That the recommendation as contained in the report by the Director of Corporate Services dated 11 April 1997, with regard to the offer to Sleiman Trading Pty. Ltd., for the surrender of the leasehold of the Bistro at Nos. 1-7, Elizabeth Bay Road, Kings Cross, be approved and adopted.

Carried.

26.

**ADMINISTRATION - ONE STOP SHOP - PROPOSAL FOR SATURDAY MORNING TRADING (2013705)**

That approval be given to:-

- (a) the trading of Saturday morning trading for the period of 12 months;
- (b) ceasing Thursday night trading during the trial period;

**GENERAL MANAGER**

(c) marketing the change in service to all of Council's customers.

(DCS Report 7.4.97)

Carried.

27.

**PERSONNEL - NINE DAY FORTNIGHT - PROPOSED IMPLEMENTATION  
FOR SECTIONS OF WAGES DIVISION (\$51-00016)**

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, seconded by Councillor Lay :-

That approval be given to the employees in the Cleaning Services Section of the Corporate Services Department to participate in a trial nine day fortnight scheme for 12 months, in accordance with the "Draft Procedures Nine Day Fortnight".

(ADES Report 14.4.97)

Carried.

28.

**PERSONNEL - NINE DAY FORTNIGHT - PROPOSED IMPLEMENTATION  
FOR SECTIONS OF WAGES DIVISION (\$51-00016)**

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, seconded by Councillor Lay:-

That approval be given to the groups of employees listed in this report to participating in a trial nine day fortnight scheme for 12 months, in accordance with the "Draft Procedures - Nine Day Fortnight".

(ADES Report 14.4.97)

Carried.

29.

**FINANCE - POSTPONEMENT OF RATES - SECTION 585 OF THE LOCAL  
GOVERNMENT ACT 1993 (2003142)**

That the report by the Director of Finance dated 14 April 1997, regarding postponement of rates under Section 585 of the Local Government Act 1993, be received and noted.

Carried.

30.

**VICTORIA PARK POOL - PROPOSED REFURBISHMENTS - ESTIMATED COST (2009715)**

That approval be given to include the cafe, creche, changeroom upgrade, reception, gymnasium, deck to the front of the building and new roof membrane in the stage one works of the Victoria Park Pool refurbishment, and that \$825,000 be provided from the 1996/97 (\$375,000) and 1997/98 (\$450,000) Works Programmes to carry out the works.

(DPWS Report 15.4.97)

Carried.

31.

**PROPERTIES - CONSULTANCY ON FUTURE USE OF BROADWAY RE-DEVELOPMENT SITE - EXPRESSION OF INTEREST BY DEVELOPERS (P56-00048)**

That the recommendation as contained in the report by the Director of Corporate Services dated 14 April 1997 regarding the consultancy of future use of Broadway Re-Development Site be approved and adopted and that the words "to tender" be inserted in the first line of clause (1) of the recommendation after the word "parties".

Carried.

32.

**CONFERENCE - AIRPORT SOLUTIONS FOR SYDNEY FORUM - ATTENDANCE OF COUNCIL REPRESENTATIVE (5262801)**

This matter was submitted to Council without recommendation.

Moved by Councillor Macken., seconded by Councillor Harcourt:-

That Councillor Jill Lay and Mr. Peter Goaley, Environmental Control Officer be appointed as Council's representative to attend the Airport Solutions for Sydney Forum and that the registration fee of \$90 and the purchase of the Conference Paper at \$25 be paid by the Council for which funds are available in the 1996/97 Revenue Estimates (EBE-77RO).

**GENERAL MANAGER**

Carried.

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

16 April 1997

### **PRESENT**

**Councillor Sonia Fenton (Chairperson)**

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

At the commencement of business at 7.40 pm those present were -

Councillors - Deftereos, Fenton, Macken, Waters.

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

That the Report of the Community Services Committee of its meeting of 16 April 1997, be received and the recommendations set out below for Items 1 to 12, inclusive, 14 to 15 inclusive, be adopted. The recommendations set out below for Item 13 having been dealt with as shown immediately following such items.

Carried.

The Committee **recommended** the following:-

1.

#### **PARKS - DRAFT STREET TREE MASTER PLAN - ADOPTION (2009309)**

That approval be given to the Draft Street Tree Master Plan and Report, as exhibited from 20 January to 10 March 1997, being adopted as the Street Tree Master Plan and Report.

(DPWS Report 4.4.97)

Carried.

2.

**GENERAL MANAGER**

**COMMUNITY SERVICES - NUTRITION WORKSHOPS FOR CHILD CARE  
STAFF USE OF ERSKINEVILLE TOWN HALL BY CENTRAL SYDNEY  
AREA HEALTH SERVICE (H51-00089)**

That arising from consideration of a report by the Director of Health and Community Services dated 3 April 1997, approval be given to the use of Erskineville Town Hall, free of charge by the Central Sydney Area Health Service on the 5th and 6th of May 1997, for the conduct of infant nutrition workshops for child care centre staff.

Carried.

3.

**HEALTH - NSW GOVERNMENT GREEN PAPER ON PROTECTION OF THE  
ENVIRONMENT OPERATIONS BILL 1996 (2000258)**

That arising from consideration of a joint report by the Director of Health and Community Services and Director of Planning and Building dated 25 March 1997, it be resolved:-

- (1) that the Director of Health and Community Services prepare a further report for Council when the Environment Operations Bill is enacted by Parliament outlining what the increased duties and responsibilities are and their effect on staff levels;
- (2) that the following comments in relation to the NSW Government Green Paper on Protection of the Environment Operation Bill be submitted to:

Director of Legal Services  
Environment Protection Authority  
P O Box 1135  
CHATSWOOD NSW 2057

Carried.

4.

**PUBLIC RELATIONS - LOCAL GOVERNMENT HOUSING INITIATIVE PROGRAM - BOARDING HOUSE PROJECT (2014536)**

That arising from a report by the Director of Health and Community Services dated 9 April 1997, it be resolved that Council:-

- (1) undertakes a boarding house survey in partnership with the office of housing policy through the local government housing initiatives program;
- (2) allocate \$10,000 funding to survey of all boarding houses in the Local Government Area, for which funds to cover this expenditure are available in the Health and Community Services Department's 1996/97 Budget (KCB66DO Contracts).

Carried.

5.

**COMMUNITY SERVICES - COMMONWEALTH STATE HOUSING AGREEMENT - SENATE INQUIRY (2013955)**

That arising from a report by the Director of Health and Community Services dated 8 April 1997, it be resolved that:-

- (1) Council submit its concerns to the Senate Inquiry into Housing Assistance;
- (2) a submission to the Senate Inquiry be co-ordinated by the Director of Health and Community Services and a copy be included in the Councillors Information Service.

Carried.

6.

**STRATA SUBDIVISION - LOSS OF LOW COST ACCOMMODATION (2011738)**

That arising from a report by the Director of Health and Community Services dated 8 April 1997, approval be given to engage a student to research strata subdivision statistics for the Affordable Housing Strategy, for which funds have been allocated in the 1996/97 Budget (KCB66DO Contracts).

Carried.

7.

**COMMITTEES - APPOINTMENT OF SECTION 377 COMMUNITY MANAGEMENT COMMITTEE TO THE ROSEBERY COMMUNITY CENTRE (C57-00074)**

That arising from a report by the Director of Health and Community Services dated 9 April 1997, approval be given under the provisions of Section 377 of the Local Government Act, 1993, to the appointment of the following persons, namely:-

Mr Bert Galea (President)	114 Rosebery Ave ROSEBERY 2018
Mr Neal Jackson (Secretary)	32 Morley Ave ROSEBERY 2018
Mrs Jean Thomas (Treasurer)	53 Dalmeny Ave ROSEBERY 2018
Ana Da Cunha	117 Harcourt Parade ROSEBERY 2018
Dimitrios (Jim) Iliopoulos	61 Tweedmouth Ave ROSEBERY 2018
Millie Sibbald	170 Dunning Ave ROSEBERY 2018
Elsbeth Halloran	69 Rosebery Ave ROSEBERY 2018
Jim Halloran	69 Rosebery Ave ROSEBERY 2018
Con Mantikos	78 Rothschild Ave ROSEBERY 2018
Mavis McBeatty	8/43 Asquith Ave ROSEBERY 2018
Dorothy Griffin	59 Rosebery Ave ROSEBERY 2018

-to a local citizens' committee and that the care, control and management of the Rosebery Community Centre, Rosebery, be delegated to such committee on the understanding that Council will be responsible for the outgoings, including electricity, rates, refuse collection, maintenance and repairs to the Centre, but excluding telephone, subject to the committee being required to clean the premises and keep proper records and books of account, which must be made available for inspection by Council officers when required.

**GENERAL MANAGER**

Carried.

8.

**AWARDS - 1997 YOUTH WEEK AWARDS AND BETTY MAKIN SCHOLARSHIP (5273446)**

That arising from a report by the Director of Health and Community Services dated 4 April 1997, it be resolved that Council accepts the nominations for the 1997 Youth Awards and the Betty Makin Scholarships and these be presented at the Ceremony and Civic Reception scheduled for 7pm on Thursday, 24 April 1997.

Carried.

9.

**COMMITTEES - ACCESS COMMITTEE FOR PEOPLE WITH DISABILITIES - MINUTES OF MEETING HELD 8 APRIL 1997 (2003345)**

That the report by the Director of Health and Community Services dated 10 April 1997 and the accompanying minutes of the Access Committee for People with Disabilities at its meeting held on 8 April 1997, be received and the following recommendation of the Committee be adopted, namely:-

That the report by the Director of Planning and Building regarding the withdrawal of Council's DCP 10, to be forwarded to Council's Planning Committee, is fully supported by Council's Access Committee for People with Disabilities.

Carried.

10.

**COMMUNITY SERVICES - SENIORS' WEEK 1997 - REPORT ON ACTIVITIES (2012750)**

That the report by the Director of Health and Community Services dated 7 April 1997, on the activities held by Council in Seniors' Week 1997, be received and noted.

Carried.

11.

**HEALTH - FOOD SHOP INSPECTIONS IN SOUTH SYDNEY AREA  
(5156034)**

That the report by the Director of Health and Community Services dated 10 April 1997, regarding food shop inspections in South Sydney Area be received and noted, and further, that Council Staff be congratulated for the work carried out in the food inspection area.

Carried.

12.

**HEALTH - DISCUSSION PAPER REFORM OF THE STATE OF THE  
ENVIRONMENT REPORTING PROVISIONS OF THE LOCAL  
GOVERNMENT ACT 1993 (2013554)**

That arising from consideration of a report by the Director of Health and Community Services dated 9 April 1997, it be resolved that the following comments in relation to the discussion paper "Reform of the State of the Environment Reporting Provisions of the Local Government Act 1993" be submitted to:-

The Director General  
Department of Local Government  
Locked Bag 1500  
Bankstown NSW 2200

and that:

- (1) Council agrees with the principle of reviewing the effectiveness of State of Environment reporting and considering any necessary legislative reform where the need for improvement is identified. In fact it could be argued that the review of SoE reporting is long overdue and the same is clearly welcomed by Local Government;
- (2) there is also agreement with incorporating ecological sustainable development principles into the Local Government Act as an reminder for Councils when carrying out statutory functions;
- (3) there is some concern however, with the failure of the discussion paper to recognise the enormous workload and cost that council endures in having to produce an annual SoE report. It would also seem inconsistent with the State Government proposal (as flagged in the Protection of the

**GENERAL MANAGER**

Environment Operations Bill Discussion Paper) to produce the equivalent SoE that the State Government prepares, every three years instead of the existing two years. There needs to be consistency;

- (4) the NSW Government should also consider providing Councils with more regular feedback on the overall content and presentation of SoE reports. This would enable Councils to improve SoE reports from year to year and to gain some insight into the process itself that councils are currently not subject;
- (5) it would be valuable for Councils to be able to produce a comprehensive SoE every three years and what would effectively be a synopsis for the years in between;
- (6) Council believes that the State Government should consider the annual costs to Local Government in preparing State of the Environment reports;
- (7) the Government encourage their departments and instrumentalities such as the Work Cover Authority to provide required information at a fair and reasonable price;
- (8) Council agrees with the concept of preparing regional State of the Environment reports for particular issues such as airshed quality.

Carried.

13.

**PARKS - FITZROY GARDENS PLAN OF MANAGEMENT - EXHIBITION OF DRAFT (2012727)**

This matter was submitted to Council without recommendation.

Moved by the Mayor, seconded by Councillor Deftereos:-

That approval be given to:-

- (1) the exhibition of the Draft Fitzroy Gardens Plan of Management for a period of 28 days at the Florence Bartley Library and new Kings Cross Library facility, the Reg Murphy Activity Club and Council's Administrative Offices and to advertise the exhibition in local press publications, for which funds are available in the 1996/97 Revenue Estimates;
- (2) tender the Stage One works during the Plan of Management exhibition period at an estimated cost of \$190,000, for which funds are available from Section 94 (\$150,000) Contributions and savings made in the 1996/97 Works Programme (840,00), with the view to engaging a

**GENERAL MANAGER**

Contractor to commence work immediately after adoption of the Plan of Management.

- (3) that a temporary display panel be erected in Fitzroy Gardens to display the Master Plan Proposal;
- (4) a direct mail out to all Community and Business Organisations in the Kings Cross area asking them for comments on the Draft Plan of Management for Fitzroy Gardens;
- (5) the Director of Public Works and Services and Council's Media Consultant ensure that there is a co-ordination in relation to all of the advertising process ie. local press, display panels and direct mail.

Carried.

In connection with the foregoing motion, Councillor Bush requested that his name be recorded as voting against the motion.

14.

**PUBLIC RELATIONS - LOCAL CONSTITUTIONAL CONVENTIONS PROGRAM (2010798)**

That arising from a report by the Director of Health and Community Services dated 14 April 1997, it be resolved that Council participate in the 'ALGA/CCF Local Constitutional Conventions Program' and that:-

- (1) approval be given to organise local conventions in the South Sydney area;
- (2) the facilitator(s) for the conventions be nominated by the Director of Health and Community Services;
- (3) a budget of \$10,000 to cover staging the local convention(s) be made available in the 1997/98 Revenue Estimates.

Carried.

15.

**PARKS - RESERVES BENEATH VIADUCT AT WOOLLOOMOOLOO (L52-00145)**

That arising from a report by the Director of Public Works and Services dated 14 April 1997, it be resolved that:-

- (1) a meeting be organised with interested local residents via a letterdrop and notice at the Park to look at options in providing a short term solution to the problem as detailed in the Director's report;

- (2) as a longer term solution a meeting be organised with Community Groups, the Police and Council to explore ways of overcoming the problems associated with the use of the area in general.

Carried.

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

16 April 1997

### **PRESENT**

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

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

At the commencement of business at 6.36 pm, those present were -

The Mayor and Councillors - Bush, Fowler, Harcourt, 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 16 April 1997, be received and the recommendations set out below for Items 1, 3 to 4 and, 6, 8, 9, 11, 13 to 14 inclusive, 16 to 23 inclusive, 25, 27, 29, 31, 33 to 34, inclusive, be adopted. The recommendations for Items 2, 5, 7, 10, 12, 15, 24, 26, 28, 30 and 32 having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

**GENERAL MANAGER**

1.

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

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

That the Council as the responsible authority refuse the application submitted by Dods and Zuccon for a detached dual occupancy for the following reasons, namely:-

- (1) That the second dwelling fronting Oxley Lane does not comply with the height limit contained in Clause 11 of Sydney Regional Environmental Plan No. 12 and the objection lodged pursuant to State Environmental Planning Policy No. 1 does not establish that compliance is unreasonable or unnecessary;
- (2) That the bulk and scale of the dwelling fronting Oxley Lane is out of character with surrounding development and the area in general;
- (3) That the proposed dwelling fronting Oxley Lane would result in a loss of privacy and adverse overshadowing to number 5 Robertson Road;
- (4) That the proposed detached dual occupancy is contrary to the certified and exhibited draft Local Environmental Plan for South Sydney which contains a provision that would prohibit dual occupancy development.

Carried.

2.

**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 9.00 a.m. and 3.00 a.m. Mondays to Saturdays and 12.00 noon and 12.00 midnight Sundays be deferred to await legal advice.

Carried.

## 3.

**PARKS - GENERIC OPEN SPACE PLAN OF MANAGEMENT - ADDITIONAL INFORMATION (2010532)**

- (1) That Council note the contents of Director of Planning and Building's report;
- (2) That an Open Space Steering Committee be formed which has the purpose of assessing those sites identified in this report as being presently of questionable value as open space (i.e. the "query" or "contact owner" categories of the table), to determine options for improvement (where appropriate) or for alternative land uses, zoning, and classification (and possible disposal where appropriate);
- (3) That dates for Open Space Steering Committee meetings be arranged.

(DPB Report 25.3.97)

Carried.

## 4.

**BORONIA STREET, NO.48, REDFERN - RENOVATIONS AND ADDITIONS TO EXISTING TWO STOREY DWELLING - BUILDING APPLICATION (Q97-00083)**

- (A) That the Council, as the responsible authority, grants its consent to the application submitted by Urban Style with the authority of the owners Mr Nicholas Martin and Ms Robin Jillings, for permission to renovate kitchen and bathrooms including first floor rear Juliet balcony at the abovementioned premises, all in accordance with the submitted plan dated 31 January 1997, subject to the following conditions, namely:
  - (1) That the rear first floor deck shall be replaced by a Juliet balcony with dimensions 1850 x 500mm wide and be provided with a 1000mm high balustrade;
  - (2) That the sides to the balcony in (1) above screened to a height of 1800mm shall be to the satisfaction of the Director of Planning and Building;
  - (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

**GENERAL MANAGER**

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;
  - (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 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;
  - (10) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
  - (11) That the existing building shall be maintained in a stable condition during construction and/or demolition work to Council's approval;
  - (12) That the demolition work shall comply with Australian Standard 2601-1991;
  - (13) That structural details (including Juliet balcony) shall be submitted for consideration and approved prior to the commencement of any structural work. You are advised that by a resolution of Council, all structural plans must be accompanied by a certificate from an **approved** practising Structural Engineer. Details of the procedure of Structural Certification are attached herewith;

- (14) That 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;
- (15) 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;
- (16) That this approval shall relate to permanent work only and does not include temporary work;
- (17) That no structural work shall be commenced until approval is granted by Council;
- (18) That all glazing materials shall be selected and installed in accordance with the relevant provisions of AS1288 "Glass Installation Code".
- (19) That a suitable automatic fire detection and alarm system shall be installed to comply with E1.7 of the BCA;
- (20) 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;
- (21) That all damp and weatherproofing provisions shall be in accordance with Part F1 of the BCA;
- (22) 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;
- (23) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (24) 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;
- (25) 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;

- (26) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
  - (27) 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;
  - (28) That the upper floor front balustrade shall be replaced;
  - (29) That the laundry shall be provided with a wash tub and space in the same room for a washing machine in accordance with the requirements of F2.1 of the BCA. Details shall be submitted for consideration and approval.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

**5.**

**DARLINGHURST ROAD, NOS. 48 - 48A, KINGS CROSS - CHANGE USE TO A BACKPACKERS HOSTEL - DEVELOPMENT APPLICATION (U97-00006)**

- (A) That the Council as the responsible authority grants its consent to the application submitted by Outline Consultants P/L, with the permission of Baykent P/L, for permission to use the existing building as a backpackers hostel, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans A1 and A2 dated December 1996;
  - (2) That a Code of Practice outlining management practices and house rules (including rules relating to the sale of motor vehicles) shall be submitted to Council within one month of the date of this consent to the satisfaction of the Director of Planning and Building;
  - (3) That plans and specifications showing details of:-
    - (i) the garbage chute;
    - (ii) vertical lift food conveyor;
 shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;

**GENERAL MANAGER**

- (4) That the maximum number of guests shall be restricted to 24 at any one time.

and the following adopted standard conditions:

- (5) HSC500 - Premises to be ventilated;
- (6) HSC004 - Places of shared accommodation requirements;
- (7) LDA201 - Make separate application for sign;
- (8) HSC247 - Garbage room;
- (9) HSC111 - Liquid wastes to sewer;
- (10) HSC711 - Commercial contract (trade waste);
- (11) HSC801 - Noise from premises;
- (12) LDA351 - Building Application required.

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

Granting unconditional consent would be likely to adversely affect the amenity of the neighbourhood and would not be in the public interest.

- (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 existing essential services installed and certified under the Fire Safety Order Reference No. F53-00010, dated 18 June 1992, shall be maintained in proper working order to the satisfaction of Council;
- (2) That cooking facilities shall not be permitted in any bedrooms. A designated kitchen area may be provided;
- (3) That an automatic sprinkler installation complying with the relevant requirements of AS2118 shall be installed throughout the building.
- (4) That the system shall comply with a standard of Installation and Maintenance in accordance with the requirements of Australian Standard 2118 shall be connected to the NSW Fire Brigade.

- (5) That certification shall be provided by the installer of the sprinkler system that the entire system is installed in accordance with the provisions of Australian Standard 2118.
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision;

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

The application be deferred and that the Director of Planning and Building be asked to contact the applicant to request him to come back with amended plans to show how he intends to reduce the occupancy rate to not more than 24 guests at any time and that the re-submitted application must include conditions ensuring the premises are used for the purposes stated and bed are not let for less that 24 hours at a time.

Motion, as amended by consent, carried.

6.

**YARALLA STREET, NO.24, NEWTOWN - DEMOLISH EXISTING BUILDING AND ERECT TWO ATTACHED DWELLINGS - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT(U96-00827)**

- (A) That Council is satisfied that the State Environmental Planning Policy No.1 objection against the development standard relating to the maximum floor space ratio of 1:1 in Clause 10 of Local Environmental Plan No. 107 is well founded and compliance is therefore unreasonable and unnecessary for the following reasons, namely:-
  - (1) That the degree of non compliance is relatively minor and accounted for by below lane level studio, storage and laundry space;
  - (2) That the form, bulk and scale of the proposal are acceptable;
  - (3) That the proposal will not cause any significant adverse environmental impacts.
- (B) That the Council as the responsible authority grants its consent to the application submitted by Soma Design Partnership, with the authority of Mr B Lin, to demolish the existing building at No. 24 Yaralla Street, Newtown and erect two terrace style dwellings with rear garages/studio space, subject to the following conditions, namely:-
  - (1) That the development shall be generally in accordance with plans A/01-A/09 dated March 1997;

**GENERAL MANAGER**

- (2) That the rear alignment of the western dwelling shall align with the rear alignment of the existing adjoining terrace to the west;
- (3) That the existing stonework along the side and at the front of the dwelling shall be re-used with the latter being a feature of the front garden beds;
- (4) That a full professional photographic record of the building (interior and exterior), and features of the site, including the laneways shall be provided to Council (colour and black and white prints) with the Building Application;
- (5) That the materials on the site shall be re-used and incorporated into the new design as far as it is possible, with details to be submitted into the building application and to be to the satisfaction of the Director of Planning and Building;
- (6) That the exposed side western wall shall be painted or finished a light colour to assist reflection of indirect light;
- (7) That all asbestos material shall be handed and removed in accordance with the Occupational Health and Safety (Asbestos Dust) Regulation, 1984;
- (8) As a consequence of this development, Council has identified an additional demand for public facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Contributions Plan 1993, the following monetary contributions towards the cost of providing facilities are required:

Civic Improvement, Open Space and Recreation	\$ 1,267.40	2 EJ-BGY 0
Child Care	\$ 66.60	2 EK-BGY 0
Community Facilities	\$ 65.90	2 EL-BGY 0
Transport and Access	\$ 246.80	2 EM-BGY 0
Environmental Improvements	\$ 39.90	2 EN-BGY 0
<b>TOTAL:</b>	<b>\$ 1,686.60</b>	

**The above amount must be paid to the Council in cash or by**

**GENERAL MANAGER**

**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.

- (9) That details shall be submitted, including materials proposed and colours for the approval of the Director of Planning and Building prior to the approval of the Building Application, in respect of the following aspects of the proposal: -
- (i) external finishes to walls;
  - (ii) roofing finishes;
  - (iii) balcony balustrade treatment;
  - (iv) proposed fences;
  - (v) size and proportion of windows and doors;
- (10) That the new windows in the front elevation shall be constructed in timber joinery;
- (11) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (12) 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 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;
- (13) That all relevant sections of the BCA shall be complied with;
- (14) 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;

- (15) 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;
- (16) That the applicant shall apply to the Director of Public Works and Services for the allocation of a street number;
- (17) 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;
- (18) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
- (19) That the developer shall make application to the Public Works and Services Department for the issuing of new alignment levels to be adopted for the design of the building and other on-site works;
- (20) 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;
- (21) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (22) 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;
- (23) That all proposed work shall be wholly within the boundaries of the subject site.

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

Granting unconditional consent would be likely to adversely affect the amenity of the neighbourhood, including adverse effects relating to the emission of noise and vibration, overshadowing,

**GENERAL MANAGER**

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.

7.

**PLANNING - SOUTH SYDNEY BIKE PLAN DRAFT REPORT (533346)**

That Council resolve to:-

- (1) Publicly exhibit the Draft South Sydney Bike Plan, dated 14 March 1994, as submitted by Arup Transportation for a period of 4 weeks;
- (2) That a further report be submitted after the closure of exhibition indicating comments received and presenting the final draft of the document for consideration;
- (3) That bicycle lanes be incorporated in road constructions and that this matter be referred to Arup Transportation Pty Ltd., Council's Transport Consultants;

(DPB Report 4.4.97)

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

- (4) That the Director of Public Works and Services liaise with the appropriate officer of the RTA to seek funding under the RTA Bikeway Enhancement Scheme for dollar for dollar funding for construction of high and medium priority bike tracks;

Motion, as amended by consent, carried.

8.

**MORRISSEY ROAD, NOS. 25-26, ERSKINEVILLE - DEMOLISH EXISTING BUILDING AND ERECT FIVE NEW APARTMENTS - DEVELOPMENT APPLICATION (U97-00051)**

That consideration of the application submitted by JSL Developments Pty Ltd with the authority of Ian and Patricia Kolln to demolish the existing buildings and erect five terrace style apartments, be deferred for further discussions between the applicant and the Director of Planning and Building to resolve issues raised at the Committee by Councillors and Objectors.

Carried.

9.

**CLEVELAND STREET, NOS. 92- 120, CHIPPENDALE - USE PREMISES AS A SHOWROOM FOR GYM EQUIPMENT - DEVELOPMENT APPLICATION (U97-00144)**

- (A) That the Council as the responsible authority grants its consent to the application submitted by Belvoir Apartments Pty Ltd with the authority of Wong Leong Han for permission to use the abovementioned premises as a showroom for body building equipment subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans dated 20 February 1997 and held on Council file U97-00144;
  - (2) That the hours of operation shall be restricted to between 8.00am and 6.00pm Monday to Wednesday and Friday, 8.00am to 7.30pm Thursday, 8.00am to 5.00pm Saturday and 9.00am to 4.00pm Sunday;
  - (3) That all loading and unloading operations shall be carried out wholly within the confines of the subject building at all times and shall not obstruct access to other units;
  - (4) That a separate application shall be submitted at the appropriate time for any proposed signs;
  - (5) That no flashing, moving or intermittent lighting, visible from the public way shall be installed on the premises or on any external sign associated with the development;
  - (6) That at no time shall any signs, sound amplification equipment and the like or goods for sale or display be placed on the areas designated as public areas or on the footway adjacent to the premises;
  - (7) 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;
  - (8) That any intruder alarm shall be fitted with a timing device in accordance with the requirements of Regulation 12A of the Noise

**GENERAL MANAGER**

Control Act, 1975, and Australian Standard 2201, Parts 1 and 2 - 1978, Intruder Alarm Systems;

- (9) That the street numbers shall be clearly displayed to the satisfaction of the Director of Planning and Building with such numbers being of a colour contrasting with the wall to which they are affixed;
- (10) That building/demolition work in connection with the proposed development shall only be carried out between the hours of 7.30 am and 5.00 pm on Mondays to Fridays, inclusive, and 7.30 am and 3.00 pm on Saturdays and no work shall be carried out on Sundays or public holidays - where applicable, these restrictions do not apply to the maintenance of site cranes nor to the use of mobile cranes which stand and operate from a public road, provided that a permit has been obtained from the Director of Public Works and Services Department for the use of a mobile crane;
- (11) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
- (12) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (13) 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;
- (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 the use of the premises shall not give rise to:-
  - (a) transmission of vibration to any place of different occupancy, or
  - (b) a sound level at any point on the boundary of the site greater than the background levels specified in Australian Standard 1055, "Acoustic - Description and Measurement of Environmental Noise" or
  - (c) an "offensive noise" as defined in the Noise Control Act, 1975.

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

Granting unconditional consent would be likely to adversely affect the amenity of the neighbourhood and would not be in the public interest.

Carried.

10.

**WELLINGTON STREET, NO.6, WATERLOO - ERECT THREE TWO BEDROOM DWELLING - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U97-00115)**

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

That Council as the responsible authority refuse the application submitted by Kozara Pty Ltd to erect three two bedroom dwellings for the following reasons, namely:-

- (1) That the proposal represents an over intense use of the site;
- (2) That the development is out of character with surrounding development and development in the area;
- (3) That the proposal would result in adverse privacy impacts to adjoining dwellings;
- (4) That the proposal does not comply with Council's DCP No. 11 Transport Guidelines with respect to provision of off street car parking;
- (5) That the amenity, in terms of access and provision of quality open space for each dwelling proposed is unsatisfactory;

Carried.

11.

**PITT STREET, NO.73, REDFERN - ALTERATIONS AND ADDITIONS AND GENERAL RESTORATION OF EXISTING BUILDING - DEVELOPMENT APPLICATION (U96-00170)**

That the Council as the responsible authority grants its consent to the application submitted by Pty South Sydney City Council with the authority of South Sydney City Council for permission to carry out alterations and additions to the existing Redfern Town Hall building, including the upgrading of egress

**GENERAL MANAGER**

stairs, installation of a new lift and general upgrading and restoration of the building, generally in accordance with the submitted plans numbered 96.482/DA1 to DA3, inclusive and dated November 1996, and with the accompanying conservation plan, subject to the following conditions, namely:-

- (1) That all work affecting significant fabric shall be carried out in accordance with the general and specific conservation policies contained in the conservation plan;
- (2) That all work affecting fabric identified as having a level of significance categorised as "A" or "B" or "B/C" in the conservation plan shall be carried out in consultation with a qualified conservation practitioner, acceptable to the Director of Planning and Building;
- (3) That coloured elevations, a schedule of finishes and samples of materials shall be submitted prior to approval of the Building Application, for the approval of the Director of Planning and Building, in respect of the following:-
  - (i) reconstruction of the Pitt Street facade and porch;
  - (ii) external finishes to walls;
  - (iii) roofing finishes;
  - (iv) balcony balustrade treatment;
  - (v) windows and doors;
  - (vi) alterations to rooms 9, 10, 17, 19, 23, 24 and 30
- (4) That a colour scheme for the building, incorporating heritage colours, shall be submitted for the approval of the Director of Planning and Building and the street elevations shall be painted in accordance with the approved colour scheme;
- (5) That any external glazing shall have a reflectivity not exceeding 20%;
- (6) That the proposed new external walling shall match the existing;
- (7) That any new windows and doors shall be constructed to match adjacent existing windows and doors to the satisfaction of the Director of Planning and Building;
- (8) 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;
- (9) That the proposed development shall comply with the Standards Association of Australia Code AS 1428-1977 - "Design Rules for Access by the Disabled";

- (10) That the proposed invalid type water closet shall be provided in accordance with the Standards Association of Australia Code AS 1428-1977 - "Design Rules for Access by the Disabled";
- (11) That building/demolition work in connection with the proposed development shall only be carried out between the hours of 7.30am and 5.00pm on Mondays to Fridays, inclusive, and 7.30am and 3.00pm 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 for the use of a mobile crane;
- (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 levels of any new pavement treatments at the street alignment shall coincide with adjoining footpath levels as determined by the Director of Public Works and Services;
- (14) That prior to the commencement of any demolition/building work, an application for a Builder's Hoarding Permit shall be made to the Director of Public Works and Services and a hoarding shall be erected to the satisfaction of the Director of Public Works and Services;
- (15) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (16) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (17) That a separate application shall be submitted at the appropriate time for any proposed signs;
- (18) That a Building Application together with plans and specification 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 the 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;
- (19) That all relevant sections of the Building Code of Australia shall be complied with;
- (20) That all asbestos fibre demolition material and asbestos dust shall be handled and removed in accordance with the Occupational Health and Safety (Asbestos Dust) Regulation 1984;

- (21) 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;
- (22) That plans and specifications showing details of all proposed mechanical ventilation systems shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;
- (23) That noise and vibration from the use of any plant, equipment and/or building services associated with the premises shall not give rise to an "offensive noise" as defined under the provisions of the Noise Control Act 1975.

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

Granting unconditional consent would be likely to adversely affect the amenity of the neighbourhood and would not be in the public interest.

Carried.

**12. CLOSED SECTION OF SPRINGFIELD AVENUE, POTTS POINT -  
CONSTRUCT TWO URINALS AND ONE HAND BASIN - DEVELOPMENT  
APPLICATION (U96-0097**

- (A) That Council as the consent authority pursuant to Section 91 of the Environmental Planning and Assessment Act 1979, refuse consent to Development Application for construction of 2 urinals and one hand basin within a patented fibre cement walling system in the closed section of Springfield Avenue, Kings Cross on the following grounds, namely:-
  - (1) That the proposal would be likely to have an unacceptable impact on the amenity of the locality;
  - (2) That the proposal would be likely to have an adverse social impact on the locality;
  - (3) That the location of the proposal is not acceptable;
  - (4) That the proposal would have an unacceptable relationship to adjoining land.
  - (5) That the proposal would be contrary to the public interest;
  - (6) That the proposal makes inadequate provision for access by disabled persons.

- (B) That the applicant be advised of Council's decision and of the right of appeal which exists under Section 97 of the Environmental Planning and Assessment Act, 1979.
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.
- (D) That the applicant be invited to discuss alternative facilities which would not give rise to the environmental concerns identified in respect of the current application.

(DPB Report 10.4.97)

It was moved by Councillor Fenton, seconded by Councillors Waters that the motion be amended by the addition of a clause (E) to the recommendation, namely:-

- (E) That Council in refusing this application be prepared to consider a Development Application for a Exelloo in Fitzroy Gardens, Kings Cross.

Motion, as amended by Councillor Fenton, carried.

**13.**

**PLANNING - PROPOSED CLOSURE OF THE SOUTHERN REGIONAL OFFICE OF THE DEPARTMENT OF URBAN AFFAIRS AND PLANNING  
REPLY TO MAYOR OF ROCKDALE COUNCIL (2009970)**

That the Mayor, on behalf of South Sydney City Council write to the Minister for Urban Affairs and Planning, supporting the Mayor of Rockdale's objection to the proposed relocation of the Southern Regional Office of the Department of Urban Affairs and Planning.

(DPB Report 10.4.97)

Carried.

**14.**

**MOREHEAD STREET, NO.27, REDFERN - DEMOLISH EXISTING STRUCTURE AND ERECT THREE UNITS - DEVELOPMENT APPLICATION CONTRIBUTION INCLUDED IN CONSENT (U97-00027)**

- (A) That the Council as the responsible authority grants its consent to the development application submitted by Mr Y Gatenby to demolish the existing buildings and erect a residential flat building containing 3 dwellings, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans numbered 1-5 held on Council File U95-00784;
  - (2) That the southern side wall of the rear unit to Little Young Street shall be decreased by 400mm by reducing the internal first floor ceiling height to a minimum of 2.1m, though the roof pitch shall be maintained at 30° and any revised internal layout including raked or partially raked ceilings be detailed for assessment in the building application;
  - (3) That the roof space of the rear unit shall not be used for habitable purposes;

- (4) That privacy screens to a height of 1.8m above finished floor level shall be provided on both sides and the middle of both ground floor rear balconies of the dwellings fronting Morehead Street;
- (5) That prior to demolition of the existing building, a full professional photographic record, in a bound A4 folder, of the interior and exterior of the dwelling shall be provided to the Council;
- (6) That all garbage storage shall be incorporated into the garage area, with disposal to Little Young Street, not Morehead Street;
- (7) That the two car spaces be allocated on the basis of one for each of the dwellings fronting Morehead Street;
- (8) As a consequence of this development, Council has identified an additional demand for public facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Contributions Plan 1993, the following monetary contributions towards the cost of providing facilities are required:

FACILITY	AMOUNT	ACCOUNT
Civic Improvement, Open Space and Recreation	\$2,052	2 EJ-BGY 0
Child Care	\$108	2 EK-BGY 0
Community Facilities	\$107	2 EL-BGY 0
Transport and Access	\$400	2 EM-BGY 0
Environmental Improvements	\$65	2 EN-BGY 0
<b>TOTAL:</b>	<b>\$2,732</b>	

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

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

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

- (9) That the floor space ratio shall not exceed 1:1;

- (10) 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;
- (11) 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;
- (12) That the rear southern side boundary wall shall be painted or rendered a light colour, at the applicant/owner's full expense;

and the following adopted standard conditions:-

- (13) LDA106 - Preserve existing trees;
- (14) LDA152 - Schedule of finishes;
- (15) LDA155 - Windows and doors to be of timber joinery;
- (16) LDA157 - Provide details of heritage colour scheme;
- (17) LDA158 - Treatment of exposed walls;
- (18) LDA160 - Provide service ducts within building;
- (19) LDA351 - Building Application required;
- (20) LDA367 - Timing device on alarms;
- (21) LDA368 - Display of street numbers;
- (22) LDA369 - Allocation of street numbers;
- (23) LDA376 - Hours of building work;
- (24) LDA377 - Construction noise regulation;
- (25) LDA384 - New alignment levels;
- (26) LDA387 - Footway crossings;
- (27) LDA389 - Stormwater disposal requirements;
- (28) LDA392 - No obstruction to public way;
- (29) LDA393 - Delivery of refuse skips;

- (30) LDA396 - Works within boundaries;
- (31) HSC500 - Premises to be ventilated;
- (32) HSC800 - Use of appliances emitting intrusive noise;
- (33) HSC100 - Removal of spoil from site.

The reason for Council's consent being granted subject to the above conditions, is as follows:-

That the granting of unrestricted consent would be likely to cause injury to the amenity of the neighbourhood, including injury due to the emission of noise and vibration and the creation of a traffic hazard and traffic congestion and, further, 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 natural light and ventilation shall be provided in accordance with requirements of Part F4 of the BCA;
  - (2) That all internal bathrooms and laundries shall be mechanically ventilated in accordance with requirements of F4.5 of the BCA;
  - (3) That clothes washing and drying facilities shall be provided in accordance with the requirements of F2.1 of the BCA;
  - (4) That a suitable automatic fire detection and alarm system shall be installed to comply with E1.7 of the BCA;
  - (5) That the applicant be advised that an objection may be lodged with Council pursuant to Section 82 of the Local Government Act, 1993 to vary, subject to the concurrence of the Director General; the requirements of Clause 54 of the Local Government (Approvals) Regulation 1993;
  - (6) That all relevant sections of the BCA shall be complied with;
  - (7) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building (including any demolition) work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation.

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

Carried.

15.

**OXFORD STREET, NOS. 82-106, DARLINGHURST - USE EXISTING ROOFTOP CARETAKERS FLAT AS OFFICES - DEVELOPMENT APPLICATION (U97-00265)**

- (A) That the Council as the responsible authority grants its consent to the application by South Sydney Council, for permission to utilise the rooftop caretakers flat as commercial premises for use by Councillors of South Sydney Council with unlimited hours for 7 days per week, subject to the following conditions, namely:-

- (1) That the development shall be generally in accordance with plans submitted with the development application;
- (2) That a separate application shall be submitted at the appropriate time for any proposed signs;
- (3) 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;

**GENERAL MANAGER**

- (4) That a Building Application for the change in classification 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.

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

Carried.

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

16.

**BOURKE STREET, NO. 333, DARLINGHURST - ALTERATIONS AND ADDITIONS TO TERRACE HOUSE TO CONVERT TO FOUR FLATS - DEVELOPMENT APPLICATION (U96-01091)**

That consideration of the application submitted Mr Michael Bremner, with the authority of Mr D Shelley, for permission to convert an existing terrace house to four flats, involving building extensions, be deferred to the Planning and Development Committee Meeting to be held on 21 May 1997, as requested by the applicant.

Carried.

17.

**CROWN STREET, NO.257, SURRY HILLS - USE PREMISES AS A REFRESHMENT ROOM - DEVELOPMENT APPLICATION (U97-00165)**

- (A) That the Council as the responsible authority grants its consent to the application submitted by Karim Baver to use the premises as a refreshment room generally in accordance with the submitted plans dated February 1997, subject to the following conditions, namely:-
- (1) 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;
  - (2) That a separate application shall be submitted at the appropriate time for any proposed signs;
  - (3) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
  - (4) That sanitary and other facilities shall be provided in accordance with the requirements of the Building Code of Australia, Part F2;
  - (5) That the construction of the premises shall comply with the requirements of Material Code for the construction and fitout of food premises;
  - (6) That the premises shall not be used for the cooking of food unless an approved air handling system is installed to the cooking appliances;
  - (7) That the storage and handling of garbage shall comply with the requirements of the Director of Health and Community Services. Attention is drawn to Council's "Waste/Minimisation Fact Sheets";
  - (8) That a garbage room or garbage receptacle storage area shall be provided within the site in an approved position constructed in accordance with the requirements of Council's Code for the Construction of Garbage Handling Systems;
  - (9) That the applicant shall enter into a commercial contract for the removal of trade waste;
  - (10) That the use of the premises shall not give rise to:-

**GENERAL MANAGER**

- (a) transmission of vibration to any place of different occupancy, or
  - (b) a sound level at any point on the boundary of the site greater than the background levels specified in Australian Standard 1055, "Acoustic - Description and Measurement of Environmental Noise" or
  - (c) an "offensive noise" as defined in the Noise Control Act, 1975;
- (11) That plans and specifications showing details of:-
- (a) all proposed mechanical ventilation systems;
  - (b) the location of exhaust/and intake vents;
  - (c) the garbage room or garbage receptacle storage area;
  - (d) 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;

- (12) **NOTE:** You are advised that any requirements of Sydney Water for grease arrestors shall be complied with.
- (B) That the persons who made representations in respect of this matter be advised of Council's decision.

Carried.

**18.**

**CATHEDRAL STREET, NOS. 110 AND 112, WOOLLOOMOOLOO - USE PREMISES AS BROTHELS AND ERECT FRONT BOUNDARY FENCES - DEVELOPMENT APPLICATION (U96-00206 & U96-00207)**

- (A) That the Council as the responsible authority grants its consent to the application submitted by Ms K Tomingas, with the authority of Mr T & Mrs A Furukawa, to use 112 Cathedral Street as a brothel, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans unnumbered and undated, submitted to Council on 3 March, 1996 and subsequent information submitted to Council by facsimile on 28 May 1996;
  - (2) That the lattice fence to the front boundary and along the boundary between Nos.110 and 112 Cathedral Street and in

front of the doors shall be removed within 28 days of the date of this consent;

- (3) That the usage of the premises as a brothel shall at all times be in conjunction with and under the same management as the proposed brothel at Nos.110 Cathedral Street and in this regard the access between the two properties shall be maintained during operating hours or otherwise the usage shall cease;
- (4) That a separate application shall be submitted at the appropriate time for any proposed signs;
- (5) That no flashing, moving or intermittent lighting, visible from the public way shall be installed on the premises or on any external sign associated with the development;
- (6) That the hours of operation shall be restricted to between 10.00 a.m. and 3.00 a.m. 7 days a week for a trial period of 12 months from the date of this consent, after which the hours of operation shall be restricted to between 10.00am and 12.00 midnight 7 days a week. (The applicant is advised that at the end of the 12 month trial period an application may be submitted for the continuation of those hours);
- (7) 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;
- (8) 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;
- (9) That full compliance shall be given to any requirement of the Director of Health and Community Services;
- (10) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;

- (11) That the premises shall be kept clean and in a good state of repair at all times;
- (12) That adequate receptacles shall be provided for the separate storage of clean linen and used linen;
- (13) That sanitary and other facilities shall be provided in accordance with the requirements of the Building Code of Australia, Part F2;
- (14) That the proprietor shall use private contractors to launder linen or install a commercial washing machine;
- (15) That the proprietor shall provide written information i.e. pamphlets, brochures about transmission of sexually transmitted infectious diseases in a variety of languages for sex workers and their clients;
- (16) That the proprietor shall provide an adequate supply of condoms, dental dams and matter based lubricant free of charge to sex workers and their clients;
- (17) That all internal bathrooms, toilets and laundries shall be mechanically ventilated in accordance with the requirements of the Building Code of Australia;
- (18) That the storage and handling of garbage shall comply with the requirements of the Director of Health and Community Services. Attention is drawn to Council's "Waste/Minimisation Fact Sheets";
- (19) That a garbage receptacle storage area shall be provided within the site in an approved position constructed in accordance with the requirements of Council's Code for the Construction of Garbage Handling Systems;
- (20) That the applicant shall enter into a commercial contract for the removal of trade waste;
- (21) That plans and specifications showing details of:-
  - (a) all required mechanical ventilation systems;
  - (b) material;
  - (c) the garbage room or garbage receptacle storage area;shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;
- (22) That the use of the premises shall not give rise to:-

- (a) transmission of vibration to any place of different occupancy, or
- (b) a sound level at any point on the boundary of the site greater than the background levels specified in Australian Standard 1055, "Acoustic - Description and Measurement of Environmental Noise" or
- (c) an "offensive noise" as defined in the Noise Control Act, 1975.

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

Granting unconditional consent would be likely to adversely affect the amenity of the neighbourhood, including adverse effects relating to the emission of noise and vibration, and would not be in the public interest.

- (B) That the Council, as the responsible authority, grants its consent to the application submitted by Ms K Tomingas, with the authority of Perfect Ten Pty Ltd, to use No.110 Cathedral Street as a brothel, subject to the following conditions, namely:-
  - (1) That the development shall be generally in accordance with plans numbered and undated, submitted to Council on 3 March, 1996 and subsequent information submitted to Council by facsimile on 28 May 1996;
  - (2) That the lattice fences to the front boundary, along the boundary between Nos.110 and 112 Cathedral Street and in front of the doors shall be removed within 28 days of the date of this consent ;
  - (3) That the usage of the premises as a brothel shall at all times be in conjunction with and under the same management as the proposed brothel at No.112 Cathedral Street and in this regard the access between the two properties shall be maintained during operating hours or otherwise the usage shall cease;
  - (4) That a separate application shall be submitted at the appropriate time for any proposed signs;
  - (5) That no flashing, moving or intermittent lighting, visible from the public way shall be installed on the premises or on any external sign associated with the development;
  - (6) That the hours of operation shall be restricted to between 10.00 a.m. and 3.00 a.m. 7 days a week for a trial period of 12 months

**GENERAL MANAGER**

from the date of this consent, after which the hours of operation shall be restricted to between 10.00am and 12.00 midnight 7 days a week. (The applicant is advised that at the end of the 12 month trial period an application may be submitted for the continuation of those hours) ;

- (7) 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;
- (8) 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;
- (9) That full compliance shall be given to any requirement of the Director of Health and Community Services;
- (10) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (11) That the premises shall be kept clean and in a good state of repair at all times;
- (12) That adequate receptacles shall be provided for the separate storage of clean linen and used linen;
- (13) That sanitary and other facilities shall be provided in accordance with the requirements of the Building Code of Australia, Part F2;
- (14) That the proprietor shall use private contractors to launder linen or install a commercial washing machine;
- (15) That the proprietor must provide written information i.e. pamphlets, brochures about transmission of sexually transmitted infectious diseases in a variety of languages for sex workers and their clients;

- (16) That the proprietor must provide an adequate supply of condoms, dental dams and matter based lubricant free of charge to sex workers and their clients;
- (17) That all internal bathrooms, toilets and laundries shall be mechanically ventilated in accordance with the requirements of the Building Code of Australia;
- (18) That the storage and handling of garbage shall comply with the requirements of the Director of Health and Community Services. Attention is drawn to Council's "Waste/Minimisation Fact Sheets";
- (19) That a garbage receptacle storage area shall be provided within the site in an approved position constructed in accordance with the requirements of Council's Code for the Construction of Garbage Handling Systems;
- (20) That the applicant shall enter into a commercial contract for the removal of trade waste;
- (21) That plans and specifications showing details of:-
  - (a) all required mechanical ventilation systems;
  - (b) material;
  - (c) the garbage room or garbage receptacle storage area;shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;
- (22) That the use of the premises shall not give rise to:-
  - (a) transmission of vibration to any place of different occupancy, or
  - (b) a sound level at any point on the boundary of the site greater than the background levels specified in Australian Standard 1055, "Acoustic - Description and Measurement of Environmental Noise" or
  - (c) an "offensive noise" as defined in the Noise Control Act, 1975;

The reason for Council's consent being granted subject to the above conditions, is as follows:-

That the granting of unrestricted consent would be likely to cause injury to the amenity of the neighbourhood, including injury due to the emission of noise and vibration and the creation

of a traffic hazard and traffic congestion and, further, would not be in the public interest.

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

Carried.

19.

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

- (A) That the Council, as the responsible authority, grant its consent to 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, and amended plans numbered AO1C, A01D, AO2D and A02F submitted to Council on 4 April, 1997 subject to the following conditions, namely:
- (1) That all windows in the north east elevation on the first floor shall have obscure glazing as shall the laundry door on the ground floor. The stairwell window shall be fixed, non openable as shall the bottom half of the window to bedroom 5 and the first floor landing. The glazing in the laundry door shall also be fixed. The top half of the window to bedroom 5 and the landing shall only open in a manner that prevents looking into the windows of the adjoining property. Details to be submitted before construction commences and to be to the satisfaction of the Director of Planning and Building;
  - (2) That compliance shall be given to the provisions of the Local Government Act, 1993, Local Government Regulations and the Building Code of Australia (BCA);
  - (3) That compliance shall be given to all of the conditions shown on the approved plan;
  - (4) 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

**GENERAL MANAGER**

- (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;
- (5) 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;
  - (6) That the approval shall only relate to the work shown coloured on the approved plans;
  - (7) That the use of the premises shall remain as dwelling in single occupation only;
  - (8) 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;
  - (9) 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;
  - (10) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
  - (11) That the existing building shall be maintained in a stable condition during construction and/or demolition work to Council's approval;
  - (12) That new work including footings shall not project beyond the street alignment or boundaries of the allotment;
  - (13) That in accordance with the requirements of Clause 34 of the Local Government (Approvals) Regulation, 1993, a person excavating below the level of the base of the footings of a building on an adjoining allotment of land (includes a public road and any other public place) must comply with the following:-

- (a) preserve and protect the building from damage; and
  - (b) if necessary, underpin and support the building in an approved manner; and
  - (c) at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, given notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars to the owner of the proposed work;
- (14) That all excavations and backfilling must be executed safely and in accordance with appropriate professional standards;
  - (15) That all excavations must be properly guarded and protected to prevent them from being dangerous to life or property;
  - (16) That the use of the premises shall remain as dwelling in single occupation only;
  - (17) That this approval shall relate to permanent work only and does not include temporary work;
  - (18) That no structural work shall be commenced until approval is granted by Council;
  - (19) That the external walls closer than 900mm from a side boundary shall be of masonry or masonry-veneer construction or having a fire resistance level of not less than 60/60/60, in accordance with Specification C1.9-4 of the BCA;
  - (20) That the openings in the external walls closer than 900mm from a side boundary shall be protected by non-openable fire windows or other construction with an FRL of not less than -/60/- or self-closing solid core doors not less than 35mm thick, in accordance with Specification C1.9-4(b) of the BCA;
  - (21) That the rooflights or the like (in a class 1 and 10 building) shall comply with Specification C1.9-9 of the BCA;
  - (22) That all glazing materials shall be selected and installed in accordance with the relevant provisions of AS1288 "Glass Installation Code".
  - (23) 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;
  - (24) That suitable smoke alarm systems shall be provided in accordance with the requirements of E1.7 of the BCA;

- (25) 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;
- (26) That clothes washing and drying facilities shall be provided in accordance with the requirements of F2.1 of the BCA;
- (27) That all damp and weatherproofing provisions shall be in accordance with Part F1 of the BCA;
- (28) That minimum ceiling heights of rooms or spaces in buildings shall comply with the requirements of Part F3 of the BCA;
- (29) That natural light and ventilation shall be provided in accordance with requirements of Part F4 of the BCA;
- (30) That all internal bathrooms and laundries shall be mechanically ventilated in accordance with requirements of F4.5 of the BCA;
- (31) That floor wastes are to be provided to the floors for each bathroom and laundry in accordance with the requirements of Part F1.11 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 the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (34) That the first floor bathroom shall be ventilated by means of an approved air handling system, exhausting at least 25 l/s per fixture;
- (35) 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;
- (36) 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;

- (37) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
  - (38) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
  - (39) 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;
  - (40) 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.
  - (41) That the N.E and S.W sides of the proposed verandah shall be provided with side walls constructed of timber paneling to cover the entire area between the brickwork wall and the timber column details to be submitted prior to construction commencing and to be to the satisfaction of the Director of Planning and Building;
  - (42) That the existing flue above bedroom 2 shall be deleted and that the proposed flue above the lounge shall be constructed of metal;
  - (43) That the pitching point of the roof from the proposed first floor addition shall be 2100 mm measured from the inside face of the internal skin of the brick veneer wall;
  - (44) That the eaves overhang for all eaves on the proposed first floor addition shall be no more than 125 mm inclusive of the gutter;
  - (45) That the sill height of the window facing S.E adjacent to the proposed stair landing on first floor shall have a sill height of at least 2100 mm.
  - (46) That the upper floor shall be centered laterally on the existing building, the front to be directly over the existing front door and the south-east of the stairwell to align with the end of the existing brickwork.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

20.

**PLANNING - REVISED DELEGATION FUNCTIONS RELATING TO THE MAKING OF LOCAL ENVIRONMENTAL PLANS (A53-00034)**

That Council:-

- (1) on the basis of concurrence from the General Manager, resolve, pursuant to Section 381(3) of the Local Government Act, 1993, to endorse the following nomination for delegates for the revised Section 65 and 69 delegation under the Environmental Planning and Assessment Act, 1979 (effective from 3 March, 1997):-

Delegate  
Alternate Delegates

Mr James Harrison  
Mr Craig Bagley  
Mr Ken Hawke.

- (2) advise the Sydney South Regional Office of the Department of Urban Affairs and Planning of this resolution.

(DPB Report 8.4.97)

Carried.

21.

**BOUNDARY STREET, NO.47, DARLINGHURST - ALTERATIONS AND ADDITIONS TO VERANDAH AND FIRST FLOOR REAR EXTENSIONS - DEVELOPMENT APPLICATION (U97-00111)**

- (A) That the Council, as the responsible authority grants its consent to the application submitted by Mr T A Porter, on behalf of Mr T and Mrs M Porter to undertake alterations and additions to the existing dwelling, subject to the following conditions of consent, namely:-
- (1) That the development shall be generally in accordance with plans marked 215-01DA, dated February 1997 and submitted to Council on February 2, 1997;
  - (2) That this consent shall lapse after a period of two years from the date this consent became effective, unless the development to which it relates is commenced. (The applicant is advised that an application can be made to the Council before the time period expires, for an extension of one year);
  - (3) That the proposed upper floor bathroom window shall be obscure glazed;
  - (4) That the proposed new upper floor rear window shall have its lower half fixed and obscure glazed;
  - (5) 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;
  - (6) 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.

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

Carried.

22.

**WALTER STREET, NO. 3, PADDINGTON - ALTERATIONS AND ADDITIONS TO DWELLING - DEVELOPMENT APPLICATION (U96-01131)**

- (A) That the Council resolves it is satisfied that the SEPP1 objection to the development standard regarding height in Clause 16 of Interim Development Order No. 22 is well founded and that compliance is therefore unreasonable and unnecessary for the following reason, namely:-

That the proposal is consistent with adjacent development and the intent of Council's draft height control and the proposal will not adversely impact on adjacent properties.

- (B) That the Council as the responsible authority grants its consent to the application submitted by Archivision Design, with the authority of F Low, for permission to undertake alterations and additions including extension of the ground and first floors and conversion of the attic to a room with dormer windows and a juliet balcony, subject to the following conditions, namely:

- (1) That the development shall be generally in accordance with plans A2417 dated November 1996;
- (2) That the proposed first floor rear deck shall be deleted;
- (3) That the proposed ground floor addition shall be reduced in size by approximately 600m so that it aligns with the rear of No.5 Walter Street;
- (4) That the proposed front dormer window shall be constructed in timber joinery and proposed roofing materials shall match the existing;
- (5) That the applicant be advised that an objection may be lodged with Council pursuant to Section 82 of the Local Government Act, 1993 to vary, subject to the concurrence of the Director General, the requirements of Clause 54 of the Local Government (Approvals) Regulation 1993;

**GENERAL MANAGER**

- (6) That this consent shall lapse after a period of two years from the date this consent became effective, unless the development to which it relates is commenced. (The applicant is advised that an application can be made to the Council before the period expires, for an extension of 1 year);

and the following adopted conditions:

- (7) LDA163 - New brickwork to match existing;
- (8) LDA376 - Hours of building work;
- (9) LDA388 - Stormwater disposal details;
- (10) LDA392 - No obstruction to public way;
- (11) LDA396 - Works within boundaries;
- (12) LDA393 - Delivery of refuse skips;
- (13) HSC500 - Premises to be ventilated;
- (14) LDA351 - Building Application required.

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

Granting unconditional consent would be likely to adversely affect the amenity of the neighbourhood and would not be in the public interest.

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

Carried.

## 23.

### **CLEVELAND STREET. NOS. 401- 409, REDFERN - USE 1ST FLOOR AS A BILLIARD/SNOOKER CLUB - DEVELOPMENT APPLICATION (U97-00023)**

That consideration of the application submitted by Mr. B. Photios, with the authority of Mr. E. Wardy to use the premises as a cuesports centre be deferred and that:-

- (1) notification of the application be reviewed;
- (2) the social impact of the development be referred to Council's Acting Social Planner;

- (3) the conditions of the previous application be incorporated with the current application.

Carried.

**24.**

**PLANNING - SOUTH SYDNEY OPEN SPACE STUDY DRAFT REPORT  
(P54-00047)**

That Council resolves to:-

- (1) receive and note the Draft South Sydney Open Space Study submitted by Manidis Roberts Consultants;
- (2) publicly exhibit the South Sydney Open Space Study for a period of 4 weeks;
- (3) a further report be prepared after the close of exhibition indicating comments received and presenting the final draft of the document for consideration.

(DPB Report 11.4.97)

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

- (4) That if the Open Space that is controlled by the Department of Housing is "underdeveloped and underutilized and it is awaiting a legislative process to occur" as detailed in page 24 of the Open Space Study Draft Report, could Council's officers prepare a report on what is this process and what is the status of this legislative process.

-and that the following points be noted by Council in relation to the recommended actions detailed in Table 6.10 Issues: Anti-Social Behaviour in the draft report, namely:-

That the report outlines only one strategy ie "Address of anti-social behaviour in the Street Violence Prevention Development Control Plan" yet this issue in the northern part of the Central Ward and in the North Ward is the one continuing vexing issue for open space for residents and Councillors. There are a number of strategies these might include:-

- an assessment of the Alcohol Free Zones
- and support by Council to the Minister for Police for a reassessment of the Summary Offences Act to remove alcoholic abusers from open spaces.

Motion, as amended by Councillor Fowler, carried.

25.

**SOUTH DOWLING STREET, SUPACENTA, MOORE PARK - ALTERATIONS AND ADDITIONS TO EXISTING RETAIL CENTRE - DEVELOPMENT APPLICATION (U97-00114)**

That consideration of the application submitted by Mr J D Davidson, with the Authority of Supacenta Pty Ltd for permission to carry out alterations and additions to add 5160m<sup>2</sup> of gross floor space, the addition of 65 car parking spaces, and to upgrade the external facades including signage and external landscaping, be deferred to the next meeting of the Planning and Development Committee to be held on 7 May 1997, and that the applicant, the Director of Planning and Building and Objectors have discussions on the issues raised at the Committee Meeting.

Carried.

26.

**DARLINGHURST ROAD, NOS. 22- 28, KINGS CROSS - EXTEND EXISTING FACILITIES OF HOTEL/BISTRO (THE BOURBON AND BEEFSTEAK) - DEVELOPMENT APPLICATION (U96-01081)**

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 Manager Marriott Restaurants Pty Ltd with the authority of Mr P and Mrs H Kafataris for permission to carry out alterations and additions including new lower ground bar and front seating area subject to the following conditions:-
- (1) That the development shall be generally in accordance with plans 312/1, 2, 3, 4 dated September 1996;
  - (2) That the applicant shall submit evidence of a formal lease arrangement for provision of 8 off-street car parking spaces for a minimum period of 5 years and in the event that these spaces are no longer available the proposed use shall cease unless alternative parking is provided to the satisfaction of the Director of Planning and Building;
  - (3) 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;

**GENERAL MANAGER**

- (ii) balustrade treatment;
  - (iii) windows and doors;
- (4) That any external glazing shall have a reflectivity not exceeding 20%;
- (5) 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;
- (6) 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;
- (7) That the premises be carried out in accordance with the details of management practices submitted to Council and the "Code of Practice" established with Kings Cross Police. A copy of such information is to be available at reception on request by any member of the public.
- (8) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;

- (9) That full compliance shall be given to any requirement of the Director of Health and Community Services;
- (10) That sanitary and other facilities shall be provided in accordance with the requirements of the Building Code of Australia, Part F2;
- (11) 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;
- (12) That all liquid wastes other than stormwater arising on the premises shall be discharged to the sewer in accordance with the requirements of Sydney Water;
- (13) That plans and specifications showing details of:-
  - (i) all required mechanical ventilation systems;
  - (ii) the layout, disposition and method of installation of fixtures and fittings, together with wall, floor and ceiling finishes to the proposed bars shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;
- (14) 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;
- (15) 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;
- (16) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (17) That all proposed work shall be wholly within the boundaries of the subject site;
- (18) That all bottle collections be carried out between 9.00 am and 3.00 pm weekdays only and garbage collections not to occur before 7.00 am daily.

The reason for Council's consent being granted subject to the above conditions, is as follows:-

That the granting of unrestricted consent would be likely to cause injury to the amenity of the neighbourhood, including injury due to the emission of noise and vibration and the creation of a traffic hazard and traffic congestion and, further, would not be in the public interest.

- (B) That the applicant be advised that in order to comply with the Local Government Act and (Approvals) Regulation 1993 the following is required:
- (1) That the proposed work shall be constructed in Type (A) construction in accordance with the requirements of specification C1.1-(3) of the BCA;
  - (2) That all relevant sections of the BCA shall be complied with;
  - (3) That entertainment shall not be conducted on the premises until a Certificate of Classification has been issued;
  - (4) That an automatic sprinkler installation complying with the relevant requirements of AS2118 shall be installed throughout the building;
  - (5) That the system shall comply with a standard of Installation and Maintenance in accordance with the requirements of Australian Standard 2118 and be connected to the NSW Fire Brigade;
  - (6) That certification shall be provided by the installer of the sprinkler system that the entire system is installed in accordance with the provisions of Australian Standard 2118;
  - (7) That all essential services required by the B.C.A. shall be extended to cover the new area.
- (C) That the person who made representations in respect of the proposal be advised of Council's decision.

Carried.

27.

**HUGHES STREET, NOS. 10-12, POTTS POINT - ALTERATIONS AND ADDITIONS TO EXISTING RESIDENTIAL FLAT BUILDING - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U96-00918)**

**GENERAL MANAGER**

- (A) That the Council as the responsible authority grants its consent to the application submitted by Esturnbull Pty Ltd. with the authority of Crests Pty Ltd., for permission for alterations and additions to the existing building to create three additional units at the abovementioned premises, generally in accordance with the submitted drawing No.961601A subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans 0616-1A and 9616-SD1 dated October 1996 and December 1996 respectively.
  - (2) That this consent shall lapse after a period of two years from the date this consent becomes effective, (the applicant is advised that an application can be made to the Council before the period expires, for an extension of one year);
  - (3) As a consequence of this development, Council has identified an additional demand for public facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Contributions Plan 1993, the following monetary contributions towards the cost of providing facilities are required:

FACILITY	AMOUNT	ACCOUNT
Civic Improvement, Open Space and Recreation	\$3319.40	2 EJ-BGY 0
Child Care	\$174.40	2 EK-BGY 0
Community Facilities	\$172.60	2 EL-BGY 0
Transport and Access	\$646.40	2 EM-BGY 0
Environmental Improvements	\$104.50	2 EN-BGY 0
<b>TOTAL:</b>	<b>\$4417.30</b>	

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

Payment shall be made **before the release of the approved building plans/before the use is commenced or the premises are occupied whichever occurs first. (Delete as applicable).**

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.

**GENERAL MANAGER**

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

- (a) in the case of a consent to development where a subsequent building permit is required, before the approved Building Application becomes operative;
- (b) in the case of a consent to any other development, before the development or use is commenced;

(The Council may decide to accept the deferred or periodic payment of this amount in the circumstances set out in Clause 29 of the South Sydney Contributions Plan, 1993).

- (4) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building (including any demolition) work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation;
- (5) That 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;
- (6) 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;
- (7) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (8) That all proposed work shall be wholly within the boundaries of the subject site;
- (9) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (10) 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;

- (11) 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;
- (12) That the storage and handling of garbage shall comply with the requirements of the Director of Health and Community Services. Attention is drawn to Council's "Waste/Minimisation Fact Sheets";
- (13) That the developer shall advise any purchaser of any newly constructed unit, or tenant thereof, that it is Council's policy not to issue resident parking permits to residents of new residential flat units located in Residential Parking Scheme areas;
- (14) That all existing trees on the site covered by Council's Tree Preservation Order shall be preserved and protected during the construction phase to the satisfaction of the Director of Public Works and Services;
- (15) That a plan for the landscaping of the site, including details of any subsoil drainage where landscaping is provided on a slab and any proposed security fencing, shall be lodged with the Director of Planning and Building for approval and the site shall be landscaped in accordance with the plan as so approved and be maintained at all times to the satisfaction of the Director of Planning and Building and the Director of Public Works and Services;
- (16) That 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.

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 persons who made submissions in respect of this matter be advised of Council's decision.

Carried.

28.

**KING STREET, NOS. 22 - 28, NEWTOWN - EXTEND RESTAURANT/NEW DWELLING/OFFICE USE - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U96-00691)**

At the Committee Meeting and Council Meeting the Mayor declared an interest and did not take part in discussions or voting on the Item.

(A) That the Council as the responsible authority grant its consent to the development application submitted by Mr. J. Nazmi to carry out alterations and additions to Nos. 22-28 King Street, Newtown, involving a first floor dwelling, restaurant on the ground and first floor of No. 22-26 King Street and office use of No. 28 King Street, (ground and first floor), subject to the following conditions:-

- (1) That the development shall be generally in accordance with plans dated 7 March 1997 and plan number 96/06/1.7A dated June 1996;
- (2) That the maximum number of seats within the restaurant shall not exceed 199;
- (3) That the first floor extension to Queen Street shall:
  - (a) have a parapet height matching the existing adjoining parapet height; and
  - (b) match the finish and colour of the existing building;
- (4) That the proposed stairways shall be designed to fully comply with the requirements of Part D of the Building Code of Australia (B.C.A.), with particular attention directed to Clause D2.13 of the B.C.A.;
- (5) That no structures shall be erected on the awning to King Street;
- (6) That the shop "bays" to No. 22 and No. 28 King Street shall be reinstated (and notices used advising the public to use the other entry, if they are not required for access and egress);
- (7) 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:

Civic Improvement, Open Space and Recreation	\$1267.40	2 EJ-BGY 0
Child Care	\$ 66.40	2 EK-BGY 0

**GENERAL MANAGER**

Community Facilities	\$ 65.90	2 EL-BGY 0
Transport and Access	\$ 246.80	2 EM-BGY 0
Environmental Improvements	\$ 39.90	2 EN-BGY 0
<b>TOTAL:</b>	<b>\$1686.60</b>	

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

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

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

- (8) That details, shall be submitted, including materials proposed and colours of same for the approval of the Director of Planning and Building prior to the approval of the Building Application, in respect of the following aspects of the proposal:-
- (a) external finishes to walls;
  - (b) roofing finishes;
  - (c) parapet balustrade treatment;
  - (d) proposed fences; and garage door;
- (9) That a separate application shall be submitted at the appropriate time for any proposed signs;
- (10) That the applicant shall liaise with Council's Public Works and Services Department in regard to the responsibility and costs of relocating the tree on Queen Street to be removed due to the new driveway;
- (11) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building 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;

- (12) That the hours of operation shall be restricted to between 6.00 pm and 11.00pm, seven days a week;
- (13) 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;
- (14) 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;
- (15) That the applicant shall apply to the Director of Public Works and Services for the allocation of a street number;
- (16) That building/demolition work in connection with the proposed development shall only be carried out between the hours of 7.30am and 5.00pm on Mondays to Fridays, inclusive, and 7.30am and 3.00pm 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";
- (17) That the developer shall make application to the Public Works and Services Department for the issuing of new alignment levels to be adopted for the design of the building and other on-site works;
- (18) That the developer shall make application to the Director of Public Works and Services for the provision and meet the cost of the necessary vehicular footway crossings and bear the cost of the reinstatement of the footpath where any existing crossings adjacent to the site are no longer required;
- (19) 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;
- (20) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (21) 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;
- (22) That all proposed work shall be wholly within the boundaries of

the subject site;

- (23) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (24) That sanitary and other facilities shall be provided in accordance with the requirements of the Building Code of Australia, Part F2;
- (25) That the construction of the premises shall comply with the requirements of Material Code for the construction and fitout of food premises;
- (26) That plans and specifications showing details of the layout, disposition and method of installation of fixtures and fittings, together with wall, floor and ceiling finishes to all proposed food preparation and storage areas shall be submitted to the Director of Planning and Building and approval obtained before work is commenced;
- (27) That plans and specifications showing details of all proposed air handling systems shall be submitted to the Planning and Building Department and approval obtained before the installation is commenced;
- (28) That the applicant shall enter into a commercial contract for the removal of trade waste;
- (29) That a garbage receptacle storage area shall be provided within the site in an approved position constructed in accordance with the requirements of Council's Code for the Construction of Garbage Handling Systems. Attention is drawn to Council's Waste Management - Minisation "Fact Sheets", Garbage Storage Areas, Facilities and Receptacles;
- (30) That the use of the premises shall not give rise to:-
  - (a) transmission of vibration to any place of different occupancy, or
  - (b) a sound level at any point on the boundary of the site greater than the background levels specified in Australian Standard 1055, "Acoustic - Description and Measurement of Environmental Noise" or
  - (c) an "offensive noise" as defined in the Noise Control Act, 1975.

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

**GENERAL MANAGER**

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, streetscape qualities, heritage issues, traffic and parking congestion, and would not be in the public interest.

- (B) That the applicant referred to foregoing part ( A) be advised that in order to comply with the Local Government Act and (Approvals) Regulation 1993, the following is required:
- (1) That all relevant sections of the BCA shall be complied with;
  - (2) That new stairways and ramps shall be at least 1000mm in width which shall be increased as required in accordance with D1.6 of the BCA and shall have a minimum unobstructed vertical clearance throughout of 2000mm with goings and risers for stairs in accordance with D2.13 of the BCA and shall be provided with balustrades and handrails in accordance with D2.16 of the BCA respectively;
  - (3) That all doors serving as required exits or forming part of a required exit and any door, shutter, grille or the like which is installed in a path of travel to a required exit, shall comply with the requirements of D2.19, D2.20 and D2.21 of the BCA;
  - (4) That portable fire extinguishers shall be provided throughout the building to the requirements of E1.6 of the BCA and AS 2444;
  - (5) That a fire blanket complying with the requirements of AS3504 shall be provided in the kitchen adjacent to the cooking appliances;
  - (6) That a system of emergency lighting shall be installed throughout the building in accordance with the requirements of E4.2, E4.3, E4.4 of the BCA and AS2293.1;
  - (7) That exit signs shall be provided in accordance with the requirements of E4.5, E4.7, E4.8 of the BCA and AS2293-1;
  - (8) That a suitable automatic fire detection and alarm system shall be installed to comply with E1.7 of the BCA;
  - (9) That hose reels shall be installed throughout the building in accordance with the requirements of E1.4 of the BCA and AS2441;
  - (10) That hydrants shall be installed throughout the building in accordance with the requirements of E1.3 of the BCA and AS2419.1;

- (11) That the openings in the external wall/s shall be protected by wetting sprinklers or -/60/30 fire doors or -/60/- fire windows or fire shutters or by construction having an FRL of not less than -/60/- in accordance with the requirements of C3.2, C3.3 and C3.4 of the BCA;
- (12) That natural light and ventilation shall be provided in accordance with requirements of Part F4 of the BCA;
- (13) That all internal bathrooms and laundries shall be mechanically ventilated in accordance with requirements of F4.5 of the BCA;
- (14) That a fire blanket complying with the requirements of AS3504 shall be provided in the kitchen adjacent to the cooking appliances;
- (15) That the proposed work shall be constructed in Type (Type A with particular attention directed to floor construction.) construction in accordance with the requirements of specification C1.1- That proposed stairways shall be redesigned so as to comply fully with the requirements of Part D of the B.C.A. (LDA-351) of the BCA;
- (16) That this approval shall be only for internal work shown coloured in accordance with the approved use of the premises with particular attention to roof overhang.

Carried.

**29.**

**WILSON STREET, NO.406, DARLINGTON - ALTERATIONS AND ADDITIONS TO REAR OF PREMISES - BUILDING APPLICATION (Q97-00038)**

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mrs C Davis for permission to erect a two storey extension to the rear of the abovementioned premises, all in accordance with the submitted plan numbered BA-1 dated 15 January 1997, subject to the following conditions, namely:
  - (1) That the glazing at the rear on the ground floor, located within 900mm of the boundary, shall have a fire resistance level of -/60/- alternatively the rear bay window shall be deleted and replaced with glazing aligned at 90° to the side boundaries.
  - (2) That a privacy screens shall be provided to the eastern side of the first floor rear balcony to match the one proposed for the western side of the balcony;

**GENERAL MANAGER**

- (3) That the rear setback of the upper level shall not extend beyond the rear ground floor building line of the adjoining property (No 404);
- (4) That compliance shall be given to the provisions of the Local Government Act, 1993, Local Government Regulations and the Building Code of Australia (BCA);
- (5) That compliance shall be given to all of the conditions shown on the approved plan;
- (6) 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;
- (7) 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;
- (8) That the approval shall only relate to the work shown coloured on the approved plans;
- (9) That a Survey Certificate shall be submitted from a Registered Surveyor to the effect that the proposed building has been set out so that the dimensions and location on the site are in accordance with the approved plan prior to the foundation excavations being commenced;
- (10) 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;

- (11) That with respect to proposed work to any party wall, the applicant shall make good any damage to common property as a result of such work;
- (12) 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;
- (13) 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;
- (14) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
- (15) That the existing building shall be maintained in a stable condition during construction and/or demolition work to Council's approval;
- (16) That structural details (including underpinning and/or shoring details) shall be submitted for consideration and approved prior to the commencement of any structural work. You are advised that by a resolution of Council, all structural plans must be accompanied by a certificate from an **approved** practising Structural Engineer. Details of the procedure of Structural Certification are attached herewith;
- (17) That a certificate shall be submitted at the completion of the proposed work from a registered structural engineer confirming that all structural work complies with the approved certified structural plans;
- (18) That all timber framing shall be in accordance with AS 1684-1992 S.A.A. National Timber Framing Code or certified by a structural engineer in accordance with AS 1720.1 timber structures code;
- (19) That where a structural member is subject to attack by subterranean termites provision shall be made for:-
  - (a) Physical barriers in accordance with AS 1694;
  - (b) Soil treatment in accordance with B1.3 of the BCA and AS 2057;

- (20) That the external walls closer than 900mm from a side boundary shall be of masonry or masonry-veneer construction or construction having a fire resistance level of not less than 60/60/60, in accordance with Specification C1.9-4 of the BCA;
- (21) 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;
- (22) That a suitable automatic fire detection and alarm system shall be installed to comply with E1.7 of the BCA;
- (23) 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;
- (24) That natural light and ventilation shall be provided in accordance with requirements of Part F4 of the BCA;
- (25) 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;
- (26) That details of the stormwater disposal and drainage for the development shall be submitted for consideration;
- (27) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (28) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (29) 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;
- (30) 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;
- (31) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;

- (32) 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;
- (33) 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.

The reason for Council's consent being granted subject to the above conditions, is as follows:-

That the granting of unrestricted consent would be likely to cause injury to the amenity of the neighbourhood, including injury due to the emission of noise and vibration and the creation of a traffic hazard and traffic congestion and, further, 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.

30.

**TWEEDMOUTH AVENUE, NO.82, ROSEBERY - CONVERT EXISTING PERGOLA INTO ENCLOSED GAMES ROOM - BUILDING APPLICATION (Q96-00100)**

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt., seconded by Councillor Macken:-

- (A) That arising from a report by the Director of Planning and Building dated 1 April 1997, regarding the conversion of the existing pergola into an enclosed games room at the rear of the premises, the conditions 3 to 12 contained in parts B and 1 to 10 contained in part C of the resolution of Council dated 22 May 1996 be reaffirmed.
- (B) That the Council commence prosecution proceedings in the Local Court for breach of Section 68(i) of the Local Government Act 1993.
- (C) That the persons who made representations about the proposal be advised of Council decision.

At the request of Councillor Bush, and by consent, the motion was amended by the addition of a Clause (D) to the recommendation namely:-

- (D) That the Director of Planning and Building prepare a report to Council regarding on any action that can be taken regarding unauthorised work of this nature.

Carried.

31.

**ALBION STREET, NO.73, SURRY HILLS - USE PREMISES AS A BROTHEL  
- DEVELOPMENT APPLICATION (U97-00122)**

- (A) That the Council as the responsible authority refuses its consent to an application submitted by S Liu, with the authority of Mr R Ronen, for permission to conduct a "home occupation" brothel in the upper floor of an existing building for the following reasons, namely:-
- (1) That information has not been submitted to substantiate the applicant's claim that the proposal constitutes a home occupation;
  - (2) That the scale appears to be in excess of that which would be acceptable as a "home occupation";
  - (3) That the hours proposed exceed the reasonable hours of operation of a "home occupation";
  - (4) That the proximity of the site to a church and school make it unsuitable for use as a brothel and is contrary to Council's Brothels Policy;
  - (5) That approval would be contrary to the public interest.
- (B) That the applicant be advised that, considered as commercial premises, the Council would also oppose the use as a brothel for the reason that the hours of operation and proximity to a church and school make it incompatible with the area.
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.
- (D) That the Councils' solicitors be advised to continue action for the cessation of the unauthorised use.
- (E) That a notice be served for the demolition of the unauthorised structure at the rear of the premises.

Carried.

32.

**SPRINGFIELD AVENUE NOS. 24-30, KINGS CROSS - CHANGE OF HOURS OF OPERATION TO KARAOKE RESTAURANT - DEVELOPMENT APPLICATION (U96-01068)**

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Fowler:-

- (A) That the Council as the responsible authority grants its consent to the application submitted by Kwon Oh Seo with the authority of the owner Rifon Pty Ltd to continue the use of the Karaoke Restaurant subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans numbered 9612002 dated 10 February 1996;
  - (2) That the hours of operation shall be restricted to commencing at 11.00a.m. and closing at 12.00 midnight daily;
  - (3) That a licensed security officer be engaged to constantly patrol the area in the vicinity of the premises to ensure that patrons of the premises do not loiter or linger in the area or cause nuisance or annoyance to the neighbourhood; such patrols to commence at 10.00p.m. and to continue until the last patrons have left the premises and the vicinity;
  - (4) That access to the balcony by patrons shall be prohibited at all time and to staff after 10.00p.m.;
  - (5) That the windows along the eastern elevation to Llankelly Place shall be keep closed during operating hours;
  - (6) That any deliveries shall be restricted to occur between 7.00a.m. to 6.00p.m. Mondays to Saturdays with no vehicular access, parking, loading/unloading allowed on Llankelly Place;
  - (7) That a maximum of 90 patrons shall be allowed on the premises at any one time;
  - (8) That the Code of Practice submitted to Council be complied with at all times;
  - (9) 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

**GENERAL MANAGER**

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;

The reason for Council's consent being granted subject to the above conditions, is as follows:-

That the granting of unrestricted consent would be likely to cause injury to the amenity of the neighbourhood, including injury due to the emission of noise and vibration and the creation of a traffic hazard and traffic congestion and, further, 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.

### 33.

#### **MACLEAY STREET, NO.40, POTTS POINT - CHANGE OF USE TO SERVICED APARTMENTS - DEVELOPMENT APPLICATION (U96-01130)**

- (A) That the Council as the responsible authority grants its consent to the application submitted by Martin & Sport Pty Ltd, with the authority of Burrawong Investments Pty Ltd, for permission to use the premises for the purpose of serviced apartments, subject to the following conditions, namely:
  - (1) That the development shall be generally in accordance with plans DWG 9606-SDA1 and plans numbered Surveyors Reference 37498 sheets 1 to 8;
  - (2) 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

**GENERAL MANAGER**

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;

- (3) 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;
- (4) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (5) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (6) That all proposed work shall be wholly within the boundaries of the subject site;
- (7) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (8) That all relevant sections of the BCA shall be complied with.

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, traffic and parking congestion, and would not be in the public interest.

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

Carried.

**34.**

**TRAFFIC - DRAFT ROAD SAFETY STRATEGIC PLAN 1997 - 2002  
(2004120)**

That:-

- (1) Council adopt the Draft Road Safety Strategic Plan 1997-2002;
- (2) Council distribute the Plan to stakeholders involved in road safety, community organisations and members of the community for comment to make them aware of the Council's commitment to road safety;
- (3) a "Message from the Mayor" forward the Strategic Plan;
- (4) the Media Unit finalise and publish the Plan after public comment.

(DPWS Report 14.4.97)

Carried.

At 8.20 p.m. the meeting terminated.

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

**CHAIRPERSON**

**GENERAL MANAGER**

**GENERAL MANAGER**