#### **186TH Meeting**

#### Erskineville Town Hall Erskineville

#### Wednesday, 28 May 1997

An Ordinary Meeting of South Sydney City Council was held at the Council Chambers, Erskineville Town Hall, Erskineville, at 6.43 pm on Wednesday, 28 May 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.

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#### **Confirmation of Minutes**

Moved by Councillor Harcourt, seconded by Councillor Lay:-

That the minutes of the Ordinary Meeting of Council of 14 May 1997, be taken as read and confirmed.

At the request of the Mayor, and by consent, the minutes were amended on Page 513 by the deletion of Condition (4) of the application and the insertion in lieu thereof of the new Condition (4), namely:-

(4) That the hours of operation shall be restricted to 9.00 a.m. to 1.00 a.m. the following morning, Sundays to Wednesdays, and 9.00 a.m. to 3.00 a.m. the following morning, Thursdays, Fridays, Saturdays, however, the hours of operation beyond 12.00 midnight shall be subject to a 12 month trial period from the date of commencement of the use in accordance with this consent. The applicant shall reapply for an extension of hours before the expiry of the 12 month period specified above, otherwise the hours of operation shall revert to 9.00 a.m. to 12.00 midnight daily;

Carried.

#### Apology:

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

Moved by Councillor Macken, seconded by Councillor Lay:-

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

Carried.

At this stage it was moved by the Mayor, seconded by Councillor Harcourt, that permission be hereby granted by Council to bring forward business of which due notice has not been given, namely, to discuss the Censure Motion moved by Councillor Fenton at the meeting of Council of 14 May 1997.

Carried.

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

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

COUNCIL'S CODE OF CONDUCT - INVESTIGATION INTO BREACH BY COUNCILLORS BUSH AND DEFTEREOS (A54-00013)

That the Mayor and the General Manager investigate the matter expeditiously and that a report be submitted to Council on the investigations.

#### Carried.

In connection with this matter, Councillor Deftereos tabled a document regarding the investigation.

#### MINUTE BY THE MAYOR

23 May 1997

### PUBLIC RELATIONS - OPENING OF SOUTH SYDNEY CENTRAL LIBRARY IN WATERLOO TOWN HALL (L55-00012)

In 1994, Council resolved to establish the South Sydney Central Library in the Waterloo Town Hall. This was possible by Council providing funds, together with a grant of \$80,000 from the NSW State Government through the State Library's Grants Program.

Council commissioned a staged Master Plan for the Town Hall's renovation from the architects Stephenson and Turner. Work commenced on 15 July, 1996 and included the replacement of the roof, the expansion of the library into the first floor, the installation of a lift, the relocation of the Kellick Street library entrance to the Elizabeth Street frontage, the repainting of the interior, new carpeting, the upgrade of the electrical systems and fire safety equipment and new public toilets.

The major renovation of the Town Hall to include the Central Library has restored this remarkable building to its former glory. The removal of a partition in the inner hall has exposed the magnificent stairway. Now that the entrance is in the hallway, the World War I and II Honour Boards, the Foundation Stone which was laid on 21 August, 1881 and the plaque commemorating the visit of the Duke of Wellington on 26 July, 1990 can be seen by visitors to the library.

It is proposed to hold a ceremony to celebrate the re-opening of the newly renovated South Sydney Central Library in the Waterloo Town Hall on Saturday, 28 June, 1997 from 11.00 am to 2.00 pm at which library users, library staff, previous librarians and representatives of the State Library and other council libraries will be invited.

#### **RECOMMENDATION:**

That Council agree to hold a ceremony to celebrate the re-opening of the newly renovated South Sydney Central Library in the Waterloo Town Hall on Saturday, 28 June, 1997 from 11.00 am to 2.00 pm at which library users, library staff, previous librarians and representatives of the State Library and other council libraries will be invited, and for which funds are available in the 1996/97 Budget Estimates (EBC 77FO).

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

23 May 1997

#### PERSONNEL - 1997 NSW ABORIGINAL EMPLOYMENT AWARDS (2015335)

The NSW Department of Training and Education Co-ordination (DTEC) acknowledge organisations and people committed to the recruitment and employment of Aboriginal and Torres Strait Islanders in NSW.

For its part, Council acknowledges that our own local government area has a high level of Aboriginal unemployment and have introduced policies and recruitment initiatives to break down these barriers. These have included our involvement in government funded Training for Aboriginal schemes, the appointment of Aboriginal Traineeships and the appointment of an Aboriginal Liaison Officer in our Health and Community Services Department as well as our ongoing policy development dealing with cultural diversity.

As a result Council was invited to nominate for the NSW Aboriginal Employment Awards organised by DTEC.

The awards were open to the following categories:-

- 1. Private employers
- 2. State Government agencies.

- Local Councils
- 4. Employment Co-ordinators

The Awards presentation was held on 14 May at the Swiss Grand Hotel, Bondi Beach, hosted by Mark Ella. Representatives from private business and State Government were also in attendance.

South Sydney Council were the runner-up finalist in the "Local Councils" section, subsequently won by Kyogle Council.

#### RECOMMENDATION

I recommend that a letter of congratulations be forwarded to staff of the Employment Services Department who were involved in recruitment and policy development assisting Aboriginal employment.

Councillor Vic Smith (SGD) **Mayor** 

Moved by Councillor Harcourt, seconded by Councillor Macken:-

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

Carried.

#### MINUTE BY THE MAYOR

23 May 1997

### DONATIONS - OLD TELEPHONE HANDSETS - DONATIONS TO THE SALVATION ARMY (2008110)

The new PABX will operate from Monday 26 May 1997 and all users will have new telephone handsets.

There will be approximately 350 old telephone handsets which will have to be disposed of by Council.

From enquiries made Council will have difficulties in selling the handsets in bulk.

If Council was to sell the handsets individually it would raise about \$1,700 in income which would be far less than the cost of administrating such a proposal.

PABX Advisory Services have advised that they can dispose of the old telephone handsets free of charge, on Council's behalf, or Council might wish to donate the handsets to a charitable organisation.

I consider it more appropriate to donate the handsets to a charitable organisation and I understand that the Salvation Army are willing to take the telephone handsets off Council's hands. They will distribute the handsets to various centres for sale.

#### **RECOMMENDATION**

That the old telephone handsets be donated to the Salvation Army, subject to no additional costs being incurred by Council.

Councillor Vic Smith (SGD) **Mayor** 

Moved by Councillor Macken, seconded by Councillor Fowler:-

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

Carried.

#### MINUTE BY THE MAYOR

23 May 1997

## GRANTS - ACCOMMODATION FOR THE KINGS CROSS COMMUNITY AND INFORMATION CENTRE (2014512)

At its meeting of 14 May 1997, Council resolved to offer the Kings Cross Community and Information Centre exclusive use of Multipurpose Space #1 within the new Council premises adjoining Fitzroy Gardens for a period of twelve months, under a lease agreement.

However, following a recent tour of the proposed new premises, the Centre has written to Council and asked whether it would be possible for it to relocate into Multipurpose Space #2, instead of Multipurpose Space #1. It was felt that Multipurpose Space #2, even though it is a smaller space, would better service the neighbourhood centre functions of the Service given the direct access it offers off Fitzroy Gardens.

I am therefore recommending that Council resolve to offer the Kings Cross Community and Information Centre exclusive use of Multipurpose Space #2 within the new premises, for a set period of 12 months, under the same conditions that applied to their use of Multipurpose Space #1. I am also proposing that given the difficulties in isolating the electricity and security charges for Multipurpose #2 that these be covered by Council, but be considered as a grant to the organisation under the 1997/98 Annual Community Grants Program, similar to the waiving of the rental fee for the premises for 12 months.

Following Council's resolution on the accommodation offer to the Centre, it is anticipated that the lease with the Centre, and the formal agreement with the Centre and its funding bodies would be finalised as a matter of urgency. This will enable the Centre's relocation into the new premises during the week 2 - 6 June 1997, similar to other services, in order that it recommences operations on 9 June 1997.

#### **RECOMMENDATION:**

That Council offer the Kings Cross Community and Information Centre exclusive use of Multipurpose Space #2 (instead of Multipurpose Space #1) to best facilitate the provision of the neighbourhood centre functions of the Service, and that Council cover the electricity costs and security costs associated with this space, as a grant to the organisation under the 1997/98 Annual Community Grants Program.

Councillor Vic Smith (SGD) **Mayor** 

Moved by Councillor Harcourt, seconded by Councillor Lay:-

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

#### MINUTE BY THE MAYOR

20 May 1997

### PUBLIC RELATIONS - FORMAL DINNER TO FAREWELL GARRY BROOKS (2015522)

On 15 August 1997, Garry Brooks, South Sydney Council's Director of Finance will retire after 38 years of service with Local Government. For the first 30 years he worked with the Sydney City Council and since 1989 has worked as Director of Finance and Administration with South Sydney City Council.

Garry commenced work with Sydney City Council on 11 August 1959 in the Purchasing Section and rose to become Finance Manager. When South Sydney Council was established on 31 January 1989, Garry transferred across to become Council's inaugural Director of Finance and Administration.

In recognition of his valuable and loyal service to both Councils and Local Government during the last 38 years, it is proposed to host a formal dinner on Saturday, 2 August 1997 at Paddington Town Hall to honour him and celebrate his well earned retirement.

#### **RECOMMENDATION:**

That Council acknowledge the valuable and loyal service Garry Brooks has given to Council and Local Government during the last 38 years by hosting a formal dinner on Saturday, 2 August 1997 at Paddington Town Hall and for which funds have been provided for in the 1997/98 Estimates (EBC 77FO).

Councillor Vic Smith (SGD) **Mayor** 

Moved by Councillor Macken, seconded by Councillor Harcourt:-

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

#### MINUTE BY THE MAYOR

28 May 1997

#### MEETINGS - JOINT MEETING OF FINANCE COMMITTEE, COMMUNITY SERVICES COMMITTEE AND PLANNING AND DEVELOPMENT COMMITTEE (C57-00070)

Council on 4 September 1996, resolved, inter alia, that the Finance Committee meet on the first and third Wednesday of each month at the hour of 6.30 p.m. at the Council Chambers, Erskineville Road, Erskineville, and that it be immediately followed by the Community Services Committee meeting and that the Planning and Development Committee meet on the first and third Wednesday of each month at the hour of 6.30 p.m. at the Council Chambers, Erskineville Road, Erskineville.

The next Committee meetings are to be held on 4 June 1997.

Council on 14 May 1997, approved of Councillors Deftereos, Fowler and Lay attending the "Pathways to Sustainability" Conference in Newcastle from 1 to 5 June 1997.

The quorum for each Committee meeting is three Councillors. With Councillors Deftereos, Fowler and Lay at the Newcastle Conference and should any other Councillor not be able to attend one of the Committee meetings then there will be no quorum present.

So that the business of Council can be processed as expeditiously as possible, I suggest that a joint Committee be formed to deal with all those matters that would be normally dealt with by the Finance Committee, Community Services Committee and the Planning and Development Committee at meetings on 4 June 1997.

#### **RECOMMENDATION:**

That a joint Committee be formed comprising all Councillors to deal with those matters that would normally be dealt with by the Finance Committee, Community Services Committee and the Planning and Development Committee at the meetings to be held on 4 June 1997 and that such joint Committee meeting commence at 6.00 p.m. on 4 June 1997 and the quorum be four Councillors.

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 GENERAL MANAGER

28 May 1997

### ADMINISTRATION - SOUTH SYDNEY DEVELOPMENT CORPORATION PROPOSAL MEMORANDUM OF UNDERSTANDING (2009334)

The Mayor has received a letter from Mr W Kirby Jones, Chairman of the South Sydney Development Corporation outlining a draft memorandum of understanding proposed as a basis for the working relations between the Corporation the Minister for Urban Affairs and Planning and South Sydney City Council.

The Corporation has endorsed the memorandum and a copy has been forwarded to the Minister for his consideration. The Corporation has requested that Council consider the draft memorandum and, if it agrees, endorse it as a statement of the working relations.

The draft memorandum sets out how the three parties will consult and liaise with each other. A copy of the letter, the memorandum and a map identifying the area which the corporation has jurisdiction over are attached.

It is proposed that the Council will seek the views of the Corporation in preparing Draft LEP's, DCP's and planning policies, that it will forward a list of development applications received to the Corporation and upon request forward details of any application on the list, that it will seek the views of the Corporation on certain categories of major development and in the event that Council does not accept the views of the Corporation that it will inform the corporation and will not proceed to determine the application for a further period of 10 days.

Finally it is proposed that Council will invite the Executive Officer of the Corporation to attend any formal pre development application meetings for sites within the growth centre.

It is also proposed that it will be open to the parties at any time to seek a review of the memorandum but in any case that it shall be reviewed after a period of six months.

#### **RECOMMENDATION:**

That Council endorse the draft memorandum of understanding between the South Sydney Development Corporation, the Minister for Urban Affairs and Planning and South Sydney City Council.

J W Bourke (SGD)

General Manager

Moved by Councillor Macken, seconded by Councillor Harcourt:-

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

Carried.

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

That the matter be deferred for further opinions from the Minister of Local Government and the Local Government Association.

Amendment negated.

Motion, as moved by Councillor Macken, carried.

#### MINUTE BY THE GENERAL MANAGER

28 May 1997

### PERSONNEL - NEW SALARY SYSTEM - SALARIED AWARD VARIATIONS (2015369)

A Minute by the General Manager dated 28 May 1997, was circulated to all Councillors prior to the Council Meeting.

The Council resolved that the press and the public be excluded from this Item, and further, access to the report be withheld because in the opinion of the Council, publicity of the proceedings of the Council 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 was because the General Manager's Minute related to a Personnel matter.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

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

Carried.

#### **PETITION**

 The Mayor tabled a petition received by the General Manager with approximately 20 signatures appended from residents and business people in Darlinghurst and Paddington objecting to the unauthorised changes and use of the Palace Hotel, Flinders Street, Darlinghurst.

Received.

#### **QUESTIONS WITHOUT NOTICE**

1.
STREETSCAPES - MCCARTHY SQUARE, ERSKINEVILLE - ERECTION OF A COMMUNITY NOTICE BOARD AND CLEAN UP OF RUBBISH - QUESTION WITHOUT NOTICE BY COUNCILLOR MACKEN (W51-00038, S57-00043)

#### Question:

Could Council Officers investigate the possibility of providing a community notice board for McCarthy Square, Erskineville?

Could Council Officers also undertake a clean up of McCarthy Square? The Square is currently knee deep in pigeon droppings, leaves and rubbish. Some of the chairs in the Square are also looking a bit tatty, could Council Officers investigate a lick of paint for the chairs and repair any broken chairs?

Could Council Officers also investigate the possible repair of the water fountain?

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

I will ask the Director of Public Works and Services to investigate those matters urgently and have a response prepared for the Councillors Information Service.

2.

COMMUNITY FACILITIES - PINE STREET CENTRE, CHIPPENDALE PROVIDING OF CHILDREN'S PROGRAMS AND COMMUNITY SPACE QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (2012777)

#### Question:

Given that we have approved the demolition of Victoria Park Bowling Club and the formation of a Steering Committee for the Cultural Centre, could I please have a report on how best Council can continue to provide the children's programs as well as community space in the Pine Street Centre in Chippendale? This is a very valuable and integral part of the Chippendale community.

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

I will ask the Director of Health and Community Services to have that matter investigated and have a report prepared for Council's Committee.

3.

TRAFFIC - ERSKINEVILLE ROAD, ERSKINEVILLE - POSSIBLE DESIGN
CHANGES TO CROSSING OUTSIDE ERSKINEVILLE TOWN HALL TO
IMPROVE SAFETY - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY
(T52-00058)

#### Question:

Could I please have a report on the crossing outside Council's Chambers on Erskineville Road? Could this report please include reference to possible design changes to improve safety, the cost of any such works and whether there is any Section 94 Contributions available?

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

I will ask the Director of Public Works and Services to have a report prepared for the next Committee. It is an ongoing problem and we need that matter dealt with as expeditiously as possible.

#### 4.

# HEALTH - DEMOLITION OF BUILDINGS - PROTECTION OF RESIDENTS FROM ASBESTOS AND DUST - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (H51-00390)

#### Question:

I have had representations from residents voicing their concern at Council's powers to protect residents and surrounding property holders from asbestos and dust from demolition of buildings.

Could Council Officers report on the areas of control that are policed by Council in regard to dust and asbestos that on demolition of a building may affect the surrounding properties? Is this a matter for Council Officers or is it a responsibility of Workcover N.S.W.? If it is the latter, it would seem that residents have little redress to developers if their amenity is affected by dust and asbestos as their only recourse would be through a civil action.

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

I will ask the Director of Health and Community Services to prepare a report for the Councillors Information Service.

#### 5.

# PARKS - ROSE TERRACE, PADDINGTON - REQUEST BY RESIDENTS FOR THE PLACEMENT OF DOGGY LOOS - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (P52-00144)

#### Question:

I have had representations from the residents of Rose Terrace, Paddington, regarding the placement of a doggy loo/worm farm in the park. I understand that it is Council's policy to only issue these to residents to be kept within their property, however, as this area is very much used like a common area can residents contact Council about the placement in the park at Rose Terrace?

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

I will ask the Officer concerned to investigate that matter for you and see if we can establish one in Rose Terrace.

6.
STREETS - MONT CLAIR LANE, DARLINGHURST - REQUEST BY
RESIDENTS FOR THE BUILDING OR UNDERGROUNDING OF ENERGY
AUSTRALIA WIRES. - QUESTION WITHOUT NOTICE BY COUNCILLOR
FOWLER (2015500)

#### Question:

I have had a request for the bundling or undergrounding of Energy Australia wires in Mont Clair Lane in Darlinghurst and the relocating of a street light in that laneway. What is Council's policy on this matter, and what advice can be given to the property holders who front this lane?

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

I will ask the Director of Public Works and Services to have a report prepared for the Councillors Information Service.

7.
HEALTH - BUCKINGHAM STREET, REDFERN - CONCERNS BY
RESIDENTS ABOUT RELATED HEALTH HAZARDS REGARDING
PIGEONS - QUESTION WITHOUT NOTICE BY COUNCILLOR HARCOURT
(H51-00431)

#### Question:

Some residents in Buckingham Street, Redfern, have complained about the large numbers of pigeons which roost and feed in the street. There are several young children who play in the area affected by pigeons and their parents are concerned about related health hazards.

Could we please have an investigation of the problem and proposals for a solution?

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

I understand that there is a report coming from the Director of Health and Community Services in relation to the pigeon problem, but in the meantime I will ask him to have his Officers investigate that matter for you in Buckingham Street.

8.

# PLANNING - ENERGY EFFICIENT POLICY - CREATION OF A SALARIED OR PART TIME POSITION - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (P54-00140)

#### Question:

Could the Director of Planning and Building liaise with other relevant Directors and the Energy Efficiency DCP Committee to consider the creation of a new salaried or part time position that would deal with the evolution of an energy efficient policy for South Sydney Council's property management, vehicle use, recycling and strategic planning for future development and building practices.

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

I will ask the Director of Planning and Building to have a report prepared for Council's Committee in relation to that question.

9.
PUBLIC RELATIONS - PROPERTIES WITHIN SOUTH SYDNEY COUNCIL
OWNED OR SOLD BY LOCAL, STATE OR FEDERAL GOVERNMENT QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2013721)

#### Question:

I have had many representations from a frustrated Councillor whom has not had a response for the third time in over two years to a simple question that could be answered easily and accurately. This is the fourth and last time I will ask this question.

I want a list of all property within South Sydney Council that is owned or has been previously owned and sold by any Local, State or Federal Government in the past two terms of this Council.

#### **Answer by the Director of Finance:**

I have on my desk a list of properties owned or formerly owned by the State Government. I do not have the information regarding the Federal Government owned properties.

#### 10.

# PUBLIC RELATIONS - REQUEST FOR ADDITIONAL FUNDING FOR THE ABORIGINAL REHOUSING PROJECT - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2011907)

#### Question:

Could the Mayor write to our State Member, Dr. Refshauge, who is the Minister for Aboriginal Affairs and Health, requesting that the State Labor Government secure additional funding for the Aboriginal Rehousing Project undertaken by the Aboriginal Housing Corporation?

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

That matter was raised at a Public Meeting and I don't think there is a requirement for any further funding.

#### 11.

## LICENSING - FOOTPATH LICENCES - RATING - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2015501)

#### Question:

Could the Director of Public Works and Services prepare a report with the cooperation of the Planning and Building Department on the equity of rating of footpath licenses throughout South Sydney Council?

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

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

#### 12.

# TREES - POSSIBLE RELOCATION OF TRANSPLANTABLE TREES DUE TO THE CONSTRUCTION OF THE EASTERN DISTRIBUTOR - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2005244)

#### Question:

This question relates to the construction of the Eastern Distributor. Could a letter be sent to the Centennial Park and Moore Park Trust to identify any trees that are transplantable and that are not wanted for relocation by the Trust? If there are any such trees, could Council liaise with the Trust for their donation to us?

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

The answer to that question is no.

13.

FOOTPATH - DARLINGHURST ROAD, DARLINGHURST - COMPLAINTS
REGARDING RESTAURANT CHAIRS BLOCKING PEDESTRIANS AND
ILLEGALLY PARKED CARS HAMPERING VEHICULAR TRAFFIC QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (2013363, T52-00099)

#### Question:

I have received complaints about the restaurant pavement licence on the south-eastern corner of Darlinghurst Road and Liverpool Street at Darlinghurst, where it is alleged the patrons are moving chairs outside the leased areas blocking pedestrian movement. It is also alleged illegally parked cars are hampering vehicular traffic turning east into Liverpool Street from Darlinghurst Road. Could the Ordinance Officers check this area from time to time?

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

I will ask the Ordinance Inspectors to carry out investigations for you.

14.
FOOTBALL - REG BARTLEY OVAL, RUSHCUTTERS BAY - COMPLAINTS
BY RESIDENTS TO BE INVESTIGATED BY ORDINANCE INSPECTORS QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (2010181)

#### Question:

Our annual complaints about Reg Bartley Oval have started with the football season. Could the Ordinance Officers check this venue, particularly on the evenings the Oval is booked for practice and particularly after the groundsperson leaves the area at 8.00 p.m.?

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

I will ask the Ordinance Inspectors to carry out investigations for you.

15.
INSURANCES - SELWYN STREET, PADDINGTON - RE-ASSESSMENT OF CLAIM FOR COMPENSATION FOR ROOT DAMAGE TO DRAINAGE SYSTEM - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON

#### Question:

(2014555)

Mr. Bruce of Selwyn Street, Paddington, has requested that his claim for compensation for root damage to his drainage system be re-assessed. Could the relevant Council Officer please check Mr. Bruce's claims?

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

I understand that the matter is currently being dealt with through our Risk Manager.

16.
HEALTH - FITZROY GARDENS, KINGS CROSS - THANKS TO BE PASSED ON TO STAFF FOR PROMPT ATTENTION TO PIGEON PROBLEM - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (H51-00108)

#### Question:

Last meeting I requested a sign in Fitzroy Gardens about not feeding the pigeons. Could my thanks be passed on to the relevant Officer for the prompt attention to this matter?

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

I will ask the Director of Public Works and Services to pass on your thanks to the relevant Officer.

17.
OXFORD STREET, NO. 94, DARLINGHURST - COMMUNITY
INDEPENDENT'S OFFICE PARTY- QUESTION WITHOUT NOTICE BY
COUNCILLOR FENTON (P56-00436)

#### Question:

On Friday, 16 May 1997, Councillor Fowler telephoned me at 10.45 p.m. to ask why I had not attended and did not apologise as I was invited to the Community Independent's Penthouse Warming party? Obviously Councillor Fowler thought I had received an invitation. Councillor Bush had the previous Tuesday evening assured me I would be invited. I checked with the Secretariat on Monday, 19 May 1997, and I was informed that invitations were

not the responsibility of the Secretariat. I would have apologised had I received the invitation.

My first question is who was responsible for the invitations? Was mine lost in the mail? Who catered the party and who paid for the party, and importantly, what is a reasonable time for Councillors to telephone each other early morning and late evenings?

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

In relation to those matters raised, we will have a response prepared for your information.

18.

CELEBRATIONS - PRELIMINARY ECONOMIC IMPACT ASSESSMENT OF THE SYDNEY 2002 GAY GAMES - REPORT TO COUNCIL - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (C52-00126)

#### Question:

I have received a preliminary Economic Impact Assessment of the Sydney 2002 Gay Games and I forward the document for the information of Council Officers. The Games will be of a great financial advantage to the South Sydney area.

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

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

#### REPORT OF THE FINANCE COMMITTEE

21 May 1997

#### **PRESENT**

#### **Councillor Sean Macken (Chairperson)**

#### **Councillors - Margaret Deftereos, Sonia Fenton.**

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

Councillors - Deftereos, Fenton, Macken.

#### Apology:

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

The Committee resolved that the press and the public be excluded from the meeting of the Finance Committee during consideration of Items 1, 11, 13, 14, 19, 20, 21, 25, and 27, 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 11 - Lease and Contractual Matters

Items 13, 14, 19, 20, 21, 25 and 27 - Personnel Matters

The Committee recommends the following:-

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

That the Report of the Finance Committee of its meeting of 21 May 1997, be received and the recommendations set out below for Items 1 to 10, 12 to 17, 19 to 24, 26 to 27, inclusive, be adopted. The recommendations set out below for Items 11, 18 and 25 having been dealt with as shown immediately following such Items.

Carried.

The Committee recommended the following:-

1.
LEASING - BANDSTAND CAFE, GREEN PARK, DARLINGHURST -

**APPLICATION FOR ABATEMENT OF RENT (P52-0035)** 

That the recommendation as contained in the report by the Director of Corporate Services dated 24 April, 1997, regarding the application for an abatement of rent for the Bandstand Cafe, Green Park, Darlinghurst, be approved and adopted.

## 2. COMMUNITY SERVICES - COMMUNITY BUS SCHEME - QUARTERLY REPORT (M56-00008)

That arising from a report by the Acting Director Health and Community Services dated 8 May, 1997, confirmatory approval be given to the motor vehicles' use costs, as listed in the report above, being treated as donations and charged against Section 356 of the Local Government Act (1993).

Carried.

## 3. LICENSING - BOURKE STREET, NO. 2, WOOLLOOMOOLOO - PROPOSED FOOTWAY LICENCE (L06-00626)

That approval be given to:-

- (1) the termination of the licence agreement dated 16 June 1994 with John Franks over an area of 44 square metres of the footway of Cowper Wharf Roadway adjacent to the Woolloomooloo Bay Hotel at No. 2 Bourke Street, Woolloomooloo as approved by Council on 19 January 1994 and as shown stippled on Plan No. S4-130/354A;
- the granting of a licence to Mr John Franks over an area of 88 square metres of the footway of Cowper Wharf Roadway adjacent to the Woolloomooloo Bay Hotel at No. 2 Bourke Street, Woolloomooloo as shown stippled on Plan No S4-130/354c and subject to the conditions in the attached schedule:
- (3) the licence being for a period of 5 years under Part 9 Division 1 of the Roads Act 1993 at a weekly rental per square metre (payable monthly in advance) set by the annually Scale of Fees and Charges adopted by Council;
- (4) Mr John Franks being granted a rental abatement for the licence area in (2) above to the value of \$65190.21 only following Mr Franks reimbursing Council for \$65190.21 for the improvement works done to the footway of Cowper Wharf Roadway outside the Woolloomooloo Bay Hotel;
- (5) the licence in (1) terminating and the licence in (2) commencing only following the satisfactory compliance with conditions 7 and 8 attached, the Licensee executing the licence agreement, and the issuing of written permission to occupy the site;
- (6) the execution of all relevant documents and plans under the Common Seal of Council or by Council's Attorney;

- (7) the Licensee paying Council's legal costs and disbursements incidental to the preparation, execution and stamping of the licence agreement;
- (8) this approval lapsing twelve months from the date of Council's approval to the granting of the licence if the applicant has failed to provide the security deposit and/or public risk insurance as required by Conditions 7 and 8, or failed to execute the licence agreement.

(DPWS Report 8/5/97).

Carried.

# 4. FINANCE - ACCOUNTS - RECONCILIATION WITH BANK PASSPORTS FOR PERIOD ENDED 28 MARCH 1997 (A52-00240)

That the report of the Director of Finance dated 6 May 1997, certifying to the Bank Reconciliation of Council's various Cash Books and to the Investments held by Council at the 28 March 1997, be received and noted.

Carried.

5.
CONFERENCES - 1997 NATIONAL CONFERENCE ROYAL AUSTRALIAN INSTITUTE OF PARKS & RECREATION - ATTENDANCE BY COUNCIL REPRESENTATIVES (C61-00225)

That Council approve the attendance of The Mayor, Director of Public Works and Services and any interested Councillors and the General Manager as delegates to the 1997 National Conference of the Royal Australian Institute of Parks and Recreation between 2 November and 7 November 1997 and that Council pay registration, accommodation, travel and reasonable out-of-pocket expenses for which funds are available in 1997/98 Parks Budget.

(DPWS Report 14/5/97).

6.
STREETS - PASSAGEWAY AT REAR OF NOS. 51-75 O'CONNOR STREET
AND NOS. 16-42 DICK STREET, CHIPPENDALE - COUNCIL OWNED LAND
- PROPOSED ERECTION OF GATE (2014375)

That approval be given to the erection of a gate at the Balfour Street end of the Council owned land known as Lot 1 DP 609717 at the rear of properties Nos. 51 to 75 O'Connor Street and Nos. 16 to 42 Dick Street Chippendale.

(DPWS Report 6/5/97).

Carried

7.
LICENSING - LIVERPOOL STREET, NOS. 172-174, DARLINGHURST - PROPOSED FOOTWAY LICENCE (2014597)

That approval be given to:-

- (1) the granting of a licence to Antonio Cossa over an area of six square metres of the footway of Liverpool Street adjacent to "Tre Scalini" at No. 172-174 Liverpool Street, Darlinghurst as shown stippled on Plan No. S4-130/665A and subject to the conditions in the attached schedule;
- (2) the licence being for a period of 5 years under Part 9 Division 1 of the Roads Act 1993 at a weekly rental per square metre (payable monthly in advance) set by the annual Scale of Fees and Charges adopted by Council:
- (3) the licence commencing only following the satisfactory compliance with conditions 7 and 8 attached, the Licensee executing the licence agreement, and the issuing of written permission to occupy the site;
- (4) the execution of all relevant documents and plans under the Common Seal of Council or by Council's Attorney;
- (5) the Licensee paying Council's legal costs and disbursements incidental to the preparation, execution and stamping of the Licence agreement;
- (6) this approval lapsing twelve months from the date of Council's approval to the granting of the licence if the applicant has failed to provide the security deposit and/or public risk insurance as required by Conditions 7 and 8, or failed to execute the licence agreement;

(7) this application not being seen as a precedent for other possible application within Liverpool Street.

(DPWS Report 9/5/97)

Carried.

## 8. EMERGENCY MANAGEMENT (SES) - APPOINTMENT OF LOCAL CONTROLLER (E53-00003)

That arising from consideration of a report by the Director of Public Works and Services dated 6 May 1997 approval be given to supporting the reappointment of Mr Bob Neilson as the Local Controller, Sydney City/South Sydney State Emergency Services, for a further period of two years from 1 August 1997 subject to a similar endorsement being given by the Sydney City Council and that Council express its personal appreciation of the work Mr Bob Neilson has done for the State Emergency Service.

Carried.

9.

GOODS AND EQUIPMENT - 12 MONTH EXTENSION TENDER FOR SUPPLY AND DELIVERY OF FRESH MEAT FOR COUNCIL'S ACTIVITY CLUBS AND MEALS ON WHEELS PROGRAM (2003014)

That arising from a report by the Director of Health and Community Services dated 5 May 1997 Council approve the option to extend tender No.S2014/96 for a further twelve months ending 30 June 1998, for the supply and delivery of fresh meat by Haverick Wholesale Meats.

Carried.

10.
STREETS - FLOODS LANE, SURRY HILLS - REGARDING NAMING AS MARYS PLACE(2014557)

That approval be given to:

- (1) the renaming of Floods Lane from Bourke Street to Clare Street, Surry Hills as Marys Place;
- (2) replace the existing Floods Lane street nameplates with Marys Place;
- (3) advertising and Gazetting of the new name and notification of relevant authorities made under the policy adopted on 14 February, 1996.

(4) the words "formerly Floods Lane" being placed under the name Marys Place in small letters on the name plate.

(DPWS Report 14/5/97).

Carried.

11.

LEASING - OXFORD STREET, NOS. 62-64, DARLINGHURST - LEASE TO

MR PETER FRANCIS WELLS T/AS: DARLINGHURST HEALTH PRODUCTS
(L52-00113)

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, seconded by Councillor Lay:-

That Mr Peter Wells be offered a five year lease with a five year option of Council premises, shopfront, Nos. 62-64 Oxford Street, Darlinghurst, commencing on 1 June, 1997, such offer to be in accordance with the recommendation of the Director of Corporate Services in the report dated 7 May, 1997.

Carried.

12.

COMPUTERISATION - SURPLUS LAND ITEMS - DISBURSEMENT (2002933)

That approval be granted to the disbursement of the obsolete equipment, as listed in the Director of Corporate Service's report dated 12 December 1996, at no cost to the Technical Aid for the Disabled with the proviso that no additional costs are incurred by Council.

- the total estimated cost of the listed items being \$5,700.

(DCS Report 5.5.97)

13. PERSONNEL - STAFF RECOGNITION PROGRAM (2015352)

That approval be given to:-

- (1) Council adopting the proposed Staff Recognition Program;
- (2) the Director of Organisational Development being authorised to manage the Staff Recognition Program.
- it should be noted that this proposal is additional to Council's policy in relation to payment for length of service (i.e. 25 & 40 years).

(DOD Report 12/5/97)

Carried.

14.
ADMINISTRATION - INTERNAL/ORGANISATIONAL DEVELOPMENT/
MANAGEMENT DEVELOPMENT PROGRAM - PARTICIPATION BY STAFF
(2014705)

That approval be given:-

- (a) to seek, from those staff who indicated support for the Local Government Certificate Course at UTS, a commitment to undertake this pilot course as part of their management development;
- to the Centre for Local Government Education and Research, U.T.S. to conduct training in the new Performance Based Building Code of Australia;
- (c) to funding in the sum of \$30,000 be voted to cover the cost of the training in (b), for which funds are made available in the 1996/97 Revenue Estimate.

(DPB and DOD Joint Report 12.5.97)

Carried.

15.

FINANCE - ACCOUNTS - SCHEDULE OF PAYMENTS - APRIL 1997
(2015182)

That arising from the report of the Director of Finance dated 7 May 1997 approval be given to the confirmation of the payment of the accounts totaling \$9,472,475.91, as detailed in the Summary of Warrants for the Month of April 1997, accompanying the report.

Carried.

16.

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

That approval be given to:-

- (A) The acceptance of:
  - (1) the tender submitted by Sundell Holden for the supply and delivery of three Holden Commodore Executive sedans in the sum of \$24,710 per vehicle, in the total sum of \$74,130 less a total trade in allowance of \$56,930 on Council vehicle Nos. 4050, 6122 and 6123 Toyota Camry sedans, in the total nett sum of \$17,200 in accordance with Council's Specification PWS 5/97 Category 'A' and the firm's tender dated 8 May 1997;
  - the tender submitted by Suttons Homebush Holden for the supply and delivery of one Holden Commodore Executive sedan in the sum of \$24,907 less a trade in allowance of \$17,000 on Council vehicle No. 6025 Mitsubishi sedan, in the total nett sum of \$7,907 in accordance with Council's Specification PWS 5/97 Category 'A' and the firm's tender dated 8 May 1997;
  - (3) the tender submitted by Alto Ford Gordon of the supply and delivery of one Ford Falcon Gli sedan in the sum of \$24,650 less a trade in allowance of \$20,000 on Council vehicle No. 6270 Toyota Camry station wagon, in the total nett sum of \$4,650 in accordance with Council's Specification PWS5/97 Category 'A' and the firm's tender dated 7 May 1997;
  - (4) the tender submitted by the Kloster Group for the supply and delivery of one Ford Falcon Gli sedan in the sum of \$24,658 less a trade in allowance of \$17,900 on Council vehicle No. 6271 Mitsubishi sedan, in the total nett sum of \$6,758, in accordance with Council's Specification PWS 5/97 Category 'A' and the firm's tender dated 2 May 1997;
  - (5) the tender submitted by Dominelli Ford Sutherland for the supply and delivery of one Ford Falcon Gli sedan in the sum of \$24,415 in accordance with Council's Specification PWS5/97 Category 'A' and the firm's tender dated 7 May 1997;
  - (6) the tender submitted by Winford Motors (Sales) Pty Ltd for the supply and delivery of two Ford Falcon Gli sedans in the sum of \$24,590 per vehicle, in the total sum of \$49,180, less a total trade in allowance of \$40,380 on Council vehicle Nos. 6354 and

- 6356 Toyota Camry station wagons, in the total nett sum of \$8,800 in accordance with Council's Specification PWS5/97 Category 'A' and the firm's tender dated 2 May 1997;
- (7) the tender submitted by Sundell Holden for the supply and delivery of one Holden Calais sedan in the sum of \$36,061.00 less a trade in allowance of \$31,300 on Council vehicle No. 6281 Holden Calais sedan, in the total nett sum \$4,761 in accordance with Council's Specification PWS5/97 Category 'B' and the firm's tender dated 8 May 1997;
- (8) the tender submitted by Paul Wakeling Holden for the supply and delivery of one Holden Commodore 'S' Pack utility in the sum of \$18,961, less a trade in allowance of \$22,650 on Council vehicle No. 4388 Holden Commodore 'S' Pack utility for a credit of \$3,689 in accordance with Council's Specification PWS5/97 Category 'C' and the firm's tender dated 5 May 1997;
- (9) the tender submitted by Truscott's Toyota for the supply and delivery of two Toyota Hi Lux dual cab utilities in the sum of \$20,756 per vehicle, in the total sum of \$41,512 less a total trade in allowance of \$42,000 on Council vehicle Nos. 4344 and 4815 Toyota Hi Lux dual cab utilities, for a total credit of \$488 in accordance with Council's Specification PWS5/97 Category 'D' and the firm's tender dated 8 May 1997;
- (10) the tender submitted by Clinton's Toyota for the supply and delivery of one Toyota Hi Ace LWB van in the sum of \$24,029 less a trade in allowance of \$21,160 on Council vehicle No. 4131 Toyota Hi Ace LWB van, in the total nett sum of \$2,869 in accordance with Council's Specification PWS5/97 Category 'E' and the firm's tender dated 6 May 1997;
- (11) the tender submitted by Mosman Toyota for the supply and delivery of one Toyota Hi Ace LWB Van in the sum of \$23,550 in accordance with Council's Specification PWS5/97 Category 'E' and the firm's tender dated 6 May 1997.
- for which funds are available in the 1996/97 Revenue Estimates.

(B) The disposal of Council vehicle Nos. 6291 and 4138 at auction.

(DPWS Report 16/5/97).

Carried.

17.

PLANT AND ASSETS - SUPPLY AND DELIVERY OF 15 VEHICLE FLEET ITEMS - TENDER (2012574)

This Item was dealt with in Item 16.

18.
STREETS - ADVERTISING OF DISPLAYS AND OTHER OBSTRUCTIONS
ON PUBLIC FOOTWAYS - POLICY (S56-002171) (S52-00030)

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, seconded by Councillor Lay:-

That the joint by the Director of Public Works and Services and Director of Health and Community Services report dated 1 May 1997, regarding a policy for the placement of advertising and displays of goods for sale on the footway be received and, that in view of the known and perceived difficulties envisaged in administrating and enforcing such a policy satisfactory to all parties involved, and, due to the loss of public amenity should the policy be implemented, approval be given to:-

- (1) the updated Advertising Displays and A-Frames Policy, as adopted by Council on 24 August 1994 being rescinded;
- (2) advertising A-Frames and goods for display being not permitted on Council's footway after the date of this resolution or from the expiry date of any existing leases currently held with Council for such obstructions.

(DPWS Report 1/5/97).

## 19. ADMINISTRATION - ANNUALISED SALARY - FOREMAN CARPENTER AND OTHER TRADES (2005007)

That approval be given to the recommendation for the Annualised Salary Package for the Foreman Carpenter/Other Trades as contained in the report by the Director of Corporate Services dated 15 May, 1997.

Carried.

# 20. PERSONNEL - TRAINEESHIPS - PUBLIC WORKS AND SERVICES DEPARTMENT (2013172)

That arising from consideration of a joint report dated 15 may, 1997 by the Director of Public Works and Services and the Director of Employment Services, approval be given to:-

- (1) recruiting two trainees through the CSA Training Services to be employed in accordance with the scheme in the maintenance Section of the Public Works and Services Department;
- (2) additional funding for the amount of between \$22,672 to \$39,520 being made available in the 1997/1998 Estimates for the traineeship project.

Carried.

## 21. PERSONNEL - QUESTION OF APPOINTMENT OF MARKETING ASSISTANT (2008389)

This matter was withdrawn from the Finance Committee Agenda Paper.

Carried.

# 22. CELEBRATIONS - LOCAL GOVERNMENT WEEK 1997 - PROGRAM OF EVENTS (2011361)

That arising from consideration of the above report by the Civic Affairs Manager/Public Officer dated 15 May, 1997, approval be given for the attached program of events for Local Government Week 1997, for which money has

been provided in the 1998/7 Budget Estimates (ENL and ENF accounts).

Carried.

### 23. PROPERTIES - NEW COUNCIL PREMISES IN KINGS CROSS (2012353)

That arising from a report from the Director of Corporate Services dated 16 May, 1997, approval be given to:-

- (1) the naming of the new Council premises in Kings Cross the "Kings Cross Centre", which includes the new "Florence Bartley Library" (as previously resolved by Council);
- the engagement of Chubb Electronic Security Systems to provide security services for the new premises, and the allocation of \$12,895.00 to budget KW9702466E0 from contingency funds in the current budget to cover the cost of installing the necessary security equipment;
- (3) the regular cleaning of the new premises to be undertaken by Council's "flying squad";
- (4) the bookings of the Multipurpose Spaces #1 and #3 within the new premises to be managed by Council's Community Facilities Co-ordinator (located within the Health and Community Services Department), and for a fees and charges schedule to be developed and submitted to Council to be applied to casual bookings of these spaces.

(DCS/DHCS Joint Report 16/5/1997).

Carried.

## 24. DONATION - PADDINGTON TOWN HALL - APPLICATION BY THE BENEVOLENT SOCIETY OF NEW SOUTH WALES (2005877)

That Council give a discount of 50% on existing rates for the use of Paddington Town Hall by the Benevolent Society of N.S.W. on Friday 27 June, 1997 and that an additional 4 hours of set up and load out time be extended to the society free of charge.

(DCS Report 19.5.97)

### 25. PARKS - SERVICES BRANCH - RESTRUCTURING (D51-00138)

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, seconded by Councillor Lay:-

That the recommendation as contained in the report by the Director of Public Works and Services regarding the restructure of the Council's Service Branch, Park Section, Public Works and Services Department, be approved and adopted.

Carried.

## 26. PUBLIC RELATIONS - DISTRIBUTION OF THE CORPORATE IDENTITY MANUAL (P57-0000)

That approval be given to the distribution of *The South Sydney Identity* to all Council departments, including briefing sessions for Directors and Managers regarding the manual, its aims and its uses within each Department.

(GM Minute 21/5/97)

Carried.

## 27. ADMINISTRATION - PROPERTY BRANCH, CORPORATE SERVICES DEPARTMENT - ENGAGEMENT OF TEMPORARY STAFF (2011332)

That the recommendation as contained in the report by the Director of Corporate Services dated 21 May, 1997 regarding the engagement of temporary staff to assist in the provision of professional advice to the Property Branch, Corporate Services Department, be approved and adopted.

#### REPORT OF THE COMMUNITY SERVICES COMMITTEE

21 May 1997

#### **PRESENT**

#### **Councillor Sonia Fenton (Chairperson)**

#### Councillors - Margaret Deftereos, Sean Macken.

At the commencement of business at 7.39 pm those present were -

Councillors - Deftereos, Fenton, Macken.

#### Apology:

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

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

That the Report of the Community Services Committee of its meeting of 21 May 1997, be received and the recommendations set out below for Items 1 and 2, be adopted.

Carried.

The Committee recommended the following:-

1. DONATIONS - THE BUSBY'S BORE PROJECT (2015350)

That arising from a report by the Director of Health and Community Services dated 19 May, 1997, it be resolved that:-

- (1) the request for a donation of \$15,000 that was to contribute to the Busby's Bore project, be refused;
- (2) Council write to Clean Up Australia Ltd informing them of Council's decision.

2.

COMMUNITY SERVICES - COMMITTEES - CULTURAL COMMITTEE
REPORT 21 APRIL 1997 (D51-00135)

That the report by the Director of Health and Community Services dated 20 May, 1997 and the accompanying minutes of Council's Cultural Advisory Committee Meeting held on Monday 21 April, 1997, be received and the following recommendations of the Committee be approved, namely:-

- (1) That the report by the Director of Health and Community Services dated 18 April, 1997, regarding the status of the Cultural Services for South Sydney be received and noted with the inclusion of a report to Council regarding Reverse Garbage Program.
- (2) That the report by the Special Events Coordinator, dated 17 April, 1997, regarding the Cuisine on the Green Program 1997/1998 be approved in principle and further that investigation into possibility of using other venues and introducing a two year rotation for some locations be undertaken.

Carried.

#### REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

21 May 1997

#### **PRESENT**

The Mayor, Councillor Vic Smith (Chairperson)

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

At the commencement of business at 6.45 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 21 May 1997, be received and the recommendations set out below for Items 1, 3, 7, 9 to 11, inclusive, 14, 16 to 18, inclusive, 21, 22, 24 to 32, inclusive, 34 to 36, inclusive, be adopted. The recommendations for Items 2, 4 to 6, inclusive,

8, 12, 13, 15, 19, 20, 23 and 33 having been dealt with as shown immediately following such Items.

Carried.

The Committee recommended the following:-

1.
ORWELL STREET, NOS. 32-34, KINGS CROSS, THE ROOSEVELT ERECT THREE ILLUMINATED SIGNS - DEVELOPMENT APPLICATION
(U96-00265)

- (A) That the Council as the responsible authority refuses its consent to the application submitted by Mr J Choe with the authority of Dunmead Pty Ltd for permission to formalise approval for existing illuminated signage and neon light strip associated with the Duty Free Shop for the following reasons, namely:-
  - (1) That the signage and security fixtures have been erected without the consent of Council:
  - (2) That the proposal will adversely impact on the significance and integrity of the host item of Environment Heritage and the streetscape as a whole;
  - (3) That the signage is inconsistent with the objectives and controls of Councils Development Control Plan No. 7 Guidelines for Outdoor Advertising and illumination of the signage will adversely impact on the amenity of surrounding residential properties.
- (B) That the signage and security grills be removed within 14 days of this consent.
- (C) That the matter be referred to Council's Solicitors for legal proceedings after 14 days if the directions of Recommendation B are not complied with.
- (D) That the persons who made representations in respect of the proposal be advised of Council's decision.

#### 2. DARLINGHURST ROAD, NOS. 39-43, KINGS CROSS - EXTENSION OF HOURS TO NIGHTCLUB - DEVELOPMENT APPLICATION (U97-00128)

- (A) That the Council as the responsible authority refuses its consent to the application submitted by K R and Associates Pty Ltd, with the authority of Vendomatic Pty Ltd, to extend the hours of operation at the abovementioned premises from 11.00 a.m. to 6.00 a.m. Mondays to Sundays for the following reasons, namely:-
  - (1) That the hours of operation be maintained, existing hours, i.e. 6.00 p.m. to 3.00 a.m. Mondays to Saturdays and 6.00 p.m. to 11.00 p.m. Sundays, in that:-
    - (a) the application is not supported by the Kings Cross Police;
    - (b) there is no support from the Kings Cross Area/Place Manager;
    - (c) it would not be in the public interest.
- (B) That the persons who made representations in respect to 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:-

That the consideration of the application submitted by KRS Associates Pty Ltd with the authority of Vendomatic Pty Ltd to extend the hours of operation at the abovementioned premises from 11.00 a.m. to 6.00 a.m. Mondays to Sundays be deferred to allow additional information to be sought along with further liaison with Kings Cross Police by the applicant.

Motion, as amended by consent, carried.

# 3. ANGEL STREET, NO.42, NEWTOWN - ERECT A FIRST STOREY WITH REAR BALCONY TO EXISTING SINGLE STOREY DWELLING - DEVELOPMENT APPLICATION (U97-00152)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mr K Karpinski, with the authority of Mr K Karpinski & Ms C McClung, for permission to erect a first storey with a rear balcony to the existing single storey building, subject to the following conditions, namely:-
  - (1) That the development shall be generally in accordance with plans submitted with the application;

- (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) That the rear first floor deck shall be replaced by a "Juliet" type balcony with maximum dimensions of 1m x 2m with bull nosed verandah to the satisfaction of the Director of Planning and Building;
- (4) That the proposed stairs shall be relocated to allow the side boundary setback to be extended to provide a window to the attic room to the satisfaction of the Director of Planning and Building;

and the following adopted standard conditions:

- (5) LDA163 New brickwork to match existing;
- (6) LDA351 Building Application required;
- (7) LDA376 Hours of building work;
- (8) LDA389 Stormwater disposal requirements;
- (9) LDA392 No obstruction to public way;
- (10) LDA393 Delivery of refuse skips;
- (11) LDA396 Works within boundaries;
- (12) HSC500 Premises to be ventilated.

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

Granting unconditional consent would be likely to adversely affect the amenity of the neighbourhood, including adverse effects relating to the emission of noise and vibration, overshadowing, privacy loss, streetscape qualities, heritage issues, traffic and parking congestion, and would not be in the public interest. (B) That the person who made representations in respect of the proposal be advised of Council's decision.

Carried.

4.

PLANNING - PARRAMATTA ROAD MASTER PLAN - SUBMISSION TO THE STATE GOVERNMENT - INQUIRY BY THE MAYOR AND QUESTION WITHOUT NOTICE BY COUNCILLOR MACKEN - FEASIBILITY STUDY BROADWAY (2001744)

That Council:-

- (1) note the contents of the submission accompanying the Director's Report to the State Government prepared by IMROC;
- (2) agree to participate in the preparation of a master plan for Parramatta Road;
- (3) agree to relevant Council Officers participating on the project Steering Committee and associated Public Meetings;
- (4) request that the Master Plan address issues of streetscape improvements and traffic management in the Broadway area as raised by Councillor Macken on 12 February 1997.

(DPB Report 5/5/1997)

At the request of Councillor Harcourt, and by consent, the motion was amended by the deletion of Clause (3) of the recommendation and the insertion in lieu thereof of the following new Clause (3), namely:-

(3) That the matter of representation on the Steering Committee be the subject of further report to Council following a response from the State Government on the project and that in the meantime Council's Director of Planning and Building or his nominee participate in the project.

Motion, as amended by consent, carried.

5.

ROBERTSON ROAD, NO.11A, CENTENNIAL PARK - ALTERATIONS AND ADDITIONS TO SINGLE DWELLING - BUILDING APPLICATION (Q97-00148)

This matter was submitted to council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Macken:-

That consideration of the application submitted by Saran Constructions with the authority of Clement Pty Ltd for permission to extend ground floor and add a first floor level at the abovementioned premises, be deferred to the next Planning and Development Committee to be held on Wednesday, 4 June 1997 to allow the next door neighbour to submit a report from a consultant on the impacts of the proposal with respect to overshadowing and ambient light.

Carried.

6.
LIVERPOOL STREET, NO. 180, AND HARGRAVE STREET, NOS.16-18,
DARLINGHURST - APPLICATIONS TO CONDUCT BROTHELS (U96-00591,
U97-00003)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

That the applications to conduct brothels at Nos. 180 Liverpool Street and Nos. 16-18 Hargrave Street, Darlinghurst, be deferred for further discussions with the Director of Planning and Building and Council's Solicitors.

Carried.

#### 7. BUCKINGHAM STREET, NO 36, SURRY HILLS - USE PREMISES AS A BROTHEL - DEVELOPMENT APPLICATION (U96-00969)

- (A) That the Council as the responsible authority grants its consent to the development application submitted by Ms L Sukh, with the authority of Mr H McDowall, for permission to use the premises as a brothel subject to the following conditions, namely:-
  - (1) That the development shall be generally in accordance with plans unnumbered and undated plans submitted with the application;
  - (2) That the hours of operation shall be restricted to 10.30am to 4.00am daily;
  - (3) That the use shall cease after a period of 12 months from the date of this consent;

(The applicant is advised that a further application may be lodged before the expiration of this consent for Council's consideration of the continuation of the proposed use).

- (4) That a separate application shall be submitted at the appropriate time for any proposed signs;
- (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 the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (7) That proprietor shall ensure that all linen, toweling and other bed coverings which comes into contact with clients shall be changed immediately after each use:
- (8) That contaminated waste including condoms, dams, gloves and tissues shall be stored in an approved container or plastic bag and be disposed of by Environment Protection Authority licensed waste collectors;
- (9) That the applicant shall enter into a commercial contract for the removal of trade waste;
- (10) That proprietor shall provide written information, i.e. pamphlets and brochures, for sex workers and their clients on sexually transmitted infectious diseases in a variety of languages including those of any sex worker who has difficulty communicating or reading the English language.

- (11) The proprietor shall ensure that sex workers are adequately trained to examine clients for any visible evidence of sexually transmitted disease and that examinations are conducted before any sexual contact.
- (12) The premises shall be provided with adequate lighting in accordance with Australian Standard AS 1680.
- (13) The proprietor shall ensure that all sex workers undertake regular sexual health check-ups and that accurate records are kept indicating the frequency of such check-ups.
- (14) That a Building Application seeking approval for the change in classification, together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council within 1 month of the date of this consent and the works required as part of the change of classification shall be implemented within 3 months of the building application being approved.

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 portable fire extinguishers shall be provided throughout the building to the requirements of E1.6 of the BCA and AS 2444;
  - (2) 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:
  - (3) That exit signs shall be provided in accordance with the requirements of E4.5, E4.7, E4.8 of the BCA and AS2293-1;
  - (4) A multiple station smoke alarm system shall be installed throughout the building. The system shall meet the following minimum requirements:-
    - All detectors shall satisfy Australian Standard 3786 or an approved equivalent code or listing;
    - The system shall be connected to a permanent 240 Volt

power supply and be equipped with a secondary means of power to activate the system in the event of failure of the primary supply;

- All electrical works shall comply with the appropriate requirements of Australian Standard 3000;
- The system shall be provided with approved control and monitoring equipment;
- The system shall be placed on a maintenance and testing schedule so as to ensure ongoing operational integrity;
- (5) That all internal areas shall be provided with mechanical ventilation in accordance with requirements of F4.5 of the BCA and Council's Ventilation Code;
- (6) 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;
- (7) That all doorways opening onto the stairway and ground floor hall shall be protected by self closing solid core doors not less than 35mm thick.

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) Those persons who made representations with respect to the proposal be advised of Council's decision.
- (D) That Council resolve to investigate the use of those premises known as Nos. 475-479 and, No. 483 Elizabeth Street, Surry Hills.

Carried.

8.
TUSCULUM STREET, NO. 3, POTTS POINT - USE PREMISES AS A BROTHEL - DEVELOPMENT APPLICATION (U97-00182)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Macken:-

That the application submitted by Eabona Pty Ltd with the authority of Mr. J. Toppi to conduct a brothel at No. 3 Tusculum Street, Potts Point, be deferred for further discussions with the Director of Planning and Building and Council's Solicitors.

Carried.

- 9. CROWN STREET, NO.39, WOOLLOOMOOLOO ERECTION OF THREE STOREY NEW RESIDENTIAL UNITS DEVELOPMENT APPLICATION CONTRIBUTION INCLUDED IN CONSENT (U96-00755)
  - (A) That the Council as the responsible authority resolves to support the applicant's objection pursuant to State Environmental Planning Policy No.1 against the floor space ratio limit contained in Clause 11 of Local Environmental Plan No.101 as strict compliance is both unnecessary and unreasonable for the following reason:-

The degree of non compliance (9.5m<sup>2</sup>) is relatively small and would not be associated with any significant negative impact on adjoining properties or the streetscape as a whole.

- (B) That the Council as the responsible authority grants its consent to the application submitted by Mr P Zaverdinos, with the authority of Mr A Lankry, for permission to erect a new three storey residential flat building containing 2 x bedsitters, 2 x 1 bedroom units and 2 x 2 bedroom units, subject to the following conditions, namely:-
  - (1) That the development shall be generally in accordance with plans DA01 and DA02 submitted on 3 March 1997 and DA03 to DA04:
  - (2) As a consequence of this development, Council has identified an additional demand for public facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Contributions Plan 1993, the following monetary contributions towards the cost of providing facilities are required:

Civic Improvement, Open Space		
and Recreation	\$5,673	2 EJ-BGY 0
Child Care	\$298	2 EK-BGY 0
Community Facilities	\$295	2 EL-BGY 0
Transport and Access	\$1,105	2 EM-BGY 0
Environmental Improvements	\$179	2 EN-BGY 0

TOTAL: \$7,550

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;

- (3) That lattice privacy screens on the rear elevation at ground first and second floor levels shall have a maximum height of 1.6 metres above the floor level;
- (4) That the planter boxes on the roof deck level shall extend around the perimeter of the building and shall have a minimum width of 1 metre:
- (5) That all access to units shall be via Crown Street and the ground floor and front elevation shall be reconfigured to the satisfaction of the Director of Planning and Building;
- (6) 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:-
  - (a) external walls;
  - (b) balustrade treatment;
  - (c) windows and doors;
- (7) That plans and specifications showing details of:-
  - (a) all proposed mechanical ventilation systems;
  - (b) all proposed and altered mechanical ventilation systems
  - (c) car park ventilation systems;

- shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;
- (8) That the drying of clothes on the roof terrace and front balconies is prohibited;
- (9) That a Certificate under Section 73 of the Water Board (Corporatisation) Act 1994 in respect of the proposed development shall be submitted to Council prior to the release of the approved building plans;

and the following adopted standard conditions:-

- (10) LDA351 Building Application required;
- (11) LDA21 No resident parking for residential flat developments;
- (12) LDA107 Make application to remove trees;
- (13) LDA155 Windows and doors to be of timber joinery;
- (14) LDA162 Provide common aerial for each building;
- (15) LDA257 Regulation of noise transmissions;
- (16) LDA367 Timing device on alarms;
- (17) LDA373 Disabled access provision;
- (18) LDA376 Hours of building work;
- (19) LDA377 Construction noise regulation;
- (20) LDA384 New alignment levels;
- (21) LDA389 Stormwater disposal requirements;
- (22) LDA392 No obstruction to public way;
- (23) LDA396 Works within boundaries;
- (24) LDA399 Cost of consequential roadworks;
- (25) HSC500 Premises to be ventilated;
- (26) HSC001 Compliance to Director of Health and Community Services:
- (27) HSC111 Liquid wastes to sewer;

- (28) HSC100 Removal of spoil from site;
- (29) HSC101 Not give rise to emissions into the environment;
- (30) HSC709 Garbage room;
- (31) HSC706 Storage of recyclables;
- (32) HSC800 Use of appliances emitting intrusive noise.

Granting unconditional consent would be likely to adversely affect the amenity of the neighbourhood, including adverse effects relating to the emission of noise and vibration, overshadowing, privacy loss, streetscape qualities, heritage issues, traffic and parking congestion, and would not be in the public interest.

- (C) That the applicant be advised that in order to comply with the Local Government Act and (Approvals) Regulation 1993 the following is required:
  - (1) That an objection shall be lodged with Council under Section 82 of the Local Government Act 1993 so that the requirements of Clause D1.9 of the BCA may be varied and that any decision to vary this clause rests with the Department of Local Government;

and the following adopted standard conditions:

- (2) BC318 Fire entrance doors to units;
- (3) BC326 Type of construction;
- (4) BC501 Fire extinguisher;
- (5) BC524 Emergency lighting;
- (6) BC525 Exit signs;
- (7) BC528 Fire detectors and alarm system;
- (8) BC602 Clothes washing and drying facilities;
- (9) BC609 Natural light and ventilation;
- (10) BC611 Ventilation of bathrooms/laundries;
- (11) BC310 Protection of external openings.

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

Carried.

10.

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

- (A) That the Council as the responsible authority refuses its consent to 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, for the following reasons, namely:
  - (1) That landscaped open space in accordance with the Council's Code has not been provided, and access to the larger areas of open space is not available to all units;
  - (2) That parking provision has not been made in accordance with the Council's Code;
  - (3) The provision of one bedroom units only would not comply with the Council's adopted policy of encouraging a mix of unit sizes;
  - (4) That the proposal would constitute an overdevelopment of the site and approval 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.

# 11. WILSON STREET NO. 220A, NEWTOWN - TWO STOREY EXTENSION TO REAR OF EXISTING BUILDING - DEVELOPMENT APPLICATION (U97-00096)

(A) That Council is satisfied that the State Environmental Planning Policy No.1 objection against the development standard relating to floor space ratio within Clause 10 of Local Environmental Plan No.107 is well founded and compliance is therefore unreasonable and unnecessary for the following reason:-

The proposed floor space ratio will not result in a development that is inconsistent with surrounding development nor will it unreasonably impact upon the amenity of the locality.

- (B) That the Council as the responsible authority grants its consent to the application submitted by P J Verwer for permission to erect a two storey extension to the rear of the existing building, generally in accordance with submitted plans subject to the following conditions, namely:-
  - (1) That the development shall be generally in accordance with plans No. 9701-01DA received by Council on 17 April 1997;
  - (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 1 year);
  - (3) That the rear extension shall be redesigned so that the Forbes Street setback shall be in accordance with the prevailing setback, details to be submitted to the satisfaction of the Director of Planning and Building;
  - (4) That the proposed fence shall be redesigned to match the existing iron palisade fence to the satisfaction of the Director of Planning and Building;
  - (5) That the site coverage shall not exceed 66% of the site;
  - (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 building/demolition work in connection with the proposed development shall only be carried out between the hours of 7.30 am and 5.00 pm on Mondays to Fridays, inclusive, and 7.30 am and 3.00 pm on Saturdays and no work shall be carried out on Sundays or public holidays where applicable, these restrictions do not apply to the maintenance of site cranes nor to the use of mobile cranes which stand and operate from a public road, provided that a permit has been obtained from the Director of Public Works and Services Department for the use of a mobile crane;
  - (8) That the 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;

- (9) 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;
- (10) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (11) That all proposed work shall be wholly within the boundaries of the subject site;
- (12) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code.

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.

12.
WILSON STREET, NOS. 466 - 470, DARLINGTON - TO ERECT A NEW RESIDENTIAL FLAT BUILDING WITH STRATA SUB-DIVISION - DEVELOPMENT APPLICATION CONTRIBUTION INCLUDED IN CONSENT (U97-00161)

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, seconded by Councillor Lay:-

That consideration of the application submitted by Travis McEwen Group Pty Ltd with the authority of Lawniron Pty Ltd to rebuild the existing building into 15 residential units and 18 parking spaces and to further strata subdivide the units, be deferred so that the applicant can take in consideration the issues raised on the inspection that took place on Saturday, 24 May 1997, and further, that revised plans will be submitted including a reduction in the number of units, a reduction in the FSR and an increase in the open space.

Carried.

#### MARSDEN STREET, NOS. 9-13, CAMPERDOWN - ALTERATIONS AND ADDITIONS TO EXISTING WAREHOUSE - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U97-00224)

That the Council as the responsible authority grants its consent to the application submitted by John Sommerlad, with the authority of Vipapan Rodd, for permission to carry out alterations and additions to the warehouse in order to create 3 separate lots for use as ground floor workshop with first floor office space and caretakers unit, subject to the following conditions, namely:-

- (1) That the development shall be generally in accordance with plans numbered 9710 DA2 B;
- (2) That the rear/southern wall at the first floor level should be reduced to a maximum of 8 metres in height when measured from natural ground level. Details to be submitted with the BA to the satisfaction of the Director of Planning and Building;
- (3) That the first floor of all three units in the proposed development shall be set back 6.1 metres from the southern boundary and shall have hip roofs at the rear with a maximum pitch of 35°. Details to be submitted with the BA to the satisfaction of the Director of Planning and Building;
- (4) That a full set of shadow diagrams be submitted with the Building Application to the satisfaction of the Director of Planning and Building;
- (5) That all first floor windows on the southern elevation shall be fixed and constructed of obscure glazing. Details to be submitted with the BA to the satisfaction of the Director of Planning and Building;
- (6) That the dwelling in each unit shall be used in conjunction with the corresponding office and workshop at all times;
- (7) That this consent shall lapse after a period of two years from the date this consent becomes effective, unless the development to which it relates is commenced (The applicant is advised that an application can be made to Council before the period expires, for an extension of 1 year);
- (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	Ð	
and Recreation	\$2,597	2 EJ-BGY 0
Child Care	\$ 141	2 EK-BGY 0
Community Facilities	\$ 156	2 EL-BGY 0

Transport and Access \$ 585 2 EM-BGY 0 Environmental Improvements \$ 79 2 EN-BGY 0

TOTAL: \$3,558.00

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 a minimum of three off-street car parking spaces shall be provided and, except where elsewhere stipulated, each space shall be a minimum of 5.4m x 2.6m or 5.5m x 2.5m, located, prepared and marked to the satisfaction of the Director of Planning and Building;

and the following adopted standard conditions:

- (10) LDA37 Loading within confines of building;
- (11) LDA38 Articulated service prohibited;
- (12) LDA47 Loading, parking and access to be kept clear;
- (13) LDA48 Safe walking surface on crossing;
- (14) LDA201 Make separate application for sign;
- (15) LDA351 Building Application required;
- (16) LDA353 New DA for separate occupancies;
- (17) LDA367 Timing device on alarms;
- (18) LDA368 Display of street numbers;
- (19) LDA376 Hours of building work;
- (20) LDA377 Construction noise regulation;

- (21) LDA387 Footway crossings;
- (22) LDA389 Stormwater disposal requirements;
- (23) LDA392 No obstruction to public way;
- (24) LDA393 Delivery of refuse skips;
- (25) LDA394 Cost of alteration to signposting;
- (26) LDA396 Works within boundaries;
- (27) HSC500 Premises to be ventilated;
- (28) HSC018 Sanitary facilities;
- (29) HSC101 Not give rise to emissions into the environment;
- (30) HSC111 Liquid wastes to sewer;
- (31) HSC704 Garbage storage area;
- (32) HSC711 Commercial contract (trade waste);
- (33) HSC800 Use of appliances emitting intrusive noise.
- (B) That the applicant be advised that in order to comply with the Local Government Act and (Approvals) Regulation 1993 the following is required:-
  - (1) That the openings in the external wall/s shall be protected by wetting sprinklers or -/60/30 fire doors or -/60/- fire windows or fire shutters or by construction having an FRL of not less than -/60/- in accordance with the requirements of C3.2, C3.3 and C3.4 of the BCA;
  - (2) That portable fire extinguishers shall be provided throughout the building to the requirements of E1.6 of the BCA and AS 2444;
  - (3) That hose reels shall be installed throughout the building in accordance with the requirements of E1.4 of the BCA and AS2441;
  - (4) That hydrants shall be installed throughout the building in accordance with the requirements of E1.3 of the BCA and AS2419.1;

- (5) That a system of emergency lighting shall be installed throughout the building in accordance with the requirements of E4.2, E4.3, E4.4 of the BCA and AS2293.1:
- (6) That exit signs shall be provided in accordance with the requirements of E4.5, E4.7, E4.8 of the BCA and AS2293-1;
- (7) That a suitable automatic fire detection and alarm system shall be installed to comply with E1.7 of the BCA;
- (8) That natural light and ventilation shall be provided in accordance with requirements of Part F4 of the BCA;
- (9) That all internal bathrooms and laundries shall be mechanically ventilated in accordance with requirements of F4.5 of the BCA;
- (10) That the caretakers unit and proposed stairway shall be separated from the first floor office/studio and ground floor workshop/car parking area by construction having a minimum fire resistance;
- (11) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building (including any demolition) work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation.

Granting unconditional consent would be likely to adversely affect the amenity of the neighbourhood, including adverse effects relating to overshadowing, privacy loss, streetscape qualities, 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.

14.
PALMER STREET, NOS. 191-193, DARLINGHURST - LAND SUBDIVISION
AND RESIDENTIAL DEVELOPMENT - DEVELOPMENT APPLICATION CONTRIBUTION INCLUDED IN CONSENT (U97-00090)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Kann Finch and Partners Pty Ltd with the authority of Lifestyle Holdings Pty Ltd for permission to convert existing terraces to two x two bedroom units and the erection of a two storey studio and land subdivision into three lots, subject to the following conditions, namely:-
  - (1) That the development shall be generally in accordance with plans submitted on 23 April 1993 numbered DA2C, 3C, 4D, 5C, 6D, 7D, 8C and 9A;
  - (2) That this consent shall lapse after a period of two years from the date of this consent. (The applicant is advised that an application can be made to the Council before the period expires for an extension of one year);
  - (3) 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	\$3802.20	2 EJ-BGY 0
Child Care	\$199.80	2 EK-BGY 0
Community Facilities	\$197.70	2 EL-BGY 0
Transport and Access	\$740.40	2 EM-BGY 0
Environmental Improvements	\$119.70	2 EN-BGY 0

TOTAL: \$5059.80

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.

- (4) That a minimum of two off-street car parking spaces shall be provided and, except where elsewhere stipulated, each space shall be a minimum of 5.4m x 2.6m or 5.5m x 2.5m, located, prepared and marked to the satisfaction of the Director of Planning and Building;
- (5) That at all times the car parking spaces and driveway(s) thereto shall be kept clear of goods and shall not be used for storage purposes including garbage storage;
- (6) 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) proposed fences;
  - (d) size and proportion of windows and doors;
- (7) That any external glazing shall have a reflectivity not exceeding 20%;
- (8) That the new windows and doors in the front and rear elevations shall be constructed in timber joinery;
- (9) That the proposed new brickwork shall match the existing for the extension to the Palmer Street terraces;
- (10) That the lower half of the upper floor windows be fixed obscure glass to the rear of the terraces fronting Palmer Street and the rear of the studio fronting Woods Lane;
- (11) That the parking spaces shown on Lot 3 of the Subdivision plan affected by the easement for parking be sold only to 191 or 193 Palmer Street, Darlinghurst;

and the following adopted standard conditions:

- (12) LDA351 Building Application required;
- (13) HSC500 Premises to be ventilated;
- (14) HSC800 Use of appliances emitting intrusive noise;
- (15) LDA384 New alignment levels;

- (16) LDA387 Footway crossings;
- (17) LDA389 Stormwater disposal requirements;
- (18) LDA21 No resident parking for residential flat developments;
- (19) LDA101 Provide landscaping plan.

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

- (B) That the applicant be advised that in order to comply with the Local Government Act and (Approvals) Regulation 1993 the following is required, namely:-
  - (1) That a suitable automatic fire detection and alarm system shall be installed to comply with E1.7 of the BCA;
  - (2) That natural light and ventilation shall be provided in accordance with requirements of Part F4 of the BCA;
  - (3) That all internal bathrooms and laundries shall be mechanically ventilated in accordance with requirements of F4.5 of the BCA;
  - (4) That all relevant sections of the BCA shall be complied with;
  - (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.
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

15.
ALBION AVENUE, NO. 8, PADDINGTON, - ALTERATIONS AND ADDITIONS
TO DWELLING - DEVELOPMENT APPLICATION (U96-01054)

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

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Macken:-

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mr S Buzzacott with the authority of Mr R Tait and Mr A Doulgeris for permission to make alterations and additions to the existing terrace house subject to the following conditions, namely:-
  - (1) That the development shall be generally in accordance with plans submitted 14 May, 1997;
  - (2) That a 1 metre wide planter box be included along the rear of the second floor balcony;
  - (3) That building/demolition work in connection with the proposed development shall only be carried out between the hours of 7.00 am and 5.00 pm on Mondays to Fridays, inclusive, and 7.00 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:

and the following adopted standard conditions:

- (4) LDA151 Schedule of finishes;
- (5) LDA153 Reflectivity of external glazing;
- (6) LDA163 New brickwork to match existing;
- (7) LDA351 Building Application required;
- (8) HSC500 Premises to be ventilated;
- (9) HSC800 Use of appliances emitting intrusive noise;
- (10) LDA376 Hours of building work;
- (11) LDA389 Stormwater disposal requirements;
- (12) LDA392 No obstruction to public way;
- (13) LDA396 Works within boundaries;
- (14) BC26 Comply with BCA.

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.

#### 16. WYNDHAM STREET, NOS. 78-82, ALEXANDRIA - ANCILLARY RETAILING OF CLOTHING - DEVELOPMENT APPLICATION (U96-01063)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Rikki O'Neill Fashion Agencies with the authority of Mr S and Mrs R Gerbino for permission to use part of the ground floor for the ancillary retailing of clothing, subject to the following conditions, namely:-
  - (1) That the retail area shall not exceed 130m<sup>2</sup>;
  - (2) That the use shall cease after a period of two years from the date of commencement:

(The applicant is advised that a further application may be lodged before the expiration of this consent for Council's consideration of the continuation of the proposed use).

- (3) That only clothing manufactured or warehoused on the premises shall be retailed from the premises;
- (4) That shoppers bus tours involving coach sized buses shall only visit the premises on Saturday between noon and 5.00p.m. and on Sundays between 10.00a.m. and 4.00p.m;
- (5) That shoppers bus tours involving mini buses shall only visit the premises between 8.00a.m. and 6.00p.m. Mondays to Fridays, 9.00a.m. and 5.00p.m. Saturdays and 10.00a.m. and 4.00p.m. Sundays;
- (6) That mini-buses carrying shoppers to the premises shall park wholly within the building at all times and only one mini bus shall visit the premises at any one time;
- (7) That shoppers bus tours involving coach sized buses shall be

subject to the following conditions:

- (a) That no more than five tours shall be booked or accepted on any one day;
- (b) That bookings shall be at least one hour apart;
- (c) That bookings shall be arranged such that not more than one bus shall visit the premises at any one time;
- (d) That the buses shall park only on the eastern side of Wyndham Street and not in front of any residential premises;
- (e) That no bus shall double park;
- (f) That no bus shall be booked to arrive after 4.30p.m. on Saturdays or 3.30p.m. on Sundays;
- (g) That the buses shall when waiting turn their motor off;
- (h) That the bus companies be advised that drivers and passengers are not to eat on the footway in Wyndham Street:
- (i) That any bus arriving without a booking whilst another bus is at the premises be advised that it cannot visit the site;
- (8) That all bus companies running shoppers bus tours to these premises be advised in writing by the applicant of conditions (4) to (7) above and of the necessity to comply thereto;
- (9) That a garbage bin and a cigarette butt receptacle shall be placed adjacent to but inside the main entry of the premises on Saturdays and Sundays;
- (10) That a curtain, rope barrier or the like shall be erected along the rear boundary of the retail area and the public shall not be allowed into the wholesale storage area;
- (11) That no goods shall be displayed or stored in the driveway or car parking spaces;
- (12) That the ground floor layout be amended so as to provide for the four required parking spaces and an amended layout submitted to Council within 90 days.

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

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

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

Carried.

17.

CLEMENT STREET, NO. 8/2, RUSHCUTTERS BAY - ERECTION OF GREENHOUSE FOR GROWING ORCHIDS - DEVELOPMENT APPLICATION (U97-00260)

- (A) That the Council as the responsible authority grants its consent to the application submitted by C J Joyce, with the authority of Budmer Pty Ltd, to erect a greenhouse for growing orchids on the roof of a residential flat building, subject to the following conditions, namely:-
  - (1) That the greenhouse shall be generally in accordance with plans 97/159 submitted with the application;
  - (2) That the greenhouse shall be removed from the roof in the event that the unit changes ownership unless further development consent has been granted;
  - (3) That the greenhouse shall be maintained in good repair;
  - (4) That no wall or part of the roof of the greenhouse shall be covered with a solid material such as board or fibre glass;
  - (5) That a certificate from a structural engineer shall be provided to the Council within 30 days of the date of this resolution to certify the soundness of all structural work and anchoring, especially having regard to possible wind loadings.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

18.
CHURCH STREET, NO. 198, NEWTOWN - ALTERATIONS AND ADDITIONS
TO EXISTING TERRACE - DEVELOPMENT APPLICATION (U97-00077)

That consideration of the application submitted by Mr G Malesevic, with the authority of Mr F O'Connor for alterations to the rear of the dwelling, be deferred to the next Planning and Development Committee Meeting to be held on 4 June, 1997, as requested by the applicant in the letter dated 21 May, 1997.

Carried.

19.
VICTORIA STREET, NOS. 171-173, KINGS CROSS - PICCADILLY HOTEL CONSTRUCT A ROOF OVER EXISTING BALCONY AT REAR DEVELOPMENT APPLICATION (U97-00121)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Fenton:-

(A) That the Council resolves that the State Environmental Planning Policy No.1 objection against the development standard relating to floor space in Clause No.11 of Local Environmental Plan No.101 is well founded and compliance is therefore unreasonable and unnecessary for the following reason, namely:-

The proposed floor space ratio will not alter the bulk of the building and is not considered to adversely impact on the amenity of the locality.

- (B) That the Council as the responsible authority grants its consent to the application submitted by Grahame Boys Pty Ltd, with the authority of Napoleon Hill Pty Ltd, for permission to enclose the rear first floor balcony of the Piccadilly Hotel and provide light entertainment to that area, subject to the following conditions, namely:-
  - (1) That the development shall be generally in accordance with plans 14 February 1997;
  - (2) 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:
- (3) That the applicant shall submit a report by an acoustic expert to show how it is proposed to comply with Council's Noise Regulation prior to commencement of the use in accordance with this consent;
- (4) That the hours of operation of the first floor shall be restricted to Monday to Wednesday 12 midday to 2.00 a.m. the following morning Thursday and Sunday 12 midday to 3.30 a.m. the following morning and Friday and Saturday 12 midday to 5.30 a.m. the following morning. That the hours of operation for the first floor beyond midnight Sunday to Thursday should be the subject of a 12 month trial from the date of this consent, and shall only operate in the balcony area once that is enclosed.

(That the applicant is advised that prior to the expiration of the 12 month trial they may make application for a permanent extension of the hours).

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.

20.

BARCOM AVENUE, NO. 93, DARLINGHURST - ALTERATIONS AND ADDITIONS TO FRONT RETAINING WALL TO PROVIDE GARAGE - DEVELOPMENT APPLICATION(U96-01045)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

- (A) That the Council as the responsible authority refuses its consent to the application submitted by C T Lovell for the removal of an existing sandstone retaining wall and staircase and the construction of a retaining wall with a new garage and stairs, subject to the following conditions, namely:-
  - (1) That the proposed development will have a negative impact upon the streetscape and the integrity of the Conservation Area;
  - (2) That the proposal would set an undesirable precedent for similar proposals, the cumulative effect of which would be significantly detrimental to the Conservation Area:
  - (3) That the consent of the owner of No 95 Barcom Avenue has not been provided;
  - (4) That the proposal is not in the public interest.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.
- (C) That Council Solicitors be instructed to have proceedings in respect of the Order issued under Section 123 of the Local Government Act 1993 relisted in the Land and Environment Court as a matter of urgency.

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

That the matter be deferred as requested by the applicant to allow him to submit a Heritage Report to Council

Amendment negated.

Motion, as moved by Councillor Harcourt on the show of hands five votes to three, carried.

## 21. LITTLE DOWLING STREET, NO. 5, PADDINGTON - ALTERATIONS AND ADDITIONS INVOLVING A THIRD FLOOR STUDIO AND DECK - DEVELOPMENT APPLICATION (U97-00085)

That consideration of the application submitted by Mr D Haertsch with the authority of Mr B Thomson for permission to construct a studio and balconies on the roof of the existing house, be deferred to allow the applicant to submit amended plans.

Carried.

### 22. RILEY STREET, NOS. 332-338, SURRY HILLS - ALTERATIONS AND ADDITIONS TO EXISTING HOTEL - DEVELOPMENT APPLICATION (U97-00178)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mumbilla Pty Ltd, for permission to carry out internal and external alterations to the above premises, subject to the following conditions, namely:-
  - (1) That the development shall be generally in accordance with plans numbered A2.10-12 and dated January 1997;
  - (2) That the ground floor windows of the building are to be permanently fixed shut and that air conditioning is to be installed in the premises. Details are to be submitted with the building application;
  - (3) That the two entrances located on the Foveaux Street elevation are to have doors that are self-closing. Details are to be submitted with the building application;
  - (4) That the doors referred to in Condition 3 shall not be obstructed from closing in any way;
  - (5) That all garbage and bottle collection shall occur no later than 10.00 p.m. or earlier than 7.30 a.m. daily;
  - (6) That all bottle sorting shall take place entirely within the premises at all times;
  - (7) That the proposed wall extension on the northern boundary is to

- be acoustically treated so as to reduce noise transmission. details are to be submitted with the Building Application.
- (8) That both entrances on Foveaux Street are to be designed so as to enable easy access to the premises by disabled persons in accordance with the requirements of AS1428. Further, easy access should also be provided for disabled persons from the new entrance on Foveaux Street to the ground floor undercover dining area, or something similar to the satisfaction of Council's Area Manager in accordance with the requirements of AS1428. Details are to be submitted with the Building Application;
- (9) That a toilet for disabled persons be provided at ground floor level in accordance with the requirements of AS1428. Details are to be submitted with the Building Application;
- (10) That the alterations to the premises shall not adversely affect the integrity of the existing air handling systems approved by Council;
- (11) That the "new garbage bay" room shall be ventilated by permanent unobstructed natural ventilation openings, direct to the external air, having an aggregate area of not less than one-twentieth (1/20th) of the floor area, and providing cross ventilation or an approved system of mechanical ventilation shall be provided to the garbage room;
- (12) That the garbage room shall be constructed in accordance with the requirements of Council's Waste Management/Minimisation Fact Sheets;
- (13) 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 Management/Minimisation Fact Sheets;
- (14) That all liquid wastes arising on the premises shall be discharged to the sewer in accordance with the requirements of Sydney Water;
- (15) That during the course of demolition and construction adequate measures shall be taken to ensure that all liquid wastes, particulate matter and loose solids created are retained within the premises;
- (16) That the construction, fitout and finishing of the premises shall comply with Food (General) Regulation 1992 and the National Code for the Construction and Fitout of Food Premises:

- (17) That the use of the premises shall not give rise to the emission into the surrounding environment of gases, vapours, odours, wastewater or other impurities which are a nuisance or injurious or dangerous or prejudicial to health;
- (18) That the use of the premises shall not give rise to:-
- (19) 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
- (20) an "offensive noise" as defined in the Noise Control Act, 1975;
- (21) That the applicant shall submit a report by an acoustic expert with the building application to show how it is proposed to comply with Condition (18). Further, this report should make reference to all air conditioning units on the premises. Any recommended works to be undertaken to the premises which do not require development consent are to be submitted with the Building Application;
- (22) That plans and specifications showing details of:
- (23) all proposed mechanical ventilation systems;
- (24) all required mechanical ventilation systems;
- (25) the garbage room or garbage receptacle storage area;
- (26) the layout, disposition and method of installation of fixtures and fittings, together with wall, floor and ceiling finishes to the two new ground and first floors food service bars;
- shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;
- (28) 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.
- (29) external walls;
- (30) windows and doors;
- (31) and the following adopted standard conditions:-
- (32) LDA351 Building Application required;

- (33) LDA376 Hours of building work;
- (34) LDA384 New alignment levels;
- (35) LDA392 No obstruction to public way;
- (36) LDA396 Works within boundaries;
- (37) HSC706 Storage of recyclables;
- (38) HSC018 Sanitary facilities.

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.

23.

LANG ROAD, NO. 66, CENTENNIAL PARK - ERECT BUILDING
CONTAINING DOUBLE GARAGE, GAMES ROOM AND DUAL
OCCUPANCY - DEVELOPMENT APPLICATION - CONTRIBUTION
INCLUDED IN CONSENT (U96-01050)

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, seconded by Councillor Harcourt:-

That consideration of the application submitted by Mr P Ward and Mrs P Ward for permission to demolish the existing garage and erect a new garage, games room with residential dwelling above at the rear of the premises, be deferred as requested by the applicant in letter dated 28 May, 1997 to allow for amended plans to be submitted to Council.

Carried.

24.

DARLINGHURST ROAD, NO. 48, KINGS CROSS - CHANGE OF USE TO BACKPACKER HOSTEL - DEVELOPMENT APPLICATION CONTRIBUTION INCLUDED IN CONSENT (U97-00006)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Outline Consultants P/L, with the authority of Baykent Pty Ltd, 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) 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	\$34, 399.50	2 EJ-BGY 0
Child Care	\$ -	2 EK-BGY 0
Community Facilities	\$ 5, 894.90	2 EL-BGY 0
Transport and Access	\$ 6, 697.50	2 EM-BGY 0
<b>Environmental Improvements</b>	\$ 1, 083.	2 EN-BGY 0

TOTAL: \$43, 074.90

Payments shall be made quarterly for 21 months at a rate of \$2000 per month (\$6000 per quarter) with the final instalment being \$1074.90. The first instalment shall be paid three months after the commencement of the use, or the date of the consent, whichever is the later. A written undertaking shall be submitted to Council within one week of the date of this consent agreeing to the above rate of payment.

- (3) 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;
- (4) That plans and specifications showing details of:-
  - (a) the garbage chute;
  - (b) vertical lift food conveyor;
- shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;
- (5) That the maximum number of guests shall be restricted to 81 at any one time. Rooms 101, 201 and 301 shall have a maximum occupancy of 6 persons only, whilst the remainder of the rooms shall have a maximum occupancy of 7 persons only;

and the following adopted standard conditions:

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

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

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

- (B) That the applicant be advised that in order to comply with the Local Government Act and (Approvals) Regulation 1993 the following is required, namely:-
  - (1) That all existing essential services installed 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;

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.

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.

Carried.

# 25. CLEVELAND STREET, NOS. 401 - 409, REDFERN - USE OF FIRST FLOOR AS A BILLIARD/SNOOKER CLUB - DEVELOPMENT APPLICATION (U9700023)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mr B Photios, with the authority of Mr E Wardy to use the premises as a cuesports centre, subject to the following conditions, namely:-
  - (1) That the development shall be generally in accordance with plans unmarked and undated; submitted to Council on 9 January 1997;
  - (2) That the operating hours of the premises shall be restricted to between 9.00 a.m. and 1.00 a.m., Sundays to Thursdays inclusive and between 9.00 a.m. and 2.00 a.m. Fridays and Saturdays, on a trial basis of 12 months from the date of this consent, following which the hours of operation shall become 9.00 a.m. to 12.00 a.m. seven days per week. The applicant is advised that a further application may be lodged in relation to hours of operation prior to expiry of the 12 month trial period;
  - (3) That this consent shall only be operable if the use is conducted under the management of Mr. Byron Photios, or a Council endorsed nominee of Mr. Byron Photios. The consent shall lapse if the above ceases to be the case:
  - (4) That school age children shall not be permitted on the premises during normal school hours without the express permission of the school and/or parents/guardian;
  - (5) That children and youth under 15 years of age shall not be permitted on the premises after 8.00 p.m. unless accompanied by an adult;
  - (6) That a management plan for the premises shall be submitted to Council with any Building Application for the proposal, incorporating membership criteria, security, standards of behaviour, and incorporating conditions 3 and 4 of this consent, for the approval of the Director of Planning and Building prior to issuance of building approval;

- (7) That usage of the premises shall be restricted to members of the club associated with the premises in accordance with the approved management plan;
- (8) That a separate application shall be submitted at the appropriate time for any proposed signs;
- (9) 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;
- (10) 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;
- (11) 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;
- (12) That the use of the office area shall be ancillary to the use of the premises, at all times;
- (13) That at no time shall pinball machines, amusement machines or the like be installed in the premises;
- (14) That no dancing shall be conducted on the premises;

- (15) That no entertainment shall be provided on the premises;
- (16) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building (including any demolition) work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation.

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 (Approvals) Regulation the following will be required, namely:-
  - (1) That all doors serving as required exits or forming part of a required exit and any door, shutter, grille or the like which is installed in a path of travel to a required exit, shall comply with the requirements of D2.19, D2.20 and D2.21 of the BCA;
  - (2) That portable fire extinguishers shall be provided throughout the building to the requirements of E1.6 of the BCA and AS 2444;
  - (3) That hose reels shall be installed throughout the building in accordance with the requirements of E1.4 of the BCA and AS2441:
  - (4) That hydrants shall be installed throughout the building in accordance with the requirements of E1.3 of the BCA and AS2419.1:
  - (5) That a system of emergency lighting shall be installed throughout the building in accordance with the requirements of E4.2, E4.3, E4.4 of the BCA and AS2293.1;
  - (6) That exit signs shall be provided in accordance with the requirements of E4.5, E4.7, E4.8 of the BCA and AS2293-1;
  - (7) That exit travel distances shall comply fully with the requirements

of Part D.1.4 of the BCA;

- (8) That the premises shall not be used as a Place of Public Entertainment.
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

## 26. SWANSON STREET, NO. 88, ERSKINEVILLE - CHILD CARE CENTRE SECTION 102 MODIFICATION (U96-00518)

- (A) That the Council as the responsible authority grants its consent to the application submitted by the Sydney Day Nursery and Nursery Schools Association for permission to amend, pursuant to Section 102 of the Environmental Planning and Assessment Act, the consent granted on 21 November 1996, subject inter alia, to the following conditions, namely:-
  - (1) That the development shall be carried out generally in accordance with plans reference 01 to 06 inclusive as amended by plans dated 28 August and 9 September 1996 (the latter relating to the ramp design);
  - (2) That the proposed additions shall be amended to the satisfaction of the Director of Planning and Building to better integrate with the existing building and with the adjoining terrace at 36 Clara Street and in this regard particular attention shall be given to the external finishes, the size, proportion and location of window openings in the front elevation, the roof form and the massing of the building on the boundary with regards to the form of the adjoining terrace;
    - in the following manner, namely:-
    - (a) deletion of condition (1) and replacement in lieu thereof of the new condition:
      - (1) That the development shall be carried out generally in accordance with the amended plans reference 95/172-01 to 05 inclusive and north elevation plan submitted on 24 April 1997;
    - (b) the deletion of condition (2);
    - (c) the insertion of the new conditions:

- (24) That roof flashing shall be extended over the building setback between the northern side wall and the wall of No. 36 Clara Street to prevent rainwater penetration and mesh screens shall be provided to restrict leaf litter build up between the buildings;
- (25) That the windows facing east from the first floor laundry shall be non-openable with frosted glazing;
- (26) That an application shall be submitted to the Director of Public Works and Services and approved before any existing tree on the site, covered by Council's Tree Preservation Order, is removed or lopped.
- (B) That the persons who made representations in respect to the proposal be advised of Council's decision.

Carried.

## 27. PEDESTRIAN SAFETY WEEK - USE OF BODYLINES ON DANGEROUS ROADS (2004120)

That Council again approve the use of body outlines on dangerous roads with the message "Think Before You Cross" as a means of promoting pedestrian safety in South Sydney.

(DPWS Report 14.5.97)

Carried.

### 28. STREETSCAPES - TELSTRA INSTALLATION OF ABOVE GROUND STRUCTURES (2009591)

That Council write to the Federal Minister for Telecommunications requesting that Telstra be directed not to install RIM housings as above-ground structures in inner urban areas due to the adverse effect to streetscape and urban amenity.

(DPWS Report 23.4.97)

Carried.

29.
STREETS - REGIONAL ROADS REPAIR PROGRAMME FOR 1997/98,
REDFERN STREET, REDFERN AND ELIZABETH STREET, SURRY HILLS
AND REDFERN (2006668)

That approval be given to:-

- (a) Council accepting the grant of \$140,000 from the 1997/98 Regional Road Repair Programme under the conditions set out in the Road and Traffic Authority letter of 8 April 1997;
- (b) the grant monies of \$140,000 be added to the 1997/98 Budget Provisions;
- (c) the total amount of \$280,000 be voted, including \$140,000 Grant funds and \$140,000 allocated from Mill and Resurfacing Works section (CWC800) of the Engineering works 1997/98 Budget for the Public

Works and Services Department for the rehabilitation of sections of Redfern Street and Elizabeth Street road pavement.

(DPWS Report 19/5/97)

Carried.

30. PARKS - VICTORIA PARK - LIVE ENTERTAINMENT EVENT (P52-00200)

That the application submitted by the Sydney Gay and Lesbian Mardi Gras Youth Committee as detailed in the report by the Director of Public Works and Services dated 13 May, 1997, be refused and that the applicant be advised that Council would consider an alternative venue such a Sydney Park for the function.

Carried.

31.

LITTLE CLEVELAND STREET, NOS. 14 AND 16, REDFERN - ERECT TWO
TERRACE HOUSES - BUILDING APPLICATION (Q97-00206)

(A) That the Council as the responsible authority supports an objection under Section 82 of the Local Government Act 1993 to the application of Clause 54 of the Local Government Act (Approvals) Regulation in respect of the subject premises.

- (B) That subject to the concurrence of the Director General of the Department of Local Government to dispense with the application of Clause 54 of the Local Government (Approval) Regulations 1993 resulting from the objection in (A) above, Council as the responsible authority delegates to Director of Planning and Building power to approve the application submitted by Mr John Bingham for permission to erect two double storey terrace houses at the abovementioned premises, all in accordance with the submitted plans numbered A01 to A07 received on 11 March 1997 subject to the following conditions, namely:-
  - (1) That the rear first floor windows shall be reduced to two panels, centrally located and shall have a combined width of no more than two metres. Details shall be submitted for the approval of the Director of Planning and Building;
  - (2) That the front dormer windows shall be vertically proportioned at a ratio of 1.5:1 and traditionally detailed in accordance with Council's policy on Roof Utilisation. Details shall be submitted for the approval of the Director of Planning and Building;
  - (3) That at least two-thirds of the floor or 6 square metres of bedroom 1 shall not be less than 2.2 metres in height;
  - (4) 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;
  - (5) 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;
  - (6) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
  - (7) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
  - (8) 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;
  - (9) 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;

- (10) That details of the drainage system shall be submitted for consideration;
- (11) 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;
- (12) That structural details (including underpinning and/or shoring details) and certifications (for the structural plans, timber flooring and framing) 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 practicing Structural Engineer. Details of the procedure of Structural Certification are attached herewith;
- (13) That no building work shall commence prior to the approval of subdivision application to define the boundary between both properties and extension of right-of-way under Part 12 of Local Government Act 1919 and registration with Land Title office;

and the following adopted standard conditions:

- (14) BC2 Compliance with Local Government Act 1993;
- (15) BC3 Compliance with conditions on plan;
- (16) BC8 Details of contractor;
- (17) BC11 Inform Council for inspections;
- (18) BC15 Approval relates to coloured work;
- (19) BC20 Premises to remain as single dwelling;
- (20) BC63 Survey Certificate for finished building;
- (21) BC65 Boundary walls not to be party walls without neighbour's consent;
- (22) BC111 Hours of work;

- (23) BC113 Work to comply with noise standards;
- (24) BC116 New work not to encroach boundaries;
- (25) BC119 Requirements when excavating below footings;
- (26) BC121 Excavations and backfilling to be in accord with relevant standards;
- (27) BC122 Excavations to be guarded (safety);
- (28) BC170 Structural certificate upon completion;
- (29) BC175 Comply with Timber Framing Code;
- (30) BC176 Approval for permanent work only;
- (31) BC184 Foundation material under slabs;
- (32) BC186 No structural work until approval granted;
- (33) BC189 Termite protection;
- (34) BC339 Construction of common walls and party walls;
- (35) BC340 Non-flammable sarking materials;
- (36) BC341 Roof lights in dwellings;
- (37) BC352 Glazing materials;
- (38) BC421 Private stairs construction;
- (39) BC528 Fire detectors and alarm system;
- (40) BC601 Water closets and shower compartments;
- (41) BC603 Damp and weatherproofing;
- (42) BC608 Ceiling heights;
- (43) BC615 Common walls sound transmission;
- (44) BC617 Rain or dampness penetration;
- (45) BC618 Flashing to be provided;
- (46) HSC500 Premises to be ventilated;
- (47) HSC501 Plans and specification of ventilation;

- (48) HSC555 Bathroom ventilation;
- (49) HSC800 Use of appliances emitting intrusive noise;
- (50) That subject to approval of the owners of the two adjoining premises, a dilapidation report shall be carried out on those premises and shall be submitted to Council prior to commencement of work.
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

32.

PLANNING - PUBLIC TRANSPORT - FEASIBILITY STUDIES OF CROSS
TOWN BUS ROUTES (2014372)

That Council:-

- support in principle the proposal to conduct a joint investigation with
   Sydney Buses into the viability of the new bus routes outlined in Section
   of the Director of Planning and Building's report;
- (2) formally approach Sydney Buses and other relevant State Authorities, as well as major institutions in the vicinity of the proposed routes seeking contributions towards the study;
- (3) on confirmation of funding availability, Council liaise with Sydney Buses and surrounding councils to co-ordinate a study methodology, brief and management plan, and on completion of this, that a further report be prepared outlining full details and funding sources of the proposed study.

(DPB Report 19.5.97)

Carried.

33.

CAROLINE STREET, NOS. 1 - 15, REDFERN - ERECT EIGHT NEW HOUSING UNITS AND GROUND FLOOR COMMUNITY ROOM - DEVELOPMENT APPLICATION (U97-00024)

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

That consideration of the application submitted by the N.S.W. Department of Housing, with the consent of the Aboriginal Housing Company and the Aboriginal Medical Service to consolidate Nos. 1-15 Caroline Street, Redfern into one lot and erect a residential flat building containing eight units and a ground floor community room, be deferred for a public meeting to be held on Monday 26 May, 1997 at the Darlington Activity Club.

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:-

That consideration of the application be deferred to the next Planning and Development Committee to be held on 4 June, 1997 for further discussions to be held with the Department of Housing and Council to address issues arising out of the public meeting held on the 26 May.

Motion, as amended by consent, carried.

34.

"WASTE NOT" DEVELOPMENT CONTROL PLAN - IMPLEMENTATION SOUTHERN SYDNEY WASTE PLANNING AND MANAGEMENT BOARD
(2012515)

That Council:-

- (A) respond to the Southern Sydney Waste Planning and Management Board's letter of 13 March 1997 in the manner set out in the joint report by the Director of Planning and Building and Director of Public Works and Services dated 19 May, 1997;
- (B) prepare a Draft Development Control Plan and Local Approval Policy consistent with the Waste Not guidelines under the relevant Acts subject to a satisfactory response from the Southern Sydney Waste Planning and Management Board.

Carried.

35.

COMMONWEALTH STREET, NO. 160, SURRY HILLS - ALTERATIONS AND ADDITIONS TO DWELLING AND ERECT GARAGE WITH WORKSHOP/
STOREROOM - BUILDING APPLICATION (Q97-00034)

(A) That the Council as the responsible authority grants its consent to the application submitted by Ms Juliet Howell for permission to carry out at the abovementioned premises alterations and first floor additions to the rear of the existing dwelling and the erection of a two storey structure at the rear of the site to be used as a garage on the ground floor and

workshop/storeroom on the first floor all in accordance with the submitted plans No. a1 to a3 and one unnumbered plan dated 4 May 1997, subject to the following conditions, namely:-

- (1) That the height of the garage/workshop wall fronting Bateman Lane be reduced from approximately 4.6m to 3.4m and the roof lowered at the proposed pitch deleting the windows;
- (2) That new details complying with condition (1) above shall be submitted to Council and approval obtained before work is commenced:
- (3) That the Commonwealth Street facade of the premises shall not be altered;
- (4) 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;
- (5) 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;
- (6) That the windows in the western elevation of the garage/ workshop building shall be located in accordance with the elevation detail submitted on the 4 May 1997 and not the floor plan a2;
- (7) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements in this regard, prior to the release of the stamped approved plans details of how it is proposed to dispose of stormwater shall be submitted and approved;
- (8) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (9) 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;
- (10) 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:

and the following adopted standard conditions:

- (11) BC2 Compliance with Local Government Act 1993;
- (12) BC3 Compliance with conditions on plan;
- (13) BC8 Details of contractor;
- (14) BC11 Inform Council for inspections;
- (15) BC15 Approval relates to coloured work;
- (16) BC20 Premises to remain as single dwelling;
- (17) BC29 Comply with Work Cover requirements;
- (18) BC62 Survey Certificate for setup of building;
- (19) BC63 Survey Certificate for finished building;
- (20) BC64 Applicant to make good damage to party walls;
- (21) BC65 Boundary walls not to be party walls without neighbour's consent;
- (22) BC111 Hours of work;
- (23) BC113 Work to comply with noise standards;
- (24) BC114 Existing building to be kept in stable condition;
- (25) BC116 New work not to encroach boundaries;
- (26) BC119 Requirements when excavating below footings;
- (27) BC121 Excavations and backfilling to be in accord with relevant standards;
- (28) BC167 Structural details and certification to be submitted;
- (29) BC170 Structural certificate upon completion;
- (30) BC175 Comply with Timber Framing Code;
- (31) BC186 No structural work until approval granted;

- (32) BC187 Footings not to be poured until approval granted;
- (33) BC189 Termite protection;
- (34) BC341 Rooflights in dwellings;
- (35) BC337 Construction of boundary walls;
- (36) BC340 Non-flammable sarking materials;
- (37) BC352 Glazing materials;
- (38) BC421 Private stairs construction;
- (39) BC529 Smoke alarm systems;
- (40) BC601 Water closets and shower compartments;
- (41) BC602 Clothes washing and drying facilities;
- (42) BC603 Damp and weatherproofing;
- (43) BC608 Ceiling heights;
- (44) BC609 Natural light and ventilation;
- (45) BC611 Ventilation of bathrooms/laundries;
- (46) BC616 Bathroom and laundry floor requirements;
- (47) BC617 Rain or dampness penetration;
- (48) BC618 Flashing to be provided;
- (49) HSC500 Premises to be ventilated;
- (50) HSC800 Use of appliances emitting intrusive noise.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

36.

# CARILLON AVENUE, NOS. 35-43, CAMPERDOWN AND CHURCH STREET, NO.114, CAMPERDOWN - PRIVATE HOSPITAL AND CAR PARK - DEVELOPMENT APPLICATIONS (U97-00153, U97-00154)

### 1. CAR PARK

- (A) That the Council as the responsible authority grants its consent to the application submitted by PACE Property Management Services, with the authority of the Central Sydney Area Health Service, for permission to erect a multi-level commercial car park and a New Hospital Road, associated with a new adjoining private hospital, at No.114 Church Street, Camperdown (Lot 11 DP 809663), subject to the following conditions, namely:-
  - (1) That the development shall be generally in accordance with plans A01-A09, dated February, 1997;
  - (2) That, prior to issuing a Certificate of Classification by Council, and therefore operation of the car park, the building application for the adjoining private hospital shall be approved and works shall have substantially commenced;
  - (3) That the total number of parking spaces accommodated in the car park shall be reduced to a maximum of 960 car spaces, and appropriate allocation be made for visitor and patient parking to the satisfaction of the Director of Planning and Building;
  - (4) That a minimum of 32 car spaces shall be dimensioned and marked as disabled parking, and shall be located closest to the link to the hospital;
  - (5) That the developer shall meet all the costs of traffic improvement works related to this consent, unless otherwise stated;
  - (6) That the developer shall meet Council's costs for all new traffic facilities, roads and drainage works required due to the development, and the developer shall:
    - lodge with the Council, and from a bank approved by the Council, a bank guarantee for the estimated construction cost of all work to surrounding roads;
    - (b) have a estimate prepared by a practising quantity surveyor, at the applicant's expense, taking in to account, but not limited to, the requirements of the RTA, the State Transit Authority, public utility services and Sydney Water, and shall consult the Director of Public Works and Services about unit rates used in preparing the estimate;

- (c) the bank guarantee required by (a) shall be to meet the estimate at (b), compounded at 7% p.a. for the construction period of the development, it being noted that decreases to the original bank guarantee will be considered at a fair rate upon completion of sections of the work;
- (7) That all vehicular access to the new car park shall be from Carillon Avenue and the New Hospital Road, with no access from Church Street:
- (8) That the construction of the traffic signals at Missenden Road and Carillon Avenue shall be operational prior to issuing a Certificate of Classification for the car park, with the cost to be negotiated between the applicant and the Roads and Traffic Authority (RTA);
- (9) That the detailed traffic signal design plans shall be forwarded to the RTA for approval prior to the commencement of any work (the RTA advises that this involves a fee and performance bond);
- (10) That a concrete median island (minimum 400mm wide and of a design approved by the RTA) shall be provided at the applicant's expense to cover Church Street and allow left in/left out movement only, and shall be extended to the New Hospital Road;
- (11) That a pedestrian refuge shall be provided in Mallett Street near the intersection of Fowler Street, at the applicant's expense, to the satisfaction of Director of Planning and Building and the RTA, prior to completion of the car park;
- (12) That the New Hospital Road shall be completed, at the applicant's expense, through to Grose Street, including the installation of traffic lights and pedestrian facilities at the intersection with Carillon Avenue, prior to commencement of construction of the car park, to the satisfaction of the Director of Public Works and Services and the Director of Planning and Building, with plans and details of the extended road being submitted with, or prior to, the building application for the new car park;
- (13) That the New Hospital Road shall be completed through to Lucas Street, to the satisfaction of the Director of Public Works and Services, prior to issuing a Certificate of Classification for the car park, with detailed plans of the extended road link being lodged with the Council prior to the issuing of building approval;
- (14) That the land required for the widening of Church Street shall be dedicated to the Council, at the applicant's expense in a plan of

- subdivision (land consolidation) under the Local Government Act, 1919:
- (15) That the developer shall incur all costs associated with the design and construction of the widened roadway in Church Street to the extent necessary, including kerb, gutter, pavement, drainage and alteration to any public utility services, such work to be carried out by Council's workforce and the costs to exclude the 45% surcharge normally imposed by Council for recoverable works;
- (16) That all construction traffic shall use routes involving Missenden Road, Salisbury Road, Carillon Avenue and the New Hospital Road unless otherwise specifically approved by the Director of Public Works and Services and a management plan of construction activities be submitted with the building application for approval;
- (17) That the car park shall be redesigned in response to the requirements within the above conditions, and the redesign shall also incorporate measures to address the following issues:
  - (a) Greater architectural relief in the facade to Church Street, by devices such as creation of bays, varying setback, altering materials and the like;
  - (b) Setting back level(s) from the third level inclusive and above (relative to Church Street) an additional 7.8m, from the 6.8m setback below:
  - (c) Consideration to providing an additional level of the car park "underground", in response to requirements within Development Control Plan No. 8 and the aim of reducing the perceived bulk and height of the car park to Church Street;
  - (d) Incorporation of landscaping, where appropriate;
  - (e) The design requirements of DCP 11 and relevant Australian Standards, including provision of bicycle parking;
- and the amended plans responding to the above conditions and issues being submitted with the building application and to the satisfaction of the Director of Planning and Building;
- (18) That prior to the commencement of any excavation of the site, a Road Opening Permit shall be obtained from the Director of Public Works and Services and details of shoring required to support the public way shall be submitted for the approval of the

- Director of Public Works and Services (the requirement for such shoring being at the Director's discretion);
- (19) That a detailed Landscape Plan shall be prepared by a landscape architect or suitably qualified person(s), indicating the proposed treatment in the setback area to Church Street, the roof, around the new car park building, the careful reuse of existing stone kerb and guttering and how the theme of the landscaping will relate to the landscaping proposed in association with the new private hospital; and the plan shall be to the satisfaction of the Director of Public Works and Services and the Director of Planning and Building, with approval required to be given prior to the issuing of building approval;
- (20) That an application shall be submitted to the Director of Public Works and Services and approved before any existing tree on the site, covered by Council's Tree Preservation Order, is removed or lopped;
- (21) That all staff parking displaced during construction shall be accommodated within a reasonable walking distance of the hospital, with details of the location of these spaces and arrangements during construction being lodged with the building application and to the satisfaction of the Director of Planning and Building;
- (22) That the developer shall provide on-site parking for construction workers:
- (23) That the fee structure should discourage long stay parking and the Hospital should implement strategies to encourage shifts to other modes of transport, including offering any benefits available to staff who use cars, to staff not using cars;
- (24) That a separate application shall be submitted to the RTA for the licensing of the commercial car park under the provisions of Section 68 Part F(1) of the Local Government Act, 1993 and all requirements of that section shall be complied with;
- (25) That satisfactory arrangements shall be made with Sydney Water for the provision of water supply, facilities for the removal and disposal of sewerage and stormwater drainage;
- (26) That satisfactory arrangements shall be made with Energy Australia regarding the provision of electricity for the development (with any required substation being indicated in the plan of subdivision, if necessary);
- (27) That the applicant shall undertake a study prior to or with submission of the building application, of the traffic impacts

associated with the new development in an area with a radius of 500m from the site to the north, west and south, identifying existing pedestrian, traffic and parking conditions, the impact of the new car park and hospital and shall make recommendations for local are traffic management and pedestrian enhancement measures to reduce impacts associated with traffic and parking on surrounding streets and residential areas, and the full cost of data collection, investigation, public notification and providing the recommended devices shall be borne by the developer, with hardworks being completed within 6 months after occupation of the development;

- (28) That the applicant shall negotiate with Marrickville Council regarding the installation of suitable Local Area Traffic Management devices within their area in the vicinity of the development in order to mitigate adverse traffic impacts relating to the development;
- (29) That the developer shall provide a system of on-site stormwater detention to the satisfaction of the Director of Public Works and Services, to be submitted with the required fee with the building application (and if approved will form part of the building approval). The drainage plan shall address and provide:
  - supporting hydrologic and hydraulic calculations together with detailed plans demonstrating maximum site discharge of 150 litres/second/hectare and on-site detention storage for excess run-off up to the 20 year ARI design storm;
  - (b) adequate stormwater drainage for the new access road; and
  - a catchment analysis to determine the extent of overland stormwater flows upstream of the new access road and any required measures or storage capacity for these additional flows;
- (30) That should the entire building not be completed in one stage, the building form and finishes shall be to the satisfaction of the Director of Planning and Building;
- (31) That all boom gates shall be located well inside the site to prevent any vehicles queuing on the street;
- (32) That car parking and service vehicle provision shall comply with AS 2890.1 1993 and AS 2890.2 1989;
- (33) That entrances to and from the car park shall be clearly signposted as such;

- (34) That the internal traffic circulation and direction to the specific use of the car park spaces shall be adequately indicated by signage, markings and the like to the satisfaction of the Director of Planning and Building;
- (35) That all staff parking displaced during construction shall be accommodated within a reasonable walking distance of the hospital, with details of the location of these spaces and arrangements during construction being lodged with the building application and to the satisfaction of the Director of Planning and Building;
- (36) That the developer shall provide on-site parking for construction workers;
- (37) That stop signs at egress points shall be provided and maintained;
- (38) That all ramps shall conform with relevant Australian Standards;
- (39) That the developer shall apply to the Director of Public Works and Services for the issuing of alignment levels for the development, and these levels shall be included in the building application;
- (40) That the developer shall reinstate any damaged kerb and gutter in materials similar to those existing;
- (41) That at no time shall articulated vehicles be used to service the site:
- (42) That any storage of gases on the site shall comply with the requirements of the Workcover Authority;
- (43) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code:
- (44) That the car park shall be ventilated in accordance with relevant Australian Standards (AS 1668.1 1991 Section 7.6 and AS 1668.2 1991, Section 4.4)
- (45) That plans and specifications of the car park ventilation system shall be submitted to the Director of Planning and Building for approval, and approval obtained, prior to installation;
- (46) 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;

- (47) That all vehicles shall be driven in a forward manner into and out of the site:
- (48) That the owner shall be responsible for any additional shoring to support the public way that may be required and as directed to the Director of Public Works and Services during the progress of excavation;
- (49) That all shoring in the public way shall be completely removed on completion, the void shall be backfilled by materials nominated by the Works Engineer, Public Works and Services Department, (telephone 9313 0280), and three days notice shall be given to the abovementioned before this work is commenced;

### and the following standard conditions:

- (50) HSC101 Not give rise to emissions into the environment;
- (51) HSC800 Use of appliances emitting intrusive noise;
- (52) LDA36 Loading only within confines of the site;
- (53) LDA261 Washing down of trucks;
- (54) LDA351 Building Application required;
- (55) LDA376 Hours of building work;
- (56) LDA377 Construction noise regulation;
- (57) LDA387 Footway crossings;
- (58) LDA391 Builder's Hoarding Permits;
- (59) LDA392 No obstruction to public way;
- (60) LDA393 Delivery of refuse skips;
- (61) LDA394 Cost of alteration to signposting.

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,

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

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

#### 2. PRIVATE HOSPITAL

- (A) That the Council as the responsible authority grants its consent to the application submitted by PACE Property Management Services, with the authority of the Central Sydney Area Health Service, for permission to demolish two building and erect a 7-9 storey private hospital and medical centre, including ancillary facilities and a New Hospital Road (in association with an adjoining commercial car park), at Nos. 35-43 Carillon Avenue, Camperdown (Lot 12 DP 809663), subject to the following conditions, namely:-
  - (1) That the development shall be generally in accordance with plans DA97.01B-24B, dated February, 1997;
  - (2) That, prior to issuing a Certificate of Classification by Council, and therefore operation of hospital, the adjoining commercial car park shall fully operational (with 960 car spaces);
  - (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:

Civic Improvement, Open Space		
and Recreation	\$36,369.00	2 EJ-BGY 0
Child Care	\$ 2,514.40	2 EK-BGY 0
Community Facilities	\$ 5,028.80	2 EL-BGY 0
Transport and Access	\$18,947.80	2 EM-BGY 0
Environmental Improvements	\$ 718.40	2 EN-BGY 0

TOTAL: \$63,578.40

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.

- (4) That the developer shall meet all the costs of traffic improvement works required in this consent, unless otherwise stated;
- (5) That the developer shall meet Council's costs for all new traffic facilities, roads and drainage works required due to the development, and the developer shall:
  - lodge with the Council and from a bank approved by the Council, a bank guarantee for the estimated construction cost of all work to surrounding roads;
  - (b) have an estimate prepared by a practising quantity surveyor, at the applicant's expense, taking in to account, but not limited to, the requirements of the RTA, the State Transit Authority, public utility services and Sydney Water, and shall consult the Director of Public Works and Services about unit rates used in preparing the estimate;
  - (c) the bank guarantee required by (a) shall be to meet the estimate at (b), compounded at 7% p.a. for the construction period of the development, it being noted that decreases to the original bank guarantee will be considered at a fair rate upon completion of sections of the work:
- (6) That all vehicular access to the Hospital shall be from Carillon Avenue and the New Hospital Road, with no access from Church Street. This will require relocation of the loading and servicing area to the New Hospital Road and redesign of the ground floor of the hospital, which can be submitted with the building application and shall be to the satisfaction of the Director of Planning and Building for approval;
- (7) That separate "entry only" access to the port cochere area shall be deleted with access only from the New Hospital Road, and the entrance in to the port-cochere area shall be designed so as to ensure queuing of vehicles does not create traffic congestion;
- (8) That attention shall be given to the design of the port-cochere area, following deletion of the "entry only" access of Carillon Avenue, including queuing back to Carillon Avenue and necessary turning circles for vehicles using that area;

- (9) That the internal roads within the port cochere area shall be provided with ground arrows and appropriate signage;
- (10) That disabled car spaces shall be conveniently located and designed in accordance with relevant Australian Standards;
- (11) That the construction of the traffic signals at Missenden Road and Carillon Avenue shall be operational prior to issuing a Certificate of Classification for the car park, with the cost to be negotiated between the applicant and the Roads and Traffic Authority (RTA);
- (12) That detailed traffic signal design plans shall be forwarded to the RTA for approval prior to the commencement of any work (the RTA advises this involves a fee and performance bond);
- (13) That a concrete median island (minimum 400mm wide and of a design approved by the RTA) shall be provided at the applicant's expense to cover Church Street and allow left in/left out movement only, and shall be extended to the New Hospital Road;
- (14) That a pedestrian refuge shall be provided in Mallett Street near the intersection of Fowler Street, at the applicant's expense, to the satisfaction of Director of Planning and Building and the RTA, prior to completion of the car park;
- (15) That the New Hospital Road shall be completed, at the applicant's expense, through to Grose Street, including the installation of traffic lights and pedestrian facilities at the intersection with Carillon Avenue, prior to commencement of construction of the car park, to the satisfaction of the Director of Public Works and Services and the Director of Planning and Building, with plans and details of the extended road being submitted with, or prior to the Building Application;
- (16) That the New Hospital Road shall be completed through to Lucas Street, to the satisfaction of the Director of Public Works and Services, prior to issuing a Certificate of Classification for the car park, with detailed plans of the extended road link being lodged with the Council prior to the issuing of building approval;
- (17) That the land required for the widening of Church Street shall be dedicated to the Council, at the applicant's expense in a plan of subdivision (land consolidation) under the Local Government Act, 1919:
- (18) That the developer shall incur all costs associated with the design and construction of the widened roadway in Church

Street to the extent necessary, including kerb, gutter, pavement, drainage and alteration to any public utility services, such work to be carried out by Council's workforce and the costs to exclude the 45% surcharge normally imposed by Council for recoverable works;

- (19) That all staff parking displaced during construction shall be accommodated within a reasonable walking distance of the hospital, with details of the location of these spaces and arrangements during construction being lodged with the building application and to the satisfaction of the Director of Planning and Building;
- (20) That the developer shall provide on-site parking for construction workers:
- (21) That prior to the commencement of any excavation of the site, a Road Opening Permit shall be obtained from the Director of Public Works and Services and details of shoring required to support the public way shall be submitted for the approval of the Director of Public Works and Services (the requirement for such shoring being at the Director's discretion);
- (22) That all construction traffic shall use routes involving Missenden Road, Salisbury Road, Carillon Avenue and the New Hospital Road unless otherwise specifically approved by the Director of Public Works and Services and a management plan of construction activities be submitted with the building application for approval;
- (23) That at no time shall the gymnasium or pool area be used by persons other than staff or patients, and these facilities shall not be marketed or promoted for use by the general public;
- (24) That satisfactory arrangements shall be made with Sydney Water for the provision of water supply, facilities for the removal and disposal of sewerage and stormwater drainage;
- (25) That satisfactory arrangements shall be made with Energy Australia regarding the provision of electricity for the development (with any required substation being indicated in the plan of subdivision, if necessary);
- (26) That the height of the building, including any structure whatsoever, shall not exceed 64.0m A.H.D. Any encroachment above that level would require written permission of the Federal Airports Corporation (including any cranes);
- (27) That the applicant shall undertake a study, prior to or with the submission of the building application, of the traffic impacts

associated with the new development in an area with a radius of 500m from the site to the north, west and south, identifying existing pedestrian, traffic and parking conditions, the impact of the new car park and hospital and shall make recommendations for local are traffic management and pedestrian enhancement measures to reduce impacts associated with traffic and parking on surrounding streets and residential areas, and the full cost of data collection, investigation, public notification and providing the recommended devices shall be borne by the developer, with hardworks being completed within 6 months after occupation of the development;

- (28) The applicant shall negotiate with Marrickville Council regarding the installation of suitable Local Area Traffic Management devices within their area in the vicinity of the development in order to mitigate adverse traffic impacts relating to the development;
- (29) That the developer shall provide a system of on-site stormwater detention to the satisfaction of the Director of Public Works and Services, to be submitted with the required fee with the building application (and if approved will form part of the building approval). The drainage plan shall address and provide:
  - supporting hydrologic and hydraulic calculations together with detailed plans demonstrating maximum site discharge of 150 litres/second/hectare and on-site detention storage for excess run-off up to the 20 year ARI design storm;
  - (b) adequate stormwater drainage for the new access road; and
  - a catchment analysis to determine the extent of overland stormwater flows upstream of the new access road and any required measures or storage capacity for these additional flows;
- (30) That the retail area(s) shall not exceed 1000 sqm, with calculations being included in the Building Application;
- (31) That a detailed Landscape Plan shall be prepared by a landscape architect or suitably qualified person(s), indicating and addressing:
  - (a) the proposed treatment in the setback area to Church Street;
  - (b) treatment of the corner of Church Street and Carillon Avenue;

- (c) replacement of existing trees and enhancing existing street trees:
- (d) careful reuse of existing stone kerbing and guttering within the site;
- (e) embellishment of existing bus shelters and demand for and location of new bus shelters (liaison with Council's transportation planner should be made in this regard);
- (f) treatment around the new car park building;
- (g) the theme of the landscaping; and
- (h) a planting maintenance schedule,
- and the plan shall be to the satisfaction of the Director of Public Works and Services and the Director of Planning and Building, with approval required to be given prior to the issuing of building approval;
- (32) That an application shall be submitted to the Director of Public Works and Services and approved before any existing tree on the site, covered by Council's Tree Preservation Order, is removed or lopped;
- (33) That should the entire building not be completed in one stage, the building form and finishes shall be to the satisfaction of the Director of Planning and Building;
- (34) That all boom gates shall be located well inside the site to prevent any vehicles queuing on the street;
- (35) That the internal traffic circulation and direction to the specific use of the car park spaces shall be adequately indicated by signage, markings and the like to the satisfaction of the Director of Planning and Building;
- (36) That stop signs at egress points shall be provided and maintained;
- (37) That all ramps shall conform with relevant Australian Standards;
- (38) That the developer shall apply to the Director of Public Works and Services for the issuing of alignment levels for the development, and these levels shall be included in the building application;

- (39) That the developer shall reinstate any damaged kerb and gutter in materials similar to those existing;
- (40) That at no time shall articulated vehicles be used to service the site;
- (41) That any storage of gases on the site shall comply with the requirements of the Workcover Authority;
- (42) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (43) That plans and specifications showing details of:-
  - (a) That plans and specifications showing details of:-all proposed mechanical ventilation systems;
  - (b) the garbage room;
  - (c) 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;
- (44) That an approved system of Smoke Hazard Management shall be provided in accordance with the requirements of Building Code of Australia Part E.2;
- (45) That the construction of the retail food premises shall comply with the requirements of National Code for the Construction and Fitout of Food Premises;
- (46) That the storage, removal and disposal of all toxic and hazardous waste shall be carried out by licensed contractors in accordance with the requirements of the appropriate regulatory authorities;
- (47) That the cost of signposting for alteration of any kerbside parking restrictions required to complement the new development shall be borne by the developer;
- (48) 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:

- (49) That adequate hoarding, guard rails, hazard markings, lighting and traffic signs shall be provided around the work to the satisfaction of the Director of Public Works and Services;
- (50) That during the excavation of the public way suitable shoring shall be provided to adequately support the adjoining sections of roadway and the developers shall submit details shoring plans and design calculations for each stage of the construction for the approval of the Director of Public Works and Services before the work is commenced;
- (51) That a Road Opening Permit shall obtained prior to the commencement of the work;
- (52) That all shoring in the public way shall be completely removed on completion, the void shall be backfilled by materials nominated by the Works Engineer, Public Works and Services Department, (telephone 9313 0280), and three days notice shall be given to the abovementioned before this work is commenced:

and the following adopted standard conditions:

- (53) LDA36 Loading only within confines of the site;
- (54) LDA47 Loading, parking and access to be kept clear;
- (55) LDA56 Headroom above service vehicles:
- (56) LDA152 Schedule of finishes;
- (57) LDA153 Reflectivity of external glazing;
- (58) LDA159 Provide details of exhaust vents:
- (59) LDA167 No garbage on public way;
- (60) LDA201 Make separate application for sign;
- (61) LDA252 Discharge to atmosphere to comply;
- (62) LDA258 Regulation of emissions;
- (63) LDA351 Building Application required;
- (64) LDA376 Hours of building work;
- (65) LDA377 Construction noise regulation;

- (66) LDA387 Footway crossings;
- (67) LDA392 No obstruction to public way;
- (68) LDA393 Delivery of refuse skips;
- (69) LDA396 Works within boundaries;
- (70) HSC103 Environmental site assessment being carried out;
- (71) HSC500 Premises to be ventilated;
- (72) HSC700 Compliance with code for Garbage Handling System;
- (73) HSC711 Commercial contract (trade waste);
- (74) HSC801 Noise from premises.

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

Granting unconditional consent would be likely to adversely affect the amenity of the neighbourhood, including adverse effects relating to 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 persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

At 8.05 p.m. the meeting terminated.

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

**CHAIRPERSON** 

**GENERAL MANAGER**