

-190TH Meeting

**Erskineville Town Hall
Erskineville**

Wednesday, 13 August 1997

An Ordinary Meeting of South Sydney City Council was held at the Council Chambers, Erskineville Town Hall, Erskineville, at 6.38 pm on Wednesday, 13 August 1997.

PRESENT

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

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

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Confirmation of Minutes

Moved by Councillor Macken, seconded by Councillor Lay:-

That the minutes of the Ordinary Meeting of Council of 23 July 1997, be taken as read and confirmed.

Leave of Absence - Councillor Waters

A request was received from Councillor Waters for leave of absence from the Committee meeting on 20 August 1997.

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

That leave of absence be granted to Councillor Waters from the Committee meeting on 20 August 1997.

Carried.

At this stage it was moved by the Mayor, seconded by Councillor Fenton, that permission be hereby granted by Council to bring forward business of which due notice has not been given, namely, a donation of \$10,000 to the Thredbo Family Relief Fund.

Carried.

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

DONATIONS - THREDBO FAMILY RELIEF FUND

That as a result of the recent tragic events in Thredbo, this Council resolves to make a donation of \$10,000 to the Thredbo Family Relief Fund.

This is in support of the contribution already made by the New South Wales State Government of \$50,000 to this Fund.

Now that the rescue effort is over, all our energy must be concentrated on supporting the family and friends of the victims of this disaster and the people of Thredbo.

On behalf of the community of South Sydney, I want to thank all the people who worked through this disaster. The efforts of the 2000 or so people who battled the elements, fatigue and grief during this terrible disaster have been an inspiration and a special thanks go to members of the Sydney/South Sydney State Emergency Services.

Their heroism, determination and commitment will be recognised not only throughout New South Wales but throughout our nation.

Carried.

The Mayor then accepted the following statement from Councillor Fenton, namely:-

I would like to express my thanks and hope my fellow Councillors will join me in thanking the Officers from Council's State Emergency Service unit for their superb effort during the recent tragedy at Thredbo. Although we saw a minute by minute report on television of the rescue of one victim and the recovery of bodies of those who did not survive, but I'm sure we can not really imagine the dangerous and difficult circumstances and the extremely cold conditions under which the rescuers worked.

It must have been a traumatic experience and I would like the Officers to know how proud we all are to be associated with them and appreciate their efforts.

All Councillors concurred with the above sentiments.

MINUTE BY THE MAYOR

13 August, 1997

PUBLIC RELATIONS - DEATH OF MR ANTHONY (TONY) WEAVER (2004380)

It is with regret that I advise Council of the recent death of Mr Anthony (Tony) Weaver who was tragically killed in the Thredbo landslide.

Tony was the son of Mr George Weaver who was employed in South Sydney Council as a cleaner.

It is recommended that a letter under signature by the Mayor be forwarded to the family expressing the condolences of Council.

Councillor Vic Smith (SGD)

Mayor

Moved by Councillor Waters, seconded by Councillor Fenton:-

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

Carried.

MINUTE BY THE MAYOR

13 August, 1997

**PUBLIC RELATIONS - AWARD FOR EXCELLENCE
IN RISK MANAGEMENT (2008787)**

Council employed a qualified Risk Manager, Harry Rosenthal in July, 1996 with a specific goal of increasing efficiencies in the area of developing risk management procedures for our motor vehicle fleet.

Following on from Council's Drivers Manual, issued in 1995, Harry developed a 'Motor Vehicle Loss Control Programme' which incorporated valuable input from staff.

The Program was designed to examine claims and target areas for improvement and training of employees as necessary.

The potential of the Loss Control Programme to effectively reduce our fleet accident costs is significant and this was recognised by Harry's peers at the Institute of Municipal Management Annual Conference in July, 1997.

Harry was presented with the "Award for Excellence in Risk Management" for a N.S.W. Council and he justly deserves the recognition of Council for such a high achievement.

RECOMMENDATION

Accordingly, I recommend that a letter of recognition, signed by myself and the General Manager, be given to Harry Rosenthal for this excellent achievement in the field of Risk Management.

Councillor Vic Smith (SGD)
Mayor

Moved by Councillor Macken, seconded by Councillor Waters:-

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

Carried.

MINUTE BY THE GENERAL MANAGER

11 August 1997

PERSONNEL - APPOINTMENT OF DIRECTOR OF FINANCE (52630430

Council on 25 June 1997, resolved to create a selection committee to interview applicant for the position of Director of Finance.

Five candidates were interviewed three external and two internal on 28th and 29th July 1997.

Following the interviews it was the recommendation of the selection committee that Mr. Michael Duffy was the most meritorious candidate.

Mr. Duffy is currently employed as Council's Finance Manager.

Recommendation:

It is recommended that Mr. Michael Duffy be appointed to the position of Director of Finance on a five year contract as a Senior Officer of Council.

J.W. Bourke (SGD)
General Manager

Moved by Councillor Harcourt, seconded by Councillor Fenton:-

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

Carried.

The Mayor then publicly thanked Mr. Garry Brooks for the way he carried out his duties and his support and co-operation with all the Councillors over the past nine years.

MINUTE BY THE GENERAL MANAGER

8 August 1997

ADMINISTRATION - PROPOSED ADMINISTRATION CENTRE (2008384)

A minute by the Acting General Manager dated 8 August 1997, was circulated to all Councillors prior to the Council meeting.

The Council resolved that the press and 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 Acting General Managers minute related to a Property matter.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

That the recommendation set out in the minute by the Acting General Manager dated 8 August 1997, as set out hereunder:-

- (1) Council continues to proceed with the construction of an Administration Complex at Nos.956-960 Bourke Street Waterloo in accordance with the resolutions of meetings of Council 11 November 1996 and 13 December 1996
- (2) a new Reserve be entitled New Administration Building, be established in an amount of \$13.5 million as set out in the report.

-be approved and adopted.

Carried.

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

PETITIONS

1.

The Mayor tabled a petition received by the General Manager with approximately 130 signatures appended from the Workers at the Eastern Suburbs Mail Centre, requesting that the "No Standing" signs at the Doody Street entrance be moved 10 metres distance on each side of the driveway, in order to obtain a clear view of approaching traffic.

Received.

2.

Councillor Macken tabled a petition with approximately 28 signatures appended requesting that action be taken regarding the collection of garbage at Nos. 1 - 31 Wilson Lane, Darlington (situated between Codrington Street and Golden Grove Street).

Received.

3.

Councillor Macken tabled a petition with approximately 87 signatures appended objecting to the proposed development at Nos. 3 - 11 Briggs Street, Camperdown.

Received.

QUESTIONS WITHOUT NOTICE

1.

DEVELOPMENT - AMENITY DECLINE - KINGS CROSS AND POTTS POINT AREA - GENERAL COMPLAINTS - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (D52-00024)

Question:

Many shops, especially the take-away food outlets and souvenir shops along Darlinghurst Road, Kings Cross, do not open until late morning or even into the afternoon. Many of these shops have unsightly and dirty roll down shutters giving the street a most unwelcome appearance.

Could this matter be addressed by the relevant Planning Officer, preferably the Main Street Co-ordinator?

Answer by the Mayor:

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

2.

PUBLIC RELATIONS - SUPPORT - WOOLLOOMOOLOO COMMUNITY DEVELOPMENT (WOOLLOOMOOLOO REVIEW) - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (2016139)

Question:

I have had approaches from several persons concerned about a reduced grant to the Woolloomooloo Community Development. Previous amounts had been used to produce editions of the Woolloomooloo Review.

I know our Grants and Donations budget is exhausted, but perhaps Council's Media staff could investigate the purchase of enough advertising space to cover the printing costs of the production. John Franks of the Woolloomooloo Bay Hotel has offered dollar for dollar up to \$2,200 each.

Could we have a report as soon as possible?

Answer by the Mayor:

I have received a letter on that matter and a report is being prepared by Council Officers in the next week.

3.

PLANNING - URBAN PLANS - ULTIMO AND CHIPPENDALE PRECINCTS - PUBLIC DOMAIN - QUESTION WITHOUT NOTICE BY COUNCILLOR MACKEN (2012365)

Question:

Could Council Officers prepare a concept plan for the public domain of Chippendale incorporating pedestrian and open space improvements, bicycle access, traffic management for through traffic, etc.? Could I have this plan prepared as soon as possible as a discussion document for the students undertaking the Urban Design Plan for Chippendale?

Answer by the Mayor:

I will ask the Director of Public Works and Services and the Director of Planning and Building to prepare an urgent report for you in relation to that matter for Committee.

4.

**SPORTS - SOUTH SYDNEY BICYCLE PLAN - TIME FRAME AND COSTING
- QUESTION WITHOUT NOTICE BY COUNCILLOR MACKEN (S54-00147)**

Question:

Could Council Officers provide to me a time frame and costing of the implementation of the South Sydney Bicycle Plan?

Answer by the Mayor:

I will ask the Director of Public Works and Services to prepare a report as a matter of urgency for Committee.

5.

HERITAGE STUDY - CITY OF SOUTH SYDNEY - APPLICATION FOR PART-TIME HERITAGE ADVISOR GRANT - QUESTION WITHOUT NOTICE BY COUNCILLOR MACKEN (2009161)

Question:

Could the Director of Planning and Building report on progress for the application for the Part Time Heritage Adviser Grant?

Answer by the Mayor:

A report is being prepared for the next Committee Meeting.

6.

TRAFFIC - MANAGEMENT - EASTERN DISTRIBUTOR - REQUEST FROM ZETLAND COMMUNITY ACTION GROUP - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (T02-00172)

Question:

I have had a request from the Zetland Community Action Group asking that Council Officers make representation to Leightons to provide the Group with baseline studies including traffic counts and a number of other requests listed in a letter to me.

Could these requests be forwarded through Council to Leightons regarding the Eastern Distributor?

Answer by the Mayor:

In view of your request, I will forward the requests under the signature of the Mayor.

7.

**DEVELOPMENT - APPLICATION MATTERS - FOOTPATH USE
ASSOCIATED WITH REFRESHMENT ROOMS - QUESTION WITHOUT
NOTICE BY COUNCILLOR FOWLER (2011717)****Question:**

Concerns have been raised with me regarding changes to land uses in the Taylor Square area. These concern retail use being approved under delegation to uses for refreshment rooms.

Could the Director of Planning and Building ensure that all changes of usage from retail uses to refreshment rooms come to Committee for comment?

Answer by the Mayor:

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

8.

**RILEY STREET, NO. 235, SURRY HILLS - CHANGE OF USE FROM
RESTAURANT TO HOTEL - NOTIFICATION AREAS - QUESTION WITHOUT
NOTICE BY COUNCILLOR FOWLER (U97-00628)****Question:**

I have had representations regarding a proposed change of use from refreshment rooms to hotel at the corner of Campbell and Riley Streets. Could the area for notification be extended to the surrounds that may be likely to be affected by such a change of use?

Answer by the Mayor:

I will ask the Director of Planning and Building to review the notification area and to ensure that a wider area is notified.

9.

FLINDERS STREET, NOS. 83 - 97, SURRY HILLS - REDEVELOPMENT - REQUEST FOR REPORT BY HERITAGE PLANNER - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (U97-00536)

Question:

I have had representations from the Body Corp. of Durham Village regarding the redevelopment of the John Newell Mazda building in Flinders Street. This building is a still extant example of pre war automotive retail and service building in the art-deco style of the inter-war period. As such it would be worthy of retention in any redevelopment.

Could I have the Director of Planning and Building ensure that a full report is gained from Council's Heritage Planner in any report on a proposed redevelopment?

Answer by the Mayor:

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

10.

STREETS - SOUTH SYDNEY COMMUNITY ROAD SAFETY AUDIT - POSSIBILITY OF REBATES FOR LIGHTING INSTALLED BY PROPERTY OWNERS - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (2014547)

Question:

A recent safety audit undertaken by the residents of Surry Hills Beat 15 noted the lack of lighting in a number of locations. In many instances individual owners have placed lights outside their properties paying for their installation and costs.

Could the Director of Finance investigate the possibility of rebates that might be offered to property owners who have installed such lighting?

Answer by the Mayor:

I will ask the Director of Finance to have a report prepared for Committee.

11.

ALCOHOL-FREE ZONES - DARLINGHURST, VICINITY BLOOMFIELD STREET AND CAMPBELL STREET - APPLICATIONS - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (S56-01978)

Question:

What is the status of the application for the Alcohol-Free Zone in the area south of Oxford Street that includes Denham Street, Bloomfield Street and parts of Campbell and Bourke Street, Darlington?

Answer by the Mayor:

It has been approved by Council and we are waiting for comment by the relevant authorities.

12.

GARBAGE - WILSON LANE, NOS. 1 - 31, CHIPPENDALE - COMPLAINTS RE GARBAGE - QUESTION WITHOUT NOTICE BY COUNCILLOR MACKEN (C56-00015)

Question:

I have received a petition from the residents of Nos. 1 - 31 Wilson Lane, Darlington, regarding the collection of garbage. I request the Director of Public Works and Services to investigate this matter and provide a report?

Answer by the Mayor:

I will ask the Director of Public Works and Services to prepare a report for your information and will also have the report circulated in the Councillors Information Service.

REPORT ON THE MANAGEMENT REVIEW COMMITTEE

12 August, 1997

PRESENT

At the commence of business at 6.30pm. those present were:

The Mayor and Councillors Deftereos, Fenton, Fowler, Harcourt, Lay, Macken and Waters.

Apology:

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

The Committee **recommended** the following:

ADMINISTRATION - MANAGEMENT PLAN 1996/1999 - REPORT FOR YEAR ENDED 30 JUNE, 1997 (2010946)

Council receives and notes the report on the Management Plan 1996/1999 for the year ended 30 June, 1997. (A/GM Minutes 7 & 12/8/97)

Moved by Councillor Lay, seconded by Councillor Macken:-

That the minutes by the Acting General Manager dated 7 and 12 August 1997, be received and noted.

Carried.

REPORT OF THE FINANCE COMMITTEE

6 August 1997

PRESENT

Councillor Sean Macken (Chairperson)

Councillors - Margaret Deftereos, Sonia Fenton, Greg Waters.

At the commencement of business at 6.45 pm those present were:-

Councillors - Deftereos, Fenton, Macken, Waters.

The Committee resolved that the press and the public be excluded from the meeting of the Finance Committee during consideration of Items 1,15,16,18 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 1,15 and 16 - Lease or Contractual Matters
Items 18 & 27 Personnel Matters

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

That the Report of the Finance Committee of its meeting of 6 August 1997, be received and the recommendations set out below for Items 1 to 7, inclusive, 10 to 13, inclusive, 15 to 23, inclusive, 25 and 26, be adopted. The recommendations set out below for Items 8, 9, 14, 24 and 27 having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

1.

**LICENSING - REDFERN, CORNER VINE STREET AND EVELEIGH STREET
- APPLICATION BY ELOUERA ABORIGINAL RECREATION CENTRE TO
OPERATE COMMUNITY FRUIT BARROW (S56-01766)**

That the Elouera Aboriginal Recreational Centre be offered the use of Council owned fruit barrow, to be placed at the corner of Eveleigh Street and Vine Street, Redfern, outside Tony Mundine's Gymnasium, for the purpose of operating a Community Fruit Barrow, from a date to be determined, such offer to be in accordance with the recommendation of the Director of Corporate Services in the report dated 24 July 1997.

Carried.

2.

**DONATIONS - PUBLIC WORKS AND SERVICES DEPARTMENT -
QUARTERLY REPORT - APRIL TO JUNE 1997 (2003030)**

That approval be given under the provisions of Section 356 of the Local Government Act, 1993, to donations in the form of plants, soil, mulch and tree pruning operations to the value of \$1,150 to the various local bodies as detailed in the report for the three month period ending 30 June 1997 and that the expenditure involved be added to the 1996/97 Revenue Estimates (Account Code LFN).

(DPWS Report 17.7.97)

Carried.

3.

DONATIONS - TENTERFIELD SHIRE COUNCIL - ASSISTANCE FOR LEGAL COSTS (2002879)

That Council approves the contribution of \$2,768 toward the legal costs of Tenterfield Shire Council in its action concerning State Government compensation for asset expropriation, for which funds are available in the 1997/98 Revenue Estimates (LGC.7DCD).

(DCS Report 21.7.97)

Carried.

4.

PARKING - METER COLLECTIONS 1996/97 - REPORT ON EFFECT OF HOURLY CHARGES (2012954)

That the report by the Director of Corporate Services dated 18 July 1997, concerning Parking Meter Income for 1996/97, be received and noted.

Carried.

5.

MEMBERSHIPS - SYDNEY COASTAL COUNCIL - CONTRIBUTION FOR FINANCIAL YEAR 1997/98 (M54-00018)

That Council maintains its membership of the Sydney Coastal Councils Group and approves payment of annual membership contribution for 1997/98 in the amount of \$7,260, for which non-specific funds are available in the 1997/98 Budget Estimates (Account Code EBK 77JO).

(DPWS Report 15.7.97)

Carried.

6.

CONFERENCES - PATHWAYS TO SUSTAINABILITY: LOCAL INITIATIVES FOR CITIES AND TOWNS - NEWCASTLE, 1 TO 5 JUNE 1997 - ATTENDANCE BY COUNCIL REPRESENTATIVES - EXPENSES (2014100)

That approval be given to the expenditure in the sum of \$5,949.70 being the cost of registration and attendance of Councillors J Lay, M Deftereos and J Fowler and Strategic Planner, Lila Contziu, at the Pathways to Sustainability: Local Initiatives for Cities and Towns Conference, for which funds were available in the accounts EBE.77RO for Councillors and GQB.77RO and GMD.77FO for the Planning Officer in the 1997/98 Revenue Estimates.

(DPB Report 14.7.97)

Carried.

7.

PROPERTIES - COUNCIL LAND, PITT STREET, NOS. 30A AND 30B, REDFERN - DISPOSAL (P06-00335)

That approval be given to the advertising and action under its policy for the "Sale of Vacant Council Owned Land" as adopted on 12 June, 1996 for properties Nos. 30A and 30B Pitt Street, Redfern.

(DCS Report 21.7.97)

Carried.

8.

PUBLICITY - LEGAL COSTS MARRICKVILLE COUNCIL - AIRPORT LEGAL CASE (P58-00146)

This matter was submitted to Council without recommendation.

Moved by Councillor Macken, seconded by Councillor Lay:-

That Council supports Marrickville Council's approach to the Local Government & Shires Association for a contribution towards the legal costs associated with the Coalition of Councils Airport Legal Case 1996, for which funds are available in the 1997/98 Revenue Estimates.

(A/DCS Report 29.7.97)

Carried.

9.

CONFERENCES - ANNUAL CONFERENCE OF LOCAL GOVERNMENT ASSOCIATION OF NSW TO BE HELD IN PORT MACQUARIE, NSW FROM 24 TO 29 OCTOBER 1997 - QUESTION OF ATTENDANCE OF COUNCIL'S REPRESENTATIVES (2003122)

This matter was submitted to Council without recommendation.

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

That approval be given to:-

- (a) the Mayor and interested Councillors and the General Manager being nominated as Council's representatives to attend the 1997 Annual

Conference of Local Government Association of NSW to be held in Port Macquarie, NSW from 24 to 29 October 1997, and that any registration fees, accommodation and out-of-pocket expenses for conveyance and subsistence in travelling be borne by the Council for which funds are available in the 1997/98 Revenue Estimates (EBE77LO and 77MO);

- (b) the Mayor, the Deputy Mayor, Councillor Christine Harcourt, and Councillors Sean Macken and Jill Lay being nominated as Council's delegates at the Conference.

(CAM/PO Report 24.7.97)

Carried.

10.

DONATIONS - REDFERN TOWN HALL - CITY CARE CHRISTIAN LIFE CENTRE SYDNEY (P56-00437)

That approval be given under the provisions of Section 356 of the Local Government Act, 1993, to the payment of a subsidy to the City Care Christian Life Centre, in the sum of \$1,000 toward the cost of hiring the Redfern Town Hall from Saturday, 13 September 1997 and every 2nd Saturday and last Saturday of each month until November, 1997, between the hours of 9.30am. to 1.30pm. and the expenditure involved be provided for in the 1997/1998 Revenue Estimates.

(DCS Report 29.7.97)

Carried.

11.

STREETS - CAROLINE LANE, REDFERN - PROPOSED CLOSURE AND SALE (2010907)

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

That approval be given to:-

- (1) the closure, under Part 4 Division 1 of the Roads Act 1993, of Caroline Lane, Redfern shown stippled on Plan No. S6-280/239 and its subsequent sale to adjoining owners or their successors in title, subject to the conditions in the schedule accompanying the report;
- (2) all Public Utility authorities and objectors being advised of Council's decision;

- (3) all relevant documents and plans being executed under the Common Seal of Council or by Council's Attorney;
- (4) all adjoining owners be advised of Council's decision.

(DPWS Report 28.7.97)

Carried.

12.

MANAGEMENT - DEVELOPMENT PROGRAM WITH UNIVERSITY OF TECHNOLOGY, SYDNEY (UTS) (2014705)

That approval be given:-

- (a) to enroll those employees who have indicated their intention to undertake the two core subjects of the Graduate Certificate in Local Government Management from the UTS with numbers for the first pilot group not to exceed 25;
- (b) the enrollment fees, up to a maximum of \$50,000 being for the two core subjects be paid by Council;
- (c) the time involved in the workshop attendance relating to the two core subjects be granted as study leave with pay to the participating staff at an agreed time to the working requirements of Council;
- (d) to facilitate the arrangements for the additional two non-core subjects, assistance be requested from the existing Employee Education Assistance Scheme which is presently controlled by the Employment Services Department;
- (e) the cost of the Student Fee being \$48 for membership of the Student Association and \$10 for an Identification Card, payable annually for each student in January be borne by the employee;
- (f) under the agreement between South Sydney City Council and each employee, there will not be any recognition of any advanced standing (i.e. exception of core or non-core subjects) as this project has been developed to foster 'new' and further learning.

(DOD and DES Joint Report 23.7.97)

Carried.

13.

PUBLIC RELATIONS - CHANGE PROJECTS - UPDATE (2010949)

That Council receives and notes the report by the Director of Organisational Development dated 31 July 1997, on the progress of the change process within Council.

Carried.

14.

**LEGAL SERVICES - ESTABLISHMENT OF LEGAL COMMITTEE
(P55-00135)**

This matter was submitted to Council without recommendation.

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

That the Legal Committee comprise of the Mayor, Councillors Fenton, Fowler, Harcourt and that the Committee meet on the second Monday of each month or as required, at 6.00 pm. at Council's Administration Building, No. 140 Joynton Avenue, Zetland.

Carried.

15.

**LEASING - HEFFRON HALL, DOWNSTAIRS, DARLINGHURST -
APPLICATION BY D4 FAMILY SUPPORT SCHEME TO LEASE
(C57-00010)**

That D4 Family Support Service be offered a 12 month lease of Council premises, downstairs, Heffron Hall, Darlinghurst, commencing on the 1 July, 1997, such offer to be in accordance with the recommendation in the Acting Director of Corporate Services in the report dated 30 July 1997.

Carried.

16.

**LEASING - OXFORD STREET, NO. 94, ROOM NO. 27A, DARLINGHURST -
APPLICATION BY ASSOCIATION TO RESOURCE CO-OPERATIVE
HOUSING TO LEASE (L52-00084)**

That the Association to Resource Co-Operative Housing (A.R.C.H.) be offered a three year lease of Council premises, Room 27A, No. 94 Oxford Street, Darlinghurst, commencing on 1 July 1997, such offer of lease to be in accordance with the recommendation of the Acting Director of Corporate Services in the report dated 30 July 1997.

Carried.

17.

PROPERTIES - PADDINGTON TOWN HALL - PROPOSED REZONING AND PLAN OF MANAGEMENT (2012917)

That approval be given to the report prepared by Scott Carver Pty Ltd, on 1 August, 1997, to prepare a Draft Local Environmental Plan to allow uses on the land known as Paddington Town Hall.

(A/DCS Report 1.8.97)

Carried.

18.

PERSONNEL - EMPLOYMENT SERVICES DEPARTMENT - RESTRUCTURE (5263043)

That approval be given to:-

- (1) the Employment Services Department being restructured as depicted in Schedule A and that the two temporary positions in the Training Unit be advertised for a 12 month period of Temporary employment;
- (2) the Personnel Manager being offered a lease back car to enable him/her to adequately perform the expanded role;
- (3) funds be voted for the increased expenditure to purchase an appropriate motor vehicle and engage the temporary staff in the Training Unit;
- (4) a Finance Sub-committee comprising two Councillors, General Manager, Director of Employment Services, Director of Finance, Director of Public Works and Services and the Corporate Audit Manager, be formed with the task of formulating a new policy on lease back vehicles and departmental vehicles.

(DOD and DES Joint Report 29.7.97)

Carried.

19.

DONATIONS - PADDINGTON TOWN HALL - APPLICATION BY WOOLLAHRA MUNICIPAL COUNCIL FOR FREE USE FOR PUBLIC MEETING (2003711)

That Council approve the free use of Paddington Town Hall on the evenings of 13 August and 4 September 1997 for periods of approximately two and half

hours on each occasion for Woollahra Municipal Council to conduct public community meetings to consider traffic management measures in the area on both sides of Boundary Street, Paddington/ Darlinghurst, and that the total estimated cost of hiring charges in the amount of \$2,125 be approved as a donation under Section 356 of the Local Government Act, 1993.

(DPWS Report 31/7/97)

Carried.

20.

PLANT AND ASSETS - SUPPLY AND DELIVERY OF TWO MOTOR VEHICLE FLEET ITEMS - TENDER (2015532)

- (1) That Council rescinds the resolution of Council dated 23 July 1997, Item 11, Finance Committee, regarding the purchase of two Motor Vehicle Items;
- (2) Council approves the acceptance of:-
 - (a) the tender submitted by Sinclair Ford Pty Ltd (Penrith) for the supply and delivery of one Ford Fairmont Ghia sedan in the sum of \$28,904 (sales tax exempt) less a trade-in allowance of \$34,500 on Council vehicle No. 4086 Holden Calais sedan for a credit of \$5,596 in accordance with Council's Specification PWS 6/97 Category 'B' and the firm's tender dated 2 June, 1997;
 - (b) the tender submitted by Sinclair Ford Pty Ltd (St Marys) for the supply and delivery of one Ford Fairmont Ghia sedan in the sum of \$35,372 less a trade-in allowance of \$31,000 on Council vehicle No. 6290 Holden Calais sedan, in the total nett sum of \$4,372 in accordance with Council's Specification PWS 6/97 Category 'B' and the firm's tender dated 2 June 1997;

-for which funds are available in the 1997/98 Revenue Estimates.

(A/DPWS Report 1.8.97)

Carried.

21.

PLANT AND ASSETS - SUPPLY AND DELIVERY OF 15 MOTOR VEHICLE FLEET ITEMS - TENDER (2015532)

That approval be given to:-

- (1) the rescinding of Council resolution dated 23 April 1997, in relation to Item 24 Clause (6) of the Finance Committee;

- (2) the purchase of one Holden Commodore 'S' Pack utility in accordance with the State Government Contract upon the release of the new Holden range of vehicles;
- (3) the disposal of Council vehicle No. 6282 Holden Calais sedan at auction.

Carried.

22.

PLANT AND ASSETS - SUPPLY AND DELIVERY OF FIVE MOTOR VEHICLE FLEET ITEMS - TENDER (2015532)

That approval be given to:-

- (1) the acceptance of the tender submitted by The Fury Group for the supply and delivery of five Ford Falcon GLI sedans in the sum of \$24,500 in the total sum of \$122,500 in accordance with Council's Specification PWS 6/97 Category 'A' and the firm's tender dated 29 May 1997, for which funds are available in the 1997/98 Revenue Estimates;
- (2) the disposal of Council vehicle Nos. 6030, 6129, 6213, 6216 and 6292 at auction.

Carried.

23.

SYDNEY PARK - SOUTH SYDNEY CRICKET CLUB INC - PRACTICE WICKETS - JOINT VENTURE (2005934)

- (1) That Council following a request by the South Sydney District Cricket Club Inc. provide materials and similar to the amount of \$5,000 for the installation of bowler run up pads, netting repairs and two turf practice wickets at Sydney Park, for which funds are available in the recurrent expenditure budget of the Public Works and Services Department.
- (2) That Council be involved in the project through the Community Service Order Programme as owners of the land and facilities and noting the organisation of the work through the South Sydney District Cricket Club Inc.

(DPWS Report 4.8.97)

Carried.

24.

DONATIONS - GAY GAMES BID 2002 - APPLICATION (C52-00126)

That arising from the report by the Director of Health and Community Services dated 4 August 1997, regarding the question of an additional \$5,000 to support the Sydney Gay Games 2002 bid, it be resolved that there are insufficient funds available in the Arts and Cultural Development 1997/98 budget over and above the core community program allocations to support this project.

Carried.

25.

PARKS - VICTORIA BARRACKS - APPROVAL OF CONTINGENCY SUM (P52-00107)

That approval be given to:-

- (1) the provision of a contingency sum of 15% (\$14,775) of the contract sum (\$98,500) for completion of landscape improvement works at Victoria Barracks Reserve;
- (2) the unexpended portion of the 1996/97 project budget allocation of \$10,000 be revoted to 1997/98;

- (3) that additional funds in the amount \$6,500 be transferred from FWP 8101.66E0 (Parks Upgradings) to FWP 6041.66E0 (Victoria Barracks Reserve).

(A/DPWS Report 1.8.97)

Carried.

26.

SPORTS - VICTORIA PARK POOL REFURBISHMENT - ACCEPTANCE OF TENDER (2013161)

That approval be given to:-

- (1) the acceptance of the tender submitted by Fyntray Constructions Pty Ltd in the amount \$1,040,000 for the construction of the Stage One refurbishments to the Victoria Park Pool, for which funds are available in the 1997/98 Works Programme in the amount \$825,000;
- (2) the provision of a contingency sum of 12.5% (\$130,000) for additional or unforeseen circumstances associated with the work;
- (3) the allocation of a further \$345,000 to the 1997/98 budget for the completion of the stage one works, and that this be offset by savings to be identified in the 1997/98 Works Programme.

(A/DPWS Report 5.8.97)

Carried.

27.

PERSONNEL - STAFF HEALTH AND FITNESS CENTRE - SUPERVISION (2000521)

That the recommendation as contained in the joint report by the Director of Health and Community Services and the Director of Employment Services dated 4 August 1997, regarding the supervision of the Staff Health and Fitness Centre, be approved and adopted.

At the request of Councillor Macken, 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 matter be deferred for a further report on issues relating to staffing.

Motion, as amended by consent, carried.

REPORT OF THE COMMUNITY SERVICES COMMITTEE

6 August 1997

PRESENT

Councillor Sonia Fenton (Chairperson)

Councillors - Margaret Deftereos, Sean Macken, Greg Waters.

At the commencement of business at 7.28 pm those present were -

Councillors - Deftereos, Fenton, Macken, Waters.

The Committee resolved that the press and the public be excluded from the meeting of the Community Services Committee during consideration of Item 6, 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 reason for the press and public being excluded from the abovementioned Item are as follows, namely:-

Item 6 - Personnel Matter

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

That the Report of the Community Services Committee of its meeting of 6 August 1997, be received and the recommendations set out below for Items 1 to 7, inclusive, be adopted.

Carried.

The Committee **recommended** the following:-

1.

CLEANING - REGIONAL MATERIAL RECOVERY FACILITY - PROPOSED ESTABLISHMENT (C56-00070)

That the report by the Director of Public Works and Services dated 23 July 1997, be received and noted, and no further action be taken regarding the establishment of an Eastern Region Material Recovery Facility unless co-ordinated by the Southern Sydney Waste Board.

Carried.

2.

WELFARE - EXPANSION OF MEALS ON WHEELS - WEEKEND MEALS - ETHNIC FOODS (W51-00010)

That arising from a report by the Director of Health and Community Services dated 21 July 1997, Council give consideration to offering our Meals on Wheels clients the option of purchasing frozen ethno specific Meals on Wheels for weekend consumption on a trial basis, at a cost to the client of \$5 per meal.

Carried.

3.

HEALTH - TREATY FOR THE ELIMINATION OF THE WORLD'S NUCLEAR ARSENALS (M54-00004)

That arising from a report by the Director of Health and Community Services dated 24 July 1997, approval be given to:-

- (1) Council endorsing the attached "Abolition 2000 Local Authorities Resolution";
- (2) Council writing to the Hiroshima Day Committee informing of Council's endorsement of the abovementioned resolution.

Carried.

4.

COMMUNITY SERVICES - "CARING FOR CHILDREN" NUTRITION WORKSHOPS FOR CHILD CARE CENTRE STAFF (H51-00089)

That arising from consideration of a report by the Director of Health and Community Services dated 30 July 1997, approval be given to the use of Erskineville Town Hall, free of charge, by the Central Sydney Area Health Service on 6 November 1997, for the conduct of "Caring for Children" nutrition workshop for Child Care Centre Staff.

Carried.

5.

HEALTH - PUBLIC PLACE RECYCLING IN SOUTH SYDNEY - PROGRESS REPORT (2008390, 2010532)

That the report by the Acting Director of Public Works and Services dated 21 July 1997, regarding public place recycling in South Sydney, be received and noted.

Carried.

6.

PERSONNEL - HEALTH AND COMMUNITY SERVICES DEPARTMENT - REGARDING ORGANISATION OF ADMINISTRATION SECTION (2014579)

That consideration of a joint report by the Director of Health and Community Services and Director of Employment Services dated 31 July 1997, regarding the reorganising of the Administration Section of the Health and Community Services Department, be approved and adopted.

Carried.

7.

COMMUNITY SERVICES - COMMITTEES - CULTURAL COMMITTEE REPORT 23 JUNE 1997 (D51-00135)

That the report by the Director of Health and Community dated 5 August 1997, and the accompanying minutes of the Cultural Committee meeting held on 23 June 1997, be received and noted.

Carried.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

6 August, 1997

PRESENT**The Mayor, Councillor Vic Smith (Chairperson)****Councillors - John Bush, John Fowler, Christine Harcourt, Jill Lay.**

At the commencement of business at 6.48 pm, those present were -

The Mayor and Councillors - Bush, Fowler, Harcourt, Lay.

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

That the Report of the Planning and Development Committee of its meeting of 6 August 1997, be received and the recommendations set out below for Items 1 to 5, inclusive, 8 to 10, inclusive, 12 to 20, inclusive, 25, 28, 29, 31, and 33 to 37, inclusive, be adopted. The recommendations for Items 6, 7, 11, 21 to 24, inclusive, 26, 27, 30, 32 and 38 having been dealt with as shown immediately following such Items.

Carried.

The Committee **recommended** the following:-

1.

MACLEAY STREET, NOS. 50 - 58, POTTS POINT - CONSENT TO HOURS OF OPERATION - QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (2001664)

That the contents of the report be received and noted.

(DPB Report 29.7.97)

Carried.

2.

PLANNING - DISABILITY DISCRIMINATION ACT 1992 - COUNCIL LIABILITY AND RESPONSE REGARDING PROVISION OF DISABLED ACCESS TO PREMISES WHEN GRANTING DEVELOPMENT AND BUILDING APPROVALS - PROPOSED REPEAL OF DCP 10 - PLANNING FOR DISABLED ACCESS (2014373)

- (1) That the Council endorses the Action Plan outlined in Section 3.2 of the report;
- (2) That public notice of Council's intention to repeal Development Control Plan 10 be advertised in local newspapers and, after a minimum period of 14 days, and in the event of no submissions being received, a notice of repeal be similarly advertised in accordance with requirements of Part 3, Division 4 of the EP&A Regulation 1994.
- (3) That until a fully DDA-compatible Building Code of Australia is published, Council adopt the access provisions of the current Building Code of Australia, the Human Rights and Equal Opportunities Commission's Guidelines on Access to Premises and the Australian Standards to which these documents refer to, as the minimum standard of Easy Access provision when granting development and building approvals.

(DPB Report 16.6.97)

Carried.

3.

BELLEVUE STREET, NOS. 2- 4, SURRY HILLS - CONVERT EXISTING 7 STOREY COMMERCIAL BUILDING INTO 27 RESIDENTIAL UNITS AND A GROUND FLOOR SHOP - CONTRIBUTION INCLUDED IN CONSENT - DEVELOPMENT APPLICATION (U97-00319)

- (A) That the Council resolves not to support the objection under State Environmental Planning Policy No. 1 against the development standard relating to floor space ratio in Clause 10 of Local Environmental Plan No. 107 but resolves to support the objection against Clause 11 of Local Environmental Plan NO. 107 relating to height on the basis that compliance is therefore unreasonable and unnecessary for the following reason:

That the proposed height will not result in a building that will detrimentally impact upon the amenity of the locality.

- (B) That the Council as the responsible authority grants its consent to the application submitted by M. Kublins, with the authority of Pegasus Ventures, for permission to convert the building to residential units

comprising a ground floor commercial unit and 27 residential apartments, including strata subdivision, subject to the following conditions, namely:-

- (1) That the development shall be generally in accordance with plans 96199 sheets 1 to 4 dated 1 April 1997 as held on Council file U97-00319;
- (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 one parking space shall be allocated to the commercial use and that this space shall be available as a visitor space outside of trading hours;
- (4) That parking spaces Nos. 7 and 13 shall be deleted and that these areas be kept clear as a manoeuvring area to allow vehicles to enter and leave in a forward direction;
- (5) That 3 bicycle stands in accordance with AS2890.3 and 9 bicycle lockers shall be provided, to the satisfaction of the Director of Planning and Building;
- (6) That the applicant shall pay the Council for the full cost of embellishment of the pedestrian environment on the surrounding intersections within a 50 metre radius of the site, the necessary works to be determined through Council's Pedestrian Plan currently being formulated. A bank guarantee for an appropriate amount for these works to be determined by the Director of Public Works and Services, is to be lodged before the occupation of the building;
- (7) That all common doorways and paths into and through the building, particularly those potentially in use by people with disabilities, be designed in accordance with AS1428.1 and Notes on Access to Premises issued by the Human Rights and Equal Opportunities Commission;
- (8) That the roof terrace areas shall be redesigned so that both private open space is provided for the 3 bedroom apartment and communal open space for the remainder of the residential units, to the satisfaction of the Director of Planning and Building;
- (9) That the floor space ratio of the development shall be reduced so as not to exceed 5.02:1 and this shall be achieved by enlarging each of the balconies on levels 2 to 6 by not less than 2m²;

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

Civic Improvement, Open Space and Recreation	\$20,872.50	2 EJ-BGY 0
Child Care	\$ 1,023.10	2 EK-BGY 0
Community Facilities	\$ 704.60	2 EL-BGY 0
Transport and Access	\$ 2,624.60	2 EM-BGY 0
Environmental Improvements	\$ 708.80	2 EN-BGY 0

TOTAL: \$25,934.00

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.

- (11) That the existing "Regulated System" (water-cooling tower) shall be decommissioned in accordance with the provisions of Australia Standard 3666-1989 "Airhandling and water systems of buildings - microbial control", without undue delay after the premises are vacated.
- (12) That all hazardous materials associated with the operation of the Regulated System and stored on the premises, be removed from the premises in accordance with the provisions of the Environmentally Hazardous Chemicals Act, 1985, prior to the commencement of any construction work.

- (13) That smoke hazard management systems shall be designed and incorporated to comply with the Building Code of Australia.
- (14) That the car parking areas shall be ventilated in accordance with AS 1668.2 - 1991 Section 4.
- (15) That the grease trap shall be mechanically ventilated in accordance with AS 1668.1 and .2 -1991 and any requirements of Sydney Water Corporation Ltd.
- (16) That the effluent air from all exhaust systems shall be discharged in a vertical direction above the roof in a position approved by the Health and Community Services Department where no nuisance will be created;
- (17) That any commercial food premises shall comply with the requirements of National Code for the Construction and Fitout of Food Premises;
- (18) That any commercial food premises shall not be used for the cooking of food unless an approved air handling system is installed to the cooking appliances;
- (19) 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";
- (20) That a garbage receptacle storage area shall be provided within the site in an approved position constructed in accordance with the requirements of Council's Waste Management/Minimisation Fact Sheets;
- (21) That plans and specifications showing details of:-
 - (a) layout, disposition and method of installation of fixtures and fittings, together with wall, floor and ceiling finishes of commercial food premises;
 - (b) shall all required mechanical ventilation systems;
 - (c) the facilities for the retention and storage of excess packaging material;
 - (d) the garbage room or garbage receptacle storage area;
 - (e) the be submitted to the Director of Planning and Building and approval obtained before installation is commenced;

NOTE 1: That details relating to the residential garbage facilities should be referred to Public Works and Services Department, Waste Services for comment and approval of the location and types of domestic use containers.

NOTE 2: You are advised that any requirements of Sydney Water for grease arrestors are to be complied with completely.

- (22) That an Environmental Site Assessment (Contamination Assessment) shall be carried out in accordance with the requirements of the EPA and shall be submitted to Council for referral to the EPA. This assessment will need to certify that the site does not pose a risk to public health and is suitable for the intended use. It should be noted that Building Approval will not be issued until the Contamination Assessment has been submitted to Council and the site has been given clearance by the EPA. No works on the site shall be undertaken prior to the EPA giving clearance other than works associated with the remediation of the land;
- (23) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (24) That the alterations to the air handling systems shall not adversely affect the integrity of the existing systems approved by Council;
- (25) That the applicant shall enter into a commercial contract for the removal of trade waste;

That the use of the premises shall not give rise to:-

- (a) transmission of vibration to any place of different occupancy, or
 - (b) a sound level at any point on the boundary of the site greater than the background levels specified in Australian Standard 1055, "Acoustic - Description and Measurement of Environmental Noise" or
 - (c) an "offensive noise" as defined in the Noise Control Act, 1975;
- (26) 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 release on the approved building plans;
 - (27) That a maximum of 11 off-street car parking spaces shall be provided and, except where elsewhere stipulated, each space shall be a minimum of 5.4m x 2.5, located, prepared and marked to the satisfaction of the Director of Planning and Building;

- (28) That the car park shall be designed so that the central aisle shall have a minimum width of 5.8 metres;

and the following adopted standard conditions, namely:

- (29) LDA151 - Schedule of finishes;
- (30) LDA351 - Building Application required;
- (31) LDA21 - No resident parking for residential flat developments;
- (32) LDA376 - Hours of building work;
- (33) LDA384 - New alignment levels;
- (34) LDA387 - Footway crossings;
- (35) LDA389 - Stormwater disposal requirements;
- (36) LDA391 - Builder's Hoarding Permits;
- (37) LDA392 - No obstruction to public way;
- (38) LDA368 - Display of street numbers.

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

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

- (C) That the applicant be advised that in order to comply with the Local Government Act and (Approvals) Regulation 1993 the following is required:
- (1) That the 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 Building Code of Australia;
- (2) That the proposed work shall be constructed in Type (A) construction in accordance with the requirements of specification C1.1-(3) of the Building Code of Australia;
- (3) That entrance doorways to all sole occupancy units at each floor level shall be protected by self-closing or automatic closing -/60/30 fire doors in accordance with the requirements of C3.11 of the Building Code of Australia;

- (4) That all doors serving as required exits or forming part of a required exit and any door, shutter, grille or the like which is installed in a path of travel to a required exit, shall comply with the requirements of D2.19, D2.20 and D2.21 of the Building Code of Australia;
- (5) That portable fire extinguishers shall be provided throughout the building to the requirements of E1.6 of the BCA and AS 2444;
- (6) That hose reels shall be installed throughout the building in accordance with the requirements of E1.4 of the BCA and AS2441;
- (7) That hydrants shall be installed throughout the building in accordance with the requirements of E1.3 of the BCA and AS2419.1;
- (8) That exit signs shall be provided in accordance with the requirements of E4.5, E4.7, E4.8 of the BCA and AS2293-1;
- (9) That a system of emergency lighting shall be installed throughout the building in accordance with the requirements of E4.2, E4.3, E4.4 of the BCA and AS2293.1;
- (10) That a suitable automatic fire detection and alarm system shall be installed to comply with E1.7 of the Building Code of Australia;
- (11) That natural light and ventilation shall be provided in accordance with requirements of Part F4 of the Building Code of Australia;
- (12) That all internal bathrooms and laundries shall be mechanically ventilated in accordance with requirements of F4.5 of the Building Code of Australia;
- (13) That the walls between flats or units shall be constructed of materials having sound transmission classes in accordance with F5.4 of the Building Code of Australia;
- (14) That the floors between the flats shall be constructed of materials having sound transmission class not less than 45 in accordance with the requirements of F5.3 of the Building Code of Australia;
- (15) That all relevant sections of the BCA shall be complied with;
- (16) That entrance doorways to units 7 and 8 shall be redesigned to comply fully with the requirements of Clause D.17(a) of the Building Code of Australia;

- (17) Exit travel distances shall comply fully with the requirements of Clause D1.4 of the Building Code of Australia with specific attention directed to car park areas;
- (D) That the persons who made representations in respect of the proposal be advised of Council's decision;

Carried.

4.

BELMONT STREET, NO. 245, ALEXANDRIA - ALTERATIONS AND ADDITIONS TO SINGLE STOREY DWELLING - BUILDING APPLICATION (Q97-00392)

- (A) That the Council, as the responsible authority, grants its consent to the application submitted by Mr L Fitzgerald for permission to convert the existing single storey dwelling at the abovementioned premises to a terrace, subject to the following conditions, namely:
 - (1) That the development shall be generally in accordance with plans A01-A04 received on 6 May 1997;
 - (2) That lattice screens shall be installed and maintained as shown on the approved plans to minimise loss of privacy to adjoining premises;
 - (3) That the proposed roof shall have a pitch of 22.5 degrees as approved by the Director of Planning and Building prior to construction commencing;

and the following adopted standard conditions:

- (4) BC2 - Compliance with Local Government Act 1993;
- (5) BC3 - Compliance with conditions on plan;
- (6) BC8 - Details of contractor;
- (7) BC11 - Inform Council for inspections;
- (8) BC15 - Approval relates to coloured work;
- (9) BC20 - Premises to remain as single dwelling;
- (10) BC63 - Survey Certificate for finished building;
- (11) BC65 - Boundary walls not to be party walls without neighbour's consent;

- (12) BC111 - Hours of work;
- (13) BC113 - Work to comply with noise standards;
- (14) BC114 - Existing building to be kept in stable condition;
- (15) BC116 - New work not to encroach boundaries;
- (16) BC119 - Requirements when excavating below footings;
- (17) BC123 - Demolition to comply with standard;
- (18) BC167 - Structural details and certification to be submitted;
- (19) BC168 - Structural justification of existing building;
- (20) BC170 - Structural certificate upon completion;
- (21) BC175 - Comply with Timber Framing Code;
- (22) BC176 - Approval for permanent work only;
- (23) BC186 - No structural work until approval granted;
- (24) BC189 - Termite protection;
- (25) BC337 - Construction of boundary walls;
- (26) BC338 - Openings in external walls;
- (27) BC339 - Construction of common walls and party walls;
- (28) BC340 - Non-flammable sarking materials;
- (29) BC341 - Roof lights in dwellings;
- (30) BC352 - Glazing materials;
- (31) BC421 - Private stairs construction;
- (32) BC529 - Smoke alarm systems;
- (33) BC601 - Water closets and shower compartments;
- (34) BC603 - Damp and weatherproofing;
- (35) BC608 - Ceiling heights;
- (36) BC609 - Natural light and ventilation;

- (37) BC611 - Ventilation of bathrooms/laundries;
- (38) BC617 - Rain or dampness penetration;
- (39) BC618 - Flashing to be provided;
- (40) PWS6 - Details of Stormwater Disposal
- (41) PWS7 - Disposal of stormwater
- (42) PWS17 - No obstruction to public way
- (43) PWS18 - Delivery of refuse skips
- (44) PWS20 - Washing down of trucks
- (45) HSC800 - Use of appliances emitting intrusive noise;
- (46) HSC014 - Hot water systems
- (47) LDA367 - Timing device on alarms;
- (48) LDA391 - Builder's Hoarding Permits;
- (49) LDA153 - Reflectivity of external glazing;
- (50) LDA154 - Windows to be of timber joinery.

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

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

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

Carried

5.

TRAFFIC - EVELEIGH STREET, REDFERN - CLOSURE BETWEEN LAWSON STREET AND CAROLINE LANE (2015553)

- (1) That notwithstanding Council's resolution of 26 March 1997, and having regard to the objection received, Council takes no further action to close to vehicle traffic the section of Eveleigh Street, Redfern, between Lawson Street and Caroline Lane;

(2) That Council notify local residents, by letter drop, of its decision.

(DPWS Minute 16.7.97)

Carried.

6.

HIGH HOLBORN STREET, NOS. 54-58, SURRY HILLS - CONVERSION OF EXISTING WAREHOUSE INTO 14 APARTMENTS - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U97-00422)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Waters:-

(A) That the Council resolves that the State Environmental Planning Policy No 1 objection against the development standard relating to height in Clause II of Local Environmental Plan No 107 is well founded and compliance is therefore unreasonable and unnecessary for the following reasons:-

That the additional height will not detract from the streetscape character of the building in terms of bulk and scale and will not impose any significant negative environmental impact.

(B) That the Council as the responsible authority grants its consent to the development application submitted by Dennis & Dennis Investments, with the authority of Savdot Pty Ltd, for permission to convert the existing warehouse building into residential units, subject to the following conditions, namely:-

- (1) That the development shall be generally in accordance with unnumbered plans dated May 1997 which were submitted with the development application;
- (2) That this consent shall lapse after a period of two years from the date this consent became effective, unless the development to which it relates is commenced (The applicant is advised that an application can be made to the Council before the period expires, for an extension of 1 year).
- (3) That a maximum of 4 resident 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;

- (4) That secure cycle racks for 10 bicycles shall be provided within the car park area for the usage of residents and visitors. Details are to be submitted with the building application;
- (5) That a 0.5m wide planterbox shall be provided around the northern, eastern and western edge of the proposed communal rooftop open space so as to restrict access to the parapet edge. Further, measures are to be undertaken to protect the privacy of adjoining properties from the private open space located above the additions on the roof. Details are to be submitted with the building application.
- (6) That the High Holborn Street accessway shall be increased in width by 1.0m. Details are to be submitted with the building application.
- (7) As a consequence of this development, Council has identified an additional demand for public facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Contributions Plan 1993, the following monetary contributions towards the cost of providing facilities are required:

FACILITY	AMOUNT	ACCOUNT
Civic Improvement, Open Space and Recreation	\$9294.40	2 EJ-BGY 0
Child Care	\$488.20	2 EK-BGY 0
Community Facilities	\$483.30	2 EL-BGY 0
Transport and Access	\$1810.00	2 EM-BGY 0
Environmental Improvements	\$292.60	2 EN-BGY 0
TOTAL:	\$12368.50	

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

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

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

- (8) 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;
- (9) That measures shall be undertaken to protect the privacy of the occupants of the rooftop units from the communal open space area. Details are to be submitted with the building application;
- (10) That a detailed landscape plan for the open space areas shall be submitted with the building application;
- (11) That a colour scheme for the building, incorporating heritage colours, shall be submitted for the approval of the Director of Planning and Building and the street elevation shall be painted in accordance with the approved colour scheme;
- (12) That only one common television aerial shall be installed;
- (13) That the developer shall advise any purchaser of a unit, or tenant where units are not to be sold, that it is Council's policy not to issue resident parking permits to residents of new residential flat developments located in Resident Parking Scheme areas;
- (14) 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;
- (15) That an Environmental Site Assessment (Contamination Assessment) shall be carried out in accordance with the requirements of the EPA and shall be submitted to Council for referral to the EPA. This assessment will need to certify that the site does not pose a risk to public health and is suitable for the intended use. It should be noted that Building Approval will not be issued until the Contamination Assessment has been submitted to Council and the site has been given clearance by the EPA. No works on the site shall be undertaken prior to the EPA giving clearance other than works associated with the remediation of the land.
- (16) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;

- (17) That all internal bathrooms, toilets and laundries shall be mechanically ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (18) That the car parking area shall be ventilated in accordance with Australian Standard 1668.1-1991, Section 7 and Australian Standard 1668.2-1991, Section 4;
- (19) That sanitary and other facilities shall be provided in accordance with the requirements of the Building Code of Australia, Part F2;
- (20) That the renovation and use of the premises shall not give rise to the emission into the surrounding environment of gases, vapours, odours, dust, or other impurities which are a nuisance or injurious or dangerous or prejudicial to health;
- (21) That all liquid wastes other than stormwater arising on the premises shall be discharged to the sewer in accordance with the requirements of Sydney Water;
- (22) That all slurry, wastewaters and sediments associated with the cement bagging of the masonry walls shall be captured and contained so to prevent discharge into Council's stormwater system;
- (23) That all car washing and garbage receptacle cleaning shall be carried out in a wash bay graded and drained to the sewer in accordance with the requirements of Sydney Water;
- (24) 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";
- (25) That a garbage room or receptacle storage area shall be provided within the site in an approved position constructed in accordance with the requirements of Council's Waste Management/Minimisation Fact Sheets;
- (26) That adequate facilities shall be provided for the storage of recyclable material. The area to be located and marked to the satisfaction of the Director of Health and Community Services. Details to be submitted with the Building Application;
- (27) That noise and vibration from the use of any plant equipment and/or building services associated with the premises shall not give rise to an "offensive noise" as defined under the provisions of the Noise Control Act 1975;
- (28) That plans and specifications showing details of:-

- (a) all proposed mechanical ventilation systems;
- (b) all required mechanical ventilation systems and associated fire precaution features;
- (c) the garbage room;
- (d) the recycling storage area;

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

- (29) 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;
- (30) 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;
- (31) 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;
- (32) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (33) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (34) That prior to submission of the building application, application is to be made for approval by the Local Traffic Committee of the relocation of the planter bed on the northern corner of Goodlet Street and High Holborn Street to the southern side. The costs associated with the relocation shall be borne by the applicant and the works executed to Council's satisfaction prior to occupation of the building.

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

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

- (C) That the applicant be advised that in order to comply with the Local Government Act & (Approvals) Regulation 1993, the following is required:-
- (1) That either the proposed stairway or entrance doorways to sole occupancy units shall be redesigned to comply fully with the requirements of Clause D1.4(a) of the BCA;
 - (2) That there shall be no storage cupboards under the proposed stairway;
 - (3) That entrance doorways to all sole occupancy units at each floor level shall be protected by self-closing or automatic closing tight fitting solid core doors not less than 35mm in thickness in accordance with the requirements of C3.11 of the BCA;
 - (4) That the proposed work shall be constructed in Type (A) construction in accordance with the requirements of specification C1.1-(3) of the BCA;
 - (5) That new stairways and ramps shall be at least 1000mm in width which shall be increased as required in accordance with D1.6 of the BCA and shall have a minimum unobstructed vertical clearance throughout of 2000mm with goings and risers for stairs in accordance with D2.13 of the BCA and shall be provided with balustrades and handrails in accordance with D2.16 of the BCA respectively;
 - (6) 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;
 - (7) That portable fire extinguishers shall be provided throughout the building to the requirements of E1.6 of the BCA and AS 2444;
 - (8) That hose reels shall be installed throughout the building in accordance with the requirements of E1.4 of the BCA and AS2441;
 - (9) That hydrants shall be installed throughout the building in accordance with the requirements of E1.3 of the BCA and AS2419.1;

- (10) That a system of emergency lighting shall be installed throughout the building in accordance with the requirements of E4.2, E4.3, E4.4 of the BCA and AS2293.1;
- (11) That exit signs shall be provided in accordance with the requirements of E4.5, E4.7, E4.8 of the BCA and AS2293-1;
- (12) That a suitable automatic fire detection and alarm system shall be installed to comply with E1.7 of the BCA;
- (13) That natural light and ventilation shall be provided in accordance with requirements of Part F4 of the BCA;
- (14) That clothes washing and drying facilities shall be provided in accordance with the requirements of F2.1 of the BCA;
- (15) That all internal bathrooms and laundries shall be mechanically ventilated in accordance with requirements of F4.5 of the BCA;
- (16) That the walls between flats or units shall be constructed of materials having sound transmission classes in accordance with F5.4 of the BCA;
- (17) That the floors between the flats shall be constructed of materials having sound transmission class not less than 45 in accordance with the requirements of F5.3 of the BCA;
- (18) That the underside of all floors throughout the building be lined with one of the following materials:-
 - (a) Plasterboard;
 - (b) Perforated gypsum lath with a normal paper finish;
 - (c) Fibrous-plaster sheet conforming to AS2185 specification for fibrous plaster products;
 - (d) Fibre-reinforced cement sheeting;
 - (e) Any other material, upon formal application, that is subsequently approved by Council;
- (19) That a residential sprinkler system 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 2118.4-1995. Prior to commencing installation the installer shall obtain Council approval pursuant to Section 2 of the Code. Any variation from approved plans shall require additional approvals from Council;

- (20) That good housekeeping shall be maintained at all times;
- (21) That egress paths are to be kept free of obstructions/storage at all times;
- (22) That the electrical installation serving the subject premises shall be inspected by a suitably qualified electrical contractor and certified accordingly.
- (23) The certificate shall be in the form of a typed report providing the following minimum requirements:-
 - (a) the electrical contractors licence number;
 - (b) that a visual examination of wiring, fittings and accessories was undertaken and were found to be in sound condition;
 - (c) that an insulation resistance test was carried out pursuant to Clause 1.5.2 of SA 3000 and was found to be satisfactory;
 - (d) that circuit protection devices used have been examined and found to be satisfactory pursuant to Clause 2.4 of SAA 3000.

Alternatively, a report from Energy Australia would satisfy the above requirements;

- (D) That the persons who made representations in respect of the proposal be advised of Council's decision;
- (E) That the Department of Urban Affairs and Planning be notified of the State Environmental Planning Policy 1.

Carried.

7.

SMITH STREET, NO.51, SURRY HILLS - ALTERATIONS TO THE REAR OF TERRACE DWELLING - BUILDING APPLICATION (Q97-00358)

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 Christopher G. Tinney for permission to carry out alterations at the rear involving laundry on ground floor level, balcony on ground floor, bathroom and balcony on first floor at the

abovementioned premises, all in accordance with the submitted plan numbered 9117-1 received on 29 April 1997, subject to the following conditions, namely:

- (1) That a lattice screen wall not less than 1.5m high extending from the bathroom wall along the southern side of the first floor balcony shall be provided to the satisfaction of the Director of Planning and Building;
- (2) That the proposed blade wall on the southern side of the building shall not extend past the rear alignment of the first floor balcony and at ground floor level shall be punctuated by openings in the brick work fitted with glass blocks, generally in accordance with the details submitted by the applicant on the 21 July.
- (3) BC2 - Compliance with Local Government Act 1993;
- (4) BC3 - Compliance with conditions on plan;
- (5) BC8 - Details of contractor;
- (6) BC11 - Inform Council for inspections;
- (7) BC15 - Approval relates to coloured work;
- (8) BC20 - Premises to remain as single dwelling;
- (9) BC29 - Comply with Work Cover requirements;
- (10) BC34 - Brickwork to match existing;
- (11) BC65 - Boundary walls not to be party walls without neighbour's consent;
- (12) BC111 - Hours of work;
- (13) BC113 - Work to comply with noise standards;
- (14) BC114 - Existing building to be kept in stable condition;
- (15) BC116 - New work not to encroach boundaries;
- (16) BC119 - Requirements when excavating below footings;
- (17) BC121 - Excavations and backfilling to be in accord with relevant standards;
- (18) BC122 - Excavations to be guarded (safety);

- (19) BC123 - Demolition to comply with standard;
- (20) BC167 - Structural details and certification to be submitted;
- (21) BC170 - Structural certificate upon completion;
- (22) BC175 - Comply with Timber Framing Code;
- (23) BC186 - No structural work until approval granted;
- (24) BC337 - Construction of boundary walls;
- (25) BC341 - Roof lights in dwellings;
- (26) BC352 - Glazing materials;
- (27) BC601 - Water closets and shower compartments;
- (28) BC602 - Clothes washing and drying facilities;
- (29) BC603 - Damp and weatherproofing;
- (30) BC608 - Ceiling heights;
- (31) BC609 - Natural light and ventilation;
- (32) BC616 - Bathroom and laundry floor requirements;
- (33) BC617 - Rain or dampness penetration;
- (34) BC618 - Flashing to be provided;
- (35) BC529 - Smoke alarm systems;
- (36) hsc800 - Use of appliances emitting intrusive noise;
- (37) 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;
- (38) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (39) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;

- (40) 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;
 - (41) 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.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

8.

BELMONT STREET, NO. 138, ALEXANDRIA - ALTERATIONS TO REAR OF RESIDENCE - BUILDING APPLICATION (Q97-00375)

- (A) That the Council, as the responsible authority, grants its consent to the application submitted by Mr D F Magoffin for permission to erect a new living room and roller door/fence at the abovementioned premises, all in accordance with the submitted plan numbered R/HA/A-BA1 subject to the following conditions, namely:-
- (1) That the proposed extension shall be set back from the south western boundary of the site in line with the existing dwelling to the satisfaction of the Director of Planning and Building;
 - (2) That the openings in the external walls closer than 900mm from a side boundary shall be protected by non-openable fire windows or other construction with an FRL of not less than -/60/- or self-closing solid core doors not less than 35mm thick, in accordance with Specification C1.9-4(b) of the BCA;
 - (3) That a Survey Certificate shall be submitted from a Registered Surveyor to the effect that the proposed building has been set out so that the dimensions and location on the site are in accordance with the approved plan prior to the foundation excavations being commenced. Council shall also be informed to undertake a site inspection;

and the following adopted conditions:-

- (4) BC2 - Compliance with Local Government Act 1993;
- (5) BC3 - Compliance with conditions on plan;

- (6) BC8 - Details of contractor;
 - (7) BC11 - Inform Council for inspections;
 - (8) BC63 - Survey Certificate for finished building;
 - (9) BC111 - Hours of work;
 - (10) BC113 - Work to comply with noise standards;
 - (11) BC116 - New work not to encroach boundaries;
 - (12) BC167 - Structural details and certification to be submitted;
 - (13) BC340 - Non-flammable sarking materials;
 - (14) BC352 - Glazing materials;
 - (15) BC528 - Fire detectors and alarm system;
 - (16) BC603 - Damp and weatherproofing;
 - (17) BC617 - Rain or dampness penetration;
 - (18) BC618 - Flashing to be provided;
 - (19) hsc800 - Use of appliances emitting intrusive noise;
 - (20) pws6 - Details of stormwater disposal;
 - (21) pws7 - Disposal of stormwater (standard requirements);
 - (22) pws17 - Public way not to be obstructed;
 - (23) pws18 - Refuse Skips;
 - (24) pws20 - Eliminate concrete and other wastes;
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

9.

EUSTON ROAD, NOS. 51-63, ALEXANDRIA - DEMOLISH EXISTING BUILDING AND ERECT RESIDENTIAL UNITS - DEVELOPMENT APPLICATION (U97-00271)

That of the application submitted by David Blyth Pty Ltd, with the authority of Lestev Pty Ltd, for permission to redevelop the site for a residential flat building in 3 storey plus attic/dormer level construction with associated basement car parking be:-

- (a) deferred for further discussions between the applicant, architect and the Director of Planning and Building to discuss the mix, privacy and height of the proposed development.
- (b) resident representatives to be contacted after the discussions and advised if amended plans are to be submitted.

Carried.

10.

RUSHCUTTERS BAY PARK - ERECTION OF COMPOUND (U95-01098)

That the Council, in consideration of an application by John Holland Constructions to use portion of Rushcutters Bay Reserve as a construction site in conjunction with 104-110 Rushcutters Bay Road, is prepared to allow the use of the Reserve subject to the following conditions, namely:-

- (1) That the area to be utilized to be as defined in Attachment 'C'
- (2) That the construction of a heavy duty vehicular crossing in Waratah Street and its removal on completion of the work
- (3) That the area be fenced with a suitable hoarding to the satisfaction of the Director of Public Works & Services.
- (4) That the reinstatement of the area and any adjoining area damaged to its original or better condition on completion of the works and prior to Council approving occupation of the development.
- (5) That the lodgment of a bond of \$40,000 against damage to Councils two trees and to guarantee the reinstatement of Councils assets.
- (6) That the payment of a fee of \$100 per day in accordance with Councils Schedule of Fees and Charges for the use of the land such payment to be quarterly in advance.
- (7) That the approval be for a period of 12 months with any extension to be granted on a month by month basis by the Director of Public Works and Services.

(DPWS Report 28/7/97).

Carried.

11.

SOUTH DOWLING STREET, MOORE PARK - CHANGE OF USE TO TELECOMMUNICATIONS SUPACENTA - DEVELOPMENT APPLICATION (U97-00458)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

That consideration of the application submitted by Andrew Wyatt, with the authority of Supacenta Pty Ltd, for permission to use tenancy 1M for a mobile telecommunication business office, be deferred to the next meeting of the Planning and Development Committee to be held on 20 August 1997 to allow Council to obtain further advice on the permissibility of the use.

Carried.

12.

WILSON STREET, NO. 162, NEWTOWN - EXTENSION AT REAR OF EXISTING DWELLING - DEVELOPMENT APPLICATION (U97-00318)

(A) That the Council as the responsible authority grants its consent to the application submitted by Damian O'Mahony, with the authority of Gaye Murray, for permission to carry out ground and first floor rear additions to the existing terrace, subject to the following conditions, namely:-

- (1) That the development shall be generally in accordance with plans A.01DA and held on Council file U97-00318;
- (2) That the lower half of all first floor dormer windows shall be constructed of fixed obscure glazing up to a minimum of 1.5 metres from the first floor level, details to be submitted with the Building Application to the satisfaction of the Director of Planning and Building;
- (3) That the side facing dormer windows shall be set back a minimum of 150 mm from the proposed alignment, with minimum eave overhang, to the satisfaction of the Director of Planning and Building;

and the following adopted standard conditions:-

- (4) LDA351 - Building Application required;
- (5) LDA367 - Timing device on alarms;
- (6) LDA376 - Hours of building work;
- (7) LDA377 - Construction noise regulation;

- (8) LDA389 - Stormwater disposal requirements;
- (9) LDA392 - No obstruction to public way;
- (10) LDA393 - Delivery of refuse skips;
- (11) LDA396 - Works within boundaries;

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, privacy loss, 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

13.

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

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mr G Malesevic, with the authority of Mr F and Mrs M O'Connor, for permission to carry out alterations and additions to the ground floor level of the dwelling at No.198 Church Street, Newtown, subject to the following conditions, namely:-
 - (1) That the development shall be generally in accordance with plans No.024/97 received by Council on the 9 July 1997 as held on Council file U97-00077;
 - (2) That this consent shall lapse after a period of two years from the date this consent became effective, unless the development to which it relates is commenced (the applicant is advised that an application can be made to the Council, before the period expires, for an extension of one year);
 - (3) That at no time shall be front ground floor terrace and front first floor balcony areas be enclosed;
 - (4) That the roof material of the proposed extension shall match the roof material of the existing two storey part of the building;

- (5) That the new windows and doors in the front elevation shall be constructed in timber joinery;
- (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 7.00 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;
- (8) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (9) That prior to the commencement of any demolition/building work, an application for a Builder's Hoarding Permit shall be made to the Director of Public Works and Services and a hoarding shall be erected to the satisfaction of the Director of Public Works and Services;
- (10) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (11) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (12) That the use of the premises shall not give rise to:-
 - (a) transmission of vibration to any place of different occupancy, or
 - (b) a sound level at any point on the boundary of the site greater than the background levels specified in Australian Standard 1055, "Acoustic - Description and Measurement

of Environmental Noise” or

- (c) an “offensive noise” as defined in the Noise Control Act, 1975.

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

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

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

Carried.

14.

CITY ROAD, NOS. 1A-174, DARLINGTON - FIT OUT NEW BUILDING AS A FAST FOOD RESTAURANT - SYDNEY UNIVERSITY - DEVELOPMENT APPLICATION (U97-00328)

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

- (A) That the Council, as the consent authority, grants its consent to the development application submitted by Craig Chester Pty Ltd, with the authority of the University of Sydney, to the development application involving a fast food restaurant and associated outdoors seating within the Noel Martin Recreation Centre, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans and information lodged with the application and held on Council File U97-00328;
 - (2) That the restaurant operators shall be responsible for providing adequate garbage facilities within the restaurant and outdoor seating areas and shall regularly patrol the surrounding area to remove rubbish associated with the restaurant during its’ operating hours;
 - (3) That the outdoor seating area shall not be dedicated solely to users of the restaurant and shall be available for use by users of the recreation centre and University students;
 - (4) That the hours of operation shall be restricted to between 8.00 a.m. to 10.00 p.m. Mondays to Thursdays, 8.00 a.m. to 11.00 p.m. on Fridays and 10.00 a.m. to 6.00 p.m. on weekends ;

- (5) That plans and specifications showing details of:-
- (a) all proposed mechanical ventilation systems;
 - (b) the location of exhaust/and intake vents;
 - (c) the recycling storage area;
 - (d) the garbage room or garbage receptacle storage area;
 - (e) the layout, disposition and method of installation of fixtures and fittings, together with wall, floor and ceiling finishes to all food preparation and storage areas;

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

and the following adopted standard conditions:-

- (6) LDA202 - No flashing lights to be installed on site;
- (7) LDA203 - No lights or sound equipment on public way;
- (8) LDA204 - Change sign lighting if Council requires;
- (9) LDA205 - Sign not to flash after 12.00 midnight;
- (10) LDA206 - Sign requirements;
- (11) LDA351 - Building Application required;
- (12) HSC500 - Premises to be ventilated;
- (13) HSC018 - Sanitary facilities;
- (14) HSC200 - Compliance with Food Premises Code;
- (15) HSC301 - Cooking of food only if air handling system is provided;
- (16) HSC700 - Compliance with code for Garbage Handling System;
- (17) HSC709 - Garbage room;
- (18) HSC711 - Commercial contract (trade waste);
- (19) HSC800 - Use of appliances emitting intrusive noise;

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

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

Carried.

15.

FLORA STREET, NOS.36-66, ERSKINEVILLE - ERECT 27 RESIDENTIAL UNITS -CONTRIBUTION INCLUDED IN CONSENT - DEVELOPMENT APPLICATION (U97-00180)

- (A) That the Council supports the objection pursuant to State Environmental Planning Policy No.1 against the development standard relating to the maximum height limit with Local Environmental Plan No.107, but only insofar as it allows a three storey building form, accepting that compliance with the development standard would be unnecessary and unreasonable in this instance for the following reasons:-
- (a) That the predominant building height is 3 storeys to public streets (the fourth level is not supported);
 - (b)T That the proposal is acceptable on urban design and heritage grounds; and
 - (c) That the external impacts associated with the development will not be significantly adverse.
- (B) That the Council as the responsible authority grants its consent to the application submitted by Perumal Partners Pty Ltd with the authority of Arviem L Pty Ltd and Clarke Investments Pty Ltd for permission to demolish existing buildings on the site and erect a residential flat building with basement parking, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans A01-A08 dated May 1997;
 - (2) That the two one-bedroom units constituting the fourth level shall be deleted;
 - (3) That privacy screens, to a height of 1.8m above finished floor level shall be incorporated along the northern sides of the west facing northern most rear balconies on the second level, to be detailed to the satisfaction of the Director of Planning and Building in the building application;

- (4) That the consent shall lapse after a period of two years from the date this consent become effective, unless the development to which it relates is commenced. (The applicant is advised that an application can be made to the Council before the period expires, for an extension of 1 year);
- (5) That the developer shall advise any purchaser of a unit, or tenant where units are not to be sold, that it is Council's policy not to issue resident parking permits to residents of new residential flat developments located in Resident Parking Scheme areas;
- (6) As a consequence of this development, Council has identified an additional demand for public facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Contributions Plan 1993, the following monetary contributions towards the cost of providing facilities are required:

FACILITY	AMOUNT	ACCOUNT
Civic Improvement, Open Space and Recreation	\$31,987	2 EJ-BGY 0
Child Care	\$1,681	2 EK-BGY 0
Community Facilities	\$1,663	2 EL-BGY 0
Transport and Access	\$6,228	2 EM-BGY 0
Environmental Improvements	\$1,006	2 EN-BGY 0
TOTAL:	\$42,565	

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.

- (7) That the height of the first floor level above the footpath level shall not exceed 0.9m at any point;

- (8) That a more dominant corner element shall be incorporated as part of a roof form at the corner of Flora Street and Coulson Street, to the satisfaction of the Director of Planning and Building and detailed in the building application;
- (9) That the existing landscaped areas shall be upgraded and additional super advanced trees and/or shrubs planted in accordance with an approved landscaping plan and maintained to the satisfaction of the Director of Planning and Building and the Director of Public Works and Services;
- (10) That the floor space ratio of the proposal shall not exceed 1.5:1, to be detailed with submission of the building application, adopting the definition of "gross floor area" contained within the Environmental Planning and Assessment Act Model Provisions 1980, with the calculations to be to the satisfaction of the Director of Planning and Building;
- (11) That the developer shall incorporate in the finished building, a warning mechanism to advise drivers about possible flooding in the basement car park area;
- (12) That a maximum of 24 (allocated on the basis of 21 for residents and 3 for visitors) 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;
- (13) That provision for bicycle storage facilities shall be made with the basement car park in accordance with requirements within Council's Development Control Plan No.11;
- (14) That a plan for the landscaping of the site, prepared by a suitably qualified person, shall be prepared and lodged with or prior to the Building Application and shall include details of:-
 - Subsoil drainage
 - Security fencing/fencing generally
 - Provision of advanced street trees at 6m intervals within Flora and Coulson Streets of a species directed by Council's Landscape Section
 - Planting theme and speciesand the plan shall be to the satisfaction of the Director of Public Works and Services and the Director of Planning and Building with approval obtained prior to release of building plans;
- (15) That the joinery of windows and doors fronting Flora Street and Coulson Street shall be timber or suitable wide profile metal;

(16) That all relevant sections of the BCA shall be complied with;

(17) That plans and specifications showing details of:-

- (i) all proposed mechanical ventilation systems;
- (ii) the garbage room;
- (iii) the recycling storage area;

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

(18) That the parking areas shall be ventilated in accordance with the requirements of As 1668.2 - 1991 Section 4;

and the following adopted standard conditions, namely:-

- (19) LDA29 - Provide sign indicating parking;
- (20) LDA44 - Driving in forward direction only;
- (21) LDA102 - Maintain existing landscaped area;
- (22) LDA152 - Schedule of finishes;
- (23) LDA153 - Reflectivity of external glazing;
- (24) LDA160 - Provide service ducts within building;
- (25) LDA161 - Provide common television aerial;
- (26) LDA165 - Provide garbage room on-site;
- (27) LDA168 - Provide refuse point on site;
- (28) LDA260 - On-site stormwater detention;
- (29) LDA351 - Building Application required;
- (30) LDA367 - Timing device on alarms;
- (31) LDA368 - Display of street numbers;
- (32) LDA376 - Hours of building work;
- (33) LDA376 - Hours of building work;

- (34) LDA377 - Construction noise regulation;
- (35) LDA384 - New alignment levels;
- (36) LDA387 - Footway crossings;
- (37) LDA388 - Stormwater disposal details;
- (38) LDA392 - No obstruction to public way;
- (39) LDA393 - Delivery of refuse skips;
- (40) LDA396 - Works within boundaries;
- (41) HSC103 - Environmental site assessment being carried out;
- (42) HSC018 - Sanitary facilities;
- (43) HSC700 - Compliance with code for Garbage Handling System;
- (44) 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, privacy loss, streetscape qualities, heritage issues, traffic and parking congestion, and would not be in the public interest.

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

Carried.

16.

BOURKE STREET, NOS. 354-358, SURRY HILLS - ALTERATIONS AND ADDITIONS TO HOTEL BUILDING TO PROVIDE A SERVICED APARTMENT/HOTEL COMPLEX - DEVELOPMENT APPLICATION (U97-00348)

That consideration of the application submitted by Glenn Pearson and Associates, with the authority of Copimold Pty Ltd, for permission for the refurbishment and extension of an existing hotel, be deferred for further

discussions between the applicant and the Director of Planning and Building to seek reduction in size and bulk building.

Carried.

17.

MENTMORE AVENUE, NOS. 61-71, ROSEBERY - ALTERATIONS TO BUILDING TO USE PREMISES FOR WAREHOUSING OF PHARMACEUTICAL GOODS AND BUILDING HARDWARE AND AS ANCILLARY OFFICES AND LABORATORY - DEVELOPMENT APPLICATION (U97-00467)

- (A) That the Council, as the responsible authority, grants its consent to the application submitted by Gergely and Pinter, with the authority of E K Nominees Pty Ltd, for permission to carry out alterations to the building and to use the premises for the warehousing of pharmaceutical goods and building hardware and as ancillary offices and laboratory, subject to the following conditions namely:-
- (1) That the development shall be generally in accordance with Drawing Nos.1652/1A and 2A;
 - (2) That a maximum of 47 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;
 - (3) That the existing landscaped strips and trees along the Mentmore Avenue and Hayes Road frontages of the car park shall be retained and, when the driveway to Hayes Road is closed off, the landscaping strip shall be extended across the location of the former driveway, with details to be submitted to the satisfaction of the Director of Public Works and Services, with the building application;
 - (4) That a detailed, dimensioned car parking layout and landscaping plan shall be submitted to Council showing the landscaping extension, with the building application and to the satisfaction of the Director of Planning and Building;
 - (5) That Loading Bay 5 (Mentmore Avenue) shall only be used by cars, vans and like vehicles not exceeding 6.5 metres in length;
 - (6) That Loading Bay 7 shall only be used by vehicles not exceeding 7.5 metres in length;
 - (7) That additional planting shall be provided within the landscaped setback to Morley Avenue to Council's satisfaction;

- (8) That the hours of operation shall be restricted to between 8.00 a.m. and 6.00 p.m. Mondays to Fridays; 8.00 a.m. and 4.00 p.m. Saturdays;
- (9) That all cars, vans, trucks under 5 tonne capacity shall enter and leave the yard area in a forward direction;
- (10) That plans and specifications showing details of all proposed mechanical ventilation systems shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;

and the following adopted standard conditions:

- (11) LDA36 - Loading only within confines of the site;
- (12) LDA47 - Loading, parking and access to be kept clear;
- (13) LDA201 - Make separate application for sign;
- (14) LDA351 - Building Application required;
- (15) LDA356 - Office use to be ancillary;
- (16) LDA362 - No retail sales;
- (17) LDA376 - Hours of building work;
- (18) LDA389 - Stormwater disposal requirements;
- (19) LDA392 - No obstruction to public way;
- (20) LDA396 - Works within boundaries;
- (21) hsc018 - Sanitary facilities;
- (22) hsc500 - Premises to be ventilated;
- (23) hsc800 - Use of appliances emitting intrusive noise;
- (24) LDA387 - Footway crossings;
- (25) hsc718 - Disposal of waste;
- (26) hsc102 - Quantities of materials covered by Dangerous Goods Act.

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.

18.

EUSTON ROAD, NOS. 171-203, ALEXANDRIA - PROPOSED STONE MASONS DEPOT - DEVELOPMENT APPLICATION (U97-00426)

- (A) That the Council as the responsible authority, grants its consent to the application submitted by Mr Michael Craven, Council's Project Manager for Depot Relocations for minor alterations to the building and use of the rear skillion section of the building and part of the yard for a stone mason's depot generally in accordance with the submitted plans SS/ERD/02 prepared by Public Works and Services Department, South Sydney Council subject to the following conditions, namely:-

- (1) That the matter of asbestos within the building and site flooding shall be rectified prior to occupation of the building.
- (2) That all relevant sections of the BCA shall be complied with;

and the following adopted standard conditions:-

- (3) LDA351 - Building Application required;
- (4) LDA392 - No obstruction to public way;
- (5) LDA396 - Works within boundaries;
- (6) hsc500 - Premises to be ventilated;
- (7) hsc501 - Plans and specification of ventilation;
- (8) hsc018 - Sanitary facilities;
- (9) hsc101 - Not give rise to emissions into the environment;
- (10) hsc111 - Liquid wastes to sewer;
- (11) hsc800 - Use of appliances emitting intrusive noise;

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

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

Carried.

19.

**LAWRENCE STREET, NOS. 17-37, ALEXANDRIA - SECTION 102
AMENDMENT TO EXTEND HOURS OF CONSTRUCTION (U96-00614)**

(A) That arising from consideration of a report by the Director of Planning and Building dated 30 July 1997, and in response to the Section 102 application lodged on 5 June 1997, Council modify the consent U96-00614 in the following manner:

- deletion of Condition (20) and the insertion in lieu thereof of the following new condition, namely:

(20) 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 7.30 am and 3.30 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;

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

Carried.

20.

**BROWN STREET, NOS. 8-10, NEWTOWN - UPGRADE BUILDING, USE
FIRST FLOOR AS LIBRARY AND GROUND FLOOR AS COMMUNITY
FACILITY - DEVELOPMENT APPLICATION (U97-00448)**

(A) That the Council as the responsible authority grants its consent to the application for permission to make alterations and additions to the 2 storey vacant building at the rear of the Newtown Library, for use as a multi-purpose community facility and Women's Library, subject to the following conditions, namely:

- (1) That the development shall be generally in accordance with drawings number A01-A06 from the Properties Branch and dated 4 June 1997;
- (2) That the hours of operation of the multipurpose community facility shall be restricted to 8.00 a.m. - 10.00 p.m. and the library to 8.00 a.m. - 9.00 p.m. Mondays to Sundays;
- (3) That the details of external security lighting at the Brown Street entrance and to the rear of the site along Watkins Lane shall be provided to the satisfaction of the Director of Planning and Building;
- (4) That details of planting along the southern boundary shall be provided to the satisfaction of the Director of Planning and Building;
- (5) That details of external building materials and colours shall be submitted to the satisfaction of the Director of Planning and Building;
- (6) 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;
- (7) 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;
- (8) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (9) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (10) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (11) That plans and specifications showing details of all required mechanical ventilation systems shall be submitted to the Director

of Planning and Building and approval obtained before installation is commenced;

- (12) That all relevant sections of the BCA shall be complied with;
- (13) 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 persons who made representations in respect of the proposal be advised of Council's decision;

Carried.

21.

AMY STREET, NO. 47, ERSKINEVILLE - DEMOLISH EXISTING BUILDING - ERECT THREE NEW TOWNHOUSES - DEVELOPMENT APPLICATION (U97-00360)

This matter was submitted to Council without recommendation.

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

That consideration of the application submitted by David Emerson Architect with the authority of Mr. W. Sharpe for permission to demolish the existing building and to erect three terraces and to further sub-divide, be deferred to the meeting of the Planning and Development Committee to be held on 3 September 1997, as requested by the applicant in Fax dated 11 August 1997.

Carried.

22.

NAPIER STREET, NO.5, PADDINGTON - ALTERATIONS AND ADDITIONS TO RESIDENCE - DEVELOPMENT APPLICATION (U97-00379)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Deftereos:-

- (A) That Council, as the responsible authority, grants its consent to the application submitted by Mario Ottaviano, on behalf of Zahari Naydenov to undertake alterations and additions to the existing dwelling, including demolition of part of the ground floor rear section; erection of new two storey section to rear; and erection of front and rear dormer windows at second storey level; subject to the following conditions of consent, namely:-
- (1) That the development shall be generally in accordance with plans TTE-01-97, 1-4, dated 12 May 1997 and submitted to Council on 13 May 1997;
 - (2) 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 the Council before the period expires for an extension of up to one year).
 - (3) That any external glazing shall have a reflectivity not exceeding 20%;
 - (4) That the new windows shall be constructed in timber joinery;
 - (5) That the proposed front dormer window shall be constructed in timber joinery and the roof materials shall match the existing to the satisfaction of the Director of Planning and Building;
 - (6) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
 - (7) That all proposed work shall be wholly within the boundaries of the subject site;
 - (8) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building (including any demolition) work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation;
 - (9) That 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;

- (10) That noise and vibration from the use of any plant equipment and/or building services associated with the premises shall not give rise to an "offensive noise" as defined under the provisions of the Noise Control Act 1975;
- (11) That the approved plans shall be amended by deletion of the rear attic window and its replacement with two vertically proportioned dormer windows. Details to be submitted with the building application and to be to the satisfaction of the Director of Planning and Building;
- (12) That the brick boundary wall to the rear shall be reconstructed on the boundary alignment (ie straight) and shall be flush pointed to the satisfaction of the Director of Planning and Building;
- (13) That the new addition at the rear of the premises shall be painted in a pale colour.

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 Council advise all persons who made representation to Council in respect of the application of Council's decision.

Carried.

23.

CROWN STREET NOS. 185 - 191, DARLINGHURST - CHANGE OF USE FROM FOUR DWELLINGS TO FOUR SMALL SHOPS - DEVELOPMENT APPLICATION (U97-00282)

- (A) That the Council as the responsible authority in respect of development application U97-00282 upholds the State Environmental Planning Policy No. 1 objection for the following reasons:-

- (1) That each shop is well below the minimum of 60 square metres required for a small shop, therefore the intensity of the use is considerably less than would otherwise be permitted by the small shop definition.
 - (2) That each shop has direct and separate access from Crown Street, thus avoiding the necessity for users to gain access through any shared stairway which might give rise to conflict with the residential objectives of the zone;
 - (3) That the proposal would not give rise to any adverse environmental effect and satisfies the intent of Clause 12 which tries to minimise the effect on residential uses.
- (B) That the Council, as the responsible authority, grants its consent to the application submitted by Mr N Toonia, for permission to the change of use of the four existing terrace dwelling houses at 185-191 Crown Street, Darlinghurst, subject to the following conditions:-
- (1) That the trading hours for the four shops shall be restricted to the following:-

Monday to Wednesday	8.00a.m. - 6.00p.m.
Thursday	8.00a.m. - 9.00p.m.
Friday, Saturday, Sunday	8.00a.m. - 6.00p.m.
 - (2) That all garbage bins shall be stored at the rear of each individual shops and placed on the Crown Street footpath for collection only at appropriate times;

and the following adopted standard conditions:

- (3) LDA351 - Building Application required;
- (4) LDA376 - Hours of building work;
- (5) LDA392 - No obstruction to public way;

The reasons for the Council's consent being granted subject to the abovementioned conditions, is as follows:

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

Carried.

Councillor Fowler requested that his name be recorded as being opposed to the foregoing motion.

24.

VINE STREET, NOS. 60 - 66, DARLINGTON - USE PREMISES FOR THE RESTORATION AND REPAIR OF MOTORCYCLES - DEVELOPMENT APPLICATION (U97-00432)

That consideration of the application submitted by Sound and Safe Engineering Pty Ltd, with the authority of Peter Holmes Investments Pty Ltd, for permission to use the premises for motorcycle repairs and restoration, be deferred to the next meeting of the Planning and Development Committee to be held on 20 August 1997.

Carried.

25.

ESTHER STREET, NO.1, SURRY HILLS - CONVERT A FORMER TIMBER YARD INTO A SINGLE RESIDENCE - CONTRIBUTION INCLUDED IN CONSENT - DEVELOPMENT APPLICATION (U97-00443)

(A) That the Council as the responsible authority grants its consent to the application submitted by Graham Jahn Architects P/L, with the authority of Mr. S Grant for the conversion of the existing warehouse building into a single residence, subject to the following conditions, namely:-

- (1) That the development shall be generally in accordance with plans numbered 9606 and dated 28 May 1997 and sketch plans numbered SK1, SK2 and SK3 and dated 15 June 1997;
- (2) That the height of the building shall not exceed 9m;
- (3) That the minimum height of the northern elevation first floor terrace wall shall be 1.8m;
- (4) That coloured elevations, a schedule of finishes and samples of materials shall be submitted prior to the approval of the Building Application, for the approval of the Director of Planning and Building, in respect of the following:-
 - A. external walls;
 - B. garage doors;
 - C. windows and doors.
- (5) As a consequence of this development, Council has identified an additional demand for public facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Contributions Plan 1993, the following monetary contributions towards the cost of providing facilities are required:

Civic Improvement, Open Space

and Recreation	\$1,664	2 EJ-BGY 0
Child Care	\$ 85	2 EK-BGY 0
Community Facilities	\$ 74	2 EL-BGY 0
Transport and Access	\$ 276	2 EM-BGY 0
Environmental Improvements	\$ 54	2 EN-BGY 0

TOTAL: \$2,153.00

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.

- (1) That the two car garbage shall be ventilated in accordance with Australian Standard 1668.1-1991, Section 4;
- (2) 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";
- (3) That a garbage receptacle storage area shall be provided within the site in an approved position constructed in accordance with the requirements of Council's "Waste Management/Minimisation Fact Sheets";
- (4) That an Environmental Site Assessment (Contamination Assessment) shall be carried out in accordance with the requirements of the EPA and shall be submitted to Council for referral to the EPA. This assessment will need to certify that the site does not pose a risk to public health and is suitable for the intended use. It should be noted that Building Approval will not be issued until the Contamination Assessment has been submitted to Council and the site has been given clearance by the EPA. No works on the site shall be undertaken prior to the EPA giving

clearance other than works associated with the remediation of the land;

and the following adopted standard conditions:-

- (5) LDA351 - Building Application required;
- (6) BC26 - Comply with BCA;
- (7) LDA376 - Hours of building work;
- (8) LDA384 - New alignment levels;
- (9) LDA387 - Footway crossings;
- (10) LDA389 - Stormwater disposal requirements;
- (11) LDA391 - Builder's Hoarding Permits;
- (12) LDA392 - No obstruction to public way;
- (13) LDA393 - Delivery of refuse skips;
- (14) HSC500 - Premises to be ventilated;
- (15) HSC555 - Bathroom ventilation;
- (16) HSC706 - Storage of recyclables;
- (17) HSC800 - Use of appliances emitting intrusive noise;

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

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

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

Carried.

26.

YURONG STREET, NO.70, DARLINGHURST - SECTION 102 AMENDMENT TO INCREASE THE SIZE OF THE ATTIC LEVEL REAR DORMER WINDOW - DEVELOPMENT APPLICATION (U97-00230)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Deftereos:-

That the Council as the responsible authority grants its consent to the Section 102 application submitted by Mr G Iacovazzi, with the authority of Mr J Simpson and Ms W Forder, for permission to modify the consent granted on 25 June 1997 for No. 70 Yurong Street, Darlinghurst by deleting conditions (2) and (3) for the following reasons:

That the removal of these conditions is unlikely to adversely affect the amenity of the neighbourhood or the heritage significance of the building.

Carried.

27.

YURONG STREET, NO.72, DARLINGHURST - SECTION 102, AMENDMENT TO INCREASE THE SIZE OF THE ATTIC LEVEL REAR DORMER WINDOW - DEVELOPMENT APPLICATION (U97-00231)

This matter was submitted to Council without recommendation.

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

That the Council as the responsible authority grants its consent to the Section 102 application submitted by Mr G Iacovazzi, with the authority of Mr J Simpson and Ms W Forder, for permission to modify the consent granted on 25 June 1997 for No. 72 Yurong Street, Darlinghurst by deleting conditions (2) and (3) for the following reasons:

That the removal of these conditions is unlikely to adversely affect the amenity of the neighbourhood or the heritage significance of the building.

Carried.

28.

STANLEY STREET, NO.51, DARLINGHURST - ALTERATIONS AND ADDITIONS TO RESIDENCE - DEVELOPMENT APPLICATION (U97-00371)

- (A) That the Council, as the responsible authority, grants its consent to the application submitted by Mr Mark Camuglia, on behalf of Fobeca Pty Ltd, , to undertake alterations and additions to the dwelling including installation of a dormer window to the front and a skillion type addition to the rear at second floor level, deck to rear at second floor level, two storey extension to rear; demolition of existing rear basement level structures and creation of a courtyard at rear basement level; creation of a lightwell to the front; and creation of a wall and roller door to the rear boundary; subject to the following conditions of consent, namely:-
- (1) That the development shall be generally in accordance with plans marked Drawing No. 197-1 dated 20 April 1997, and submitted to Council on 9 May 1997;
 - (2) 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 up to one year;
 - (3) That the proposed glazed areas to the first floor of the south and east elevations shall be deleted and replaced with a rendered finish with separate vertically proportioned windows set 1.0 metre above the floor level and 0.5 metres below the ceiling levels;
 - (4) That the proposed second floor level deck shall be amended so as to extend a maximum of 1.5 metres from the proposed rear dormer windows, with the section of the proposed concrete slab beyond the reduced deck being deleted from the proposal and replaced by metal deck roofing;
 - (5) That the proposed section of glazing adjoining the eastern property boundary at the south elevation of the second floor level shall be deleted from the proposal and replaced with a rendered finish;
 - (6) That the proposed rear wall with a roller-door off Francis Lane shall be reduced to a maximum height of 2.8 metres;
 - (7) That the design of the proposed front dormer window shall be amended to provide for cladding between the bottom edge of the proposed window-pane and the roof plane;
 - (8) That details, including plans and elevations showing the amended design to meet the requirements of conditions 3, 4, 5, 6 and 7 above shall be submitted for the approval of the Director of

Planning and Building prior to the approval of the Building Application;

- (9) That the proposed front dormer window shall be constructed in timber joinery and the roof materials shall match the existing to the satisfaction of the Director of Planning and Building;
- (10) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (11) That prior to the commencement of any demolition/building work, an application for a Builder's Hoarding Permit shall be made to the Director of Public Works and Services and a hoarding shall be erected to the satisfaction of the Director of Public Works and Services;
- (12) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (13) That all proposed work shall be wholly within the boundaries of the subject site;
- (14) 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;
- (15) 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;
- (16) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (17) That noise and vibration from the use of any plant equipment and/or building services associated with the premises shall not give

rise to an "offensive noise" as defined under the provisions of the Noise Control Act 1975;

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

Granting unconditional consent would be likely to adversely affect the amenity of the neighbourhood.

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

Carried.

29.

LITTLE NAPIER STREET, NO.16, PADDINGTON - ERECT TWO STOREY RESIDENTIAL DWELLING AND ATTIC - DEVELOPMENT APPLICATION (U96-00007)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Morris Bray, Architects, with the authority of Mr E Palmer for permission to erect a three storey dwelling house subject to the following conditions:-
- (1) That the development shall be generally in accordance with plans DA-02b dated June 1996 and received by Council on the 10 April 1997 as held on Council file U96-00007;
 - (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 ground floor window on the southern elevation shall incorporate a sill characteristically similar to those of adjoining properties to the satisfaction of the Director of Planning and Building;
 - (4) That the first floor balcony balustrade shall be an open wrought iron balustrade to the satisfaction of the Director of Planning and Building;
 - (5) That the roof area of bedroom No. 2 shall be constructed or covered in a material that will not allow the area to be trafficable to the satisfaction of the Director of Planning and Building;
 - (6) That the ground floor entry doorway shall be redesigned to incorporate a single timber door to the satisfaction of the Director of Planning and Building;

- (7) That the proposed first floor rear balcony shall be deleted and a single vertically proportioned window shall be provided on the northern elevation of bedroom 2;
- (8) That the second floor rear balcony shall incorporate a privacy screen on its western end to a minimum height of 1.6m above the level of the balcony;

and the following adopted standard conditions;

- (9) LDA152 - Schedule of finishes;
- (10) LDA155 - Windows and doors to be of timber joinery;
- (11) LDA157 - Provide details of heritage colour scheme;
- (12) LDA158 - Treatment of exposed walls;
- (13) LDA351 - Building Application required;
- (14) LDA367 - Timing device on alarms;
- (15) LDA368 - Display of street numbers;
- (16) LDA376 - Hours of building work;
- (17) LDA377 - Construction noise regulation;
- (18) LDA384 - New alignment levels;
- (19) LDA389 - Stormwater disposal requirements;
- (20) LDA391 - Builder's Hoarding Permits;
- (21) LDA392 - No obstruction to public way;
- (22) LDA393 - Delivery of refuse skips;
- (23) LDA396 - Works within boundaries;
- (24) hsc500 - Premises to be ventilated;
- (25) hsc801 - Noise from premises;

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

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

- (B) That the applicant referred to in the foregoing part (A) be advised that in order to comply with the Local Government Act and (Approvals) Regulation 1993 the following is required:-
- (1) That all relevant sections of the BCA shall be complied with;
 - (2) That the private stairs shall be provided with goings and risers in accordance with D2.13 of the BCA and balustrades in accordance with D2.16 of the BCA;
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.
- (D) That the surrounding residents shall be notified, when the Building Application has been submitted.

Carried.

30.

FITZROY STREET, NO.55, SURRY HILLS - ERECT SEVEN RESIDENTIAL UNITS AND TWO SHOPS WITH BASEMENT PARKING - CONTRIBUTION INCLUDED IN CONSENT - DEVELOPMENT APPLICATION (U96-00769)

- (A) That the Council resolves it is satisfied that the objection under SEPP1 to the height and floorspace ratio controls in Clause 11 of LEP 107 is well founded and that compliance is therefore unreasonable and unnecessary for the following reason, namely:
- That the amount of excess height proposed to be allowed is reasonably minor and its deletion would not significantly alter the proposed building envelope or improve amenity.
- (B) That the Council as the responsible authority grants its consent to the application submitted by Robert Clarke for permission to erect seven residential units and two shops with basement parking and strata subdivision, subject to the following conditions, namely:
- (1) That the development shall be generally in accordance with plans amended plans dated April 1997 as modified by supplementary sketches dated 29 July 1997 numbered 1 to 7; and the revised Fitzroy Street elevation dated 23 July 1997;
 - (2) As a consequence of this development, Council has identified an additional demand for public facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and

South Sydney City Council Contributions Plan 1993, the following monetary contributions towards the cost of providing facilities are required:

FACILITY	AMOUNT	ACCOUNT
Civic Improvement, Open Space and Recreation	\$9,476	2 EJ-BGY 0
Child Care	\$497	2 EK-BGY 0
Community Facilities	\$493	2 EL-BGY 0
Transport and Access	\$1,845	2 EM-BGY 0
Environmental Improvements	\$299	2 EN-BGY 0
TOTAL:	\$12,610	

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 the gross floor area of the proposal shall be reduced a further 56m² by reducing the depth of the northern building by about 1800mm, to the satisfaction of the Director of Planning and Building;
- (4) That the car park ramp shall be modified in accordance with DCP11 to include a transition adjacent to the footway and the parking layout amended accordingly, to the satisfaction of the Director of Planning and Building;
- (5) That the applicant shall meet the cost of providing a resident parking advisory sign of the corner of Fitzroy and Crown Streets if such a sign is considered appropriate by the Director of Public Works and Services;
- (6) That the car park door shall be appropriate to the streetscape with minimal noise to protect the amenity of residents to the satisfaction of the Director of Planning and Building.
- (7) That bicycle parking shall be provided in accordance with DCP 11;

- (8) That an archaeologist shall be engaged to undertake an assessment of the site before excavation begins and to photograph and document any foundations or footings uncovered during excavation that pre-date the previously existing toilet block, to the satisfaction of the Director of Planning and Building;
- (9) That dilapidation reports shall be prepared on all adjoining buildings by a suitably qualified person at the applicant's expense where adjoining property owners agree to provide access to their properties for this purpose;
- (10) That details of required underpinning works and an assessment of the likely impact of excavation works on the stability and integrity of adjoining and adjacent buildings shall be submitted with the building application;
- (11) That a deep planting area in the central courtyard shall be incorporated if practical when the car park layout is re-configured, to the satisfaction of the Director of Planning and Building;
- (12) That the applicant shall liaise with Council's Public Works and Services Department to determine suitable arrangements for the management of stormwater;
- (13) That the proposed balcony projecting over Fitzroy Street shall comply with the requirements of the Local Government Act 1993 and the Building Code of Australia;
- (14) That the details of the Foveaux Street facade shall be amended so as to improve its relationship to the adjoining terrace houses, taking into account the suggested elevation submitted by residents dated 6 August 1997, to the satisfaction of the Director of Planning and Building;
- (15) That permanent planting beds shall be provided along the edges of the level two balconies and the roof top garden terraces that face the central courtyard to protect privacy to the satisfaction of the Director of Planning and Building;
- (16) That this consent shall lapse after a period of two years from the date this consent became effective, unless the development to which it relates is commenced. (The applicant is advised that an application can be made to the Council before the period expires, for an extension of 1 year);
- (17) That a separate application shall be submitted at the appropriate time for the specific use of the shops;

- (18) That the applicant shall apply to Council's Public Works and Services Department for permission to lop street trees if required before any lopping is carried out;
- (19) That the proposed location for the collection of garbage be referred to Council's Cleansing Services Branch for approval;
- (20) That a construction management plan shall be submitted for approval with the building application showing how deliveries and access to the site and construction practices will be managed to limit the impact on adjacent residents;
- (21) That any shutters used to enclose balconies shall be of an open louvre type that allow light and air to enter, to the satisfaction of the Director of Planning and Building;

and the following adopted standard conditions, namely:

- (22) LDA49 - Signage for vehicular egress;
- (23) LDA76 - Signal systems or mirrors;
- (24) LDA44 - Driving in forward direction only;
- (25) LDA21 - No resident parking for residential flat developments;
- (26) LDA12 - Applicant to liaise with Sydney Water;
- (27) LDA152 - Schedule of finishes;
- (28) LDA159 - Provide details of exhaust vents;
- (29) LDA201 - Make separate application for sign;
- (30) hsc801 - Noise from premises;
- (31) hsc500 - Premises to be ventilated;
- (32) hsc802 - Noise from plant;
- (33) hsc704 - Garbage storage area;
- (34) hsc706 - Storage of recyclables;
- (35) hsc800 - Use of appliances emitting intrusive noise;
- (36) hsc103 - Environmental site assessment being carried out;
- (37) LDA351 - Building Application required;

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

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

- (C) That the Department of Urban Affairs and Planning be advised of the use of SEPP1 on this occasion.
- (D) That the persons who made representations in respect of the proposal be advised of Council's decision.
- (E) That the residents shall be notified when the Building Application is lodged and be invited to inspect the plans.

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

- (38) LDA376 - Hours of building work;
- (39) LDA384 - New alignment levels;
- (40) LDA377 - Construction noise regulation;
- (41) LDA387 - Footway crossings;
- (42) LDA389 - Stormwater disposal requirements;
- (43) LDA391 - Builder's Hoarding Permits;
- (44) LDA392 - No obstruction to public way;
- (45) LDA393 - Delivery of refuse skips.

Motion, as amended by consent, carried.

31.

PARKING - THE UNIVERSITY OF SYDNEY - RESTRICTED PARKING AREA (2015730)

That Council endorse the application by the University of Sydney to implement a Restricted Parking Area Scheme within its Campus.

(ADPWS dated 25.7.97)

Carried.

32.

PLANNING - PARRAMATTA ROAD MASTER PLAN COMPOSITION OF PROJECT STEERING COMMITTEE (2001744)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

That Council nominate Councillors John Bush and Sean Macken to represent Council on the project Steering Committee for the Parramatta Road Master Plan, with Council's Mainstreet Projects Officer to provide technical support.

(DPB dated 1.8.97)

Carried.

33.

OXFORD STREET, NOS. 58-60, DARLINGHURST - DEVELOPMENT APPLICATION (U97-00357)

That the Council as a responsible authority grants its consent to the application submitted by S Browne Investment Pty. with the authority of South Sydney City Council for permission to carry out alterations and additions to the existing building at Nos. 56-76 Oxford Street and to operate the basement of Nos. 56-60 as a catering facility with an eat-in service generally in accordance with submitted plan No. 9672-DA/BA01 dated 25 November 1996, subject to the following conditions, namely:-

- (1) That this approval shall be only for internal work shown on the approved plan;
- (2) That the hours of operation shall be restricted to between 9.00 a.m. and 12 midnight on Mondays to Saturdays inclusive, and 10.00 a.m. and 10.00 p.m. on Sundays and public holidays;
- (3) That loading and unloading operations associated with the proposed development shall at all times be carried out so as not to obstruct the public way, eg. footpaths, roadways, plazas, reserves;
- (4) That no garbage or trade waste shall be placed on the public way at any time;
- (5) That full compliance shall be given to any requirement of the Director of Health and Community Services;
- (6) That plans and specifications showing details of:-
 - (a) 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;

- (7) That the construction of the premises shall comply with the requirements of the National Code for the construction and fitout of food premises;
- (8) That the premises shall not be used for the cooking of food unless an approved air handling system is installed to the cooking appliances;
- (9) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (10) That a garbage room or garbage receptacle storage area shall be provided within the site in an approved position constructed in accordance with the requirements of Council's Code for the Construction of Garbage Handling Systems;
- (11) That the applicant shall enter into a commercial contract for the removal of trade waste;
- (12) That noise and vibration from the use of any plant equipment and/or building services associated with the premises shall not give rise to an "offensive noise" as defined under the provisions of the Noise Control Act 1975;
- (13) That any intruder alarm shall be fitted with a timing device in accordance with the requirements of Regulation 12A of the Noise Control Act, 1975, and Australian Standard 2201, Parts 1 and 2 - 1978, Intruder Alarm Systems;
- (14) That the proposed development shall comply with the Standards Association of Australia Code AS 1428-1977 - "Design Rules for Access by the Disabled";
- (15) That building/demolition work in connection with the proposed development shall only be carried out between the hours of 7.30 a.m. and 5.00 p.m. on Mondays to Fridays, inclusive, and 7.30 a.m. and 3.00 p.m. on Saturdays and no work shall be carried out on Sundays or public holidays;

- (16) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
- (17) That the use of the premises shall not give rise to the emission into the surrounding environment of gases, vapours, odours, dust or other impurities which are a nuisance or injurious or dangerous or prejudicial to health;
- (18) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (19) That a separate application shall be submitted at the appropriate time for any proposed signs;
- (20) That no building work shall be commenced until the building application and plans have been approved by Council;
- (21) That all relevant sections of the Building Code of Australia shall be complied with;

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

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

Carried.

34.

LAWRENCE STREET, NO.39, ALEXANDRIA - SECTION 102 AMENDMENT - DEVELOPMENT APPLICATION (U96-00642)

(A) That the Council, as the responsible authority, grants its consent to the application submitted by Lateral Developments with the authority of the owner, Andcorp Pty Ltd to amend, pursuant to Section 102 of the Environmental Planning and Assessment Act, the consent granted on 10 December 1996 for permission to redevelop the site as 2 terrace houses in 3 storey construction and to adjust the common boundary of the existing lots, subject inter alia, to the following conditions, namely:

- (1) That the development shall be generally in accordance with plans marked A100A and 101A and;
- (8) That building/demolition work in connection with the proposed development shall only be carried out between the hours of 7.30 am and 5.00 pm on Mondays to Fridays, inclusive, and 7.30 am and 3.00 pm on Saturdays and no work shall be carried out on Sundays or public holidays - where applicable, these restrictions do not apply to the maintenance of site cranes nor to the use of mobile cranes which stand and operate from a public road, provided that a permit has been obtained from the Director of Public Works and Services Department for the use of a mobile crane;

in the following manner, namely:

- (a) deletion of condition (1) and insertion in lieu thereof the new condition:
 - (1) That the development shall be generally in accordance with plans reference A100C, A101C and 102B;
- (b) the amendment of condition (8) to replace "7.30 am" with "7.00 am" for Mondays to Fridays only;
- (c) the insertion of the new condition, namely:
 - (18) That the open form section of the front parapet shall be deleted so that the parapet is continued unbroken across the full width of the site to provide a minimum balustrade height of 865mm above the level of the second floor deck and the dividing deck wall shall

not be visible, above the height of the parapet which may include a centrally located parapet embellishment but not exceeding 700mm above the required parapet height and detailed for approval in the building application.

- (B) That the person who made representation regarding the proposal be notified of Council's decision.

Carried.

35.

BELMONT STREET, NOS.195-197, ALEXANDRIA - ERECT TWO X THREE BEDROOM TERRACES ON TWO SEPARATE LOTS - BUILDING APPLICATION (Q96-00825)

- (A) That the Council, as the responsible authority, refuses its consent to the application submitted by Stoic & Co for permission to erect two, three bedroom terraces at the abovementioned premises, all in accordance with the amended plan numbers 96-501 issue C dated 26 March 1997, for the following reason:

That the proposed demolition of the existing dwelling and the replacement with two three bedroom terraces has a detrimental impact on the integrity of the proposed Conservation Area and the streetscape.

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

Carried

36.

PARKING - BAPTIST STREET RESIDENT PARKING PRECINCT AREA (P01-00404)

- (1) That Council authorises, under powers delegated by the Roads and Traffic Authority, the reallocation of the Resident Parking restrictions within Baptist Street Precinct, Area 33, for the area generally bounded by Cleveland Street, Elizabeth Street, Cooper Street, Marriott Street, Boronia Street and Baptist Street, as "1 Hour Parking, 8.00am - 10.00pm Mon - Sat, Authorised Residents' Vehicles Excepted, Area 33".
- (2) That approval be given for the expenditure of the estimated sum of \$2500.00 for re signposting of the resident parking allocations, for the area generally bounded by Cleveland Street, Elizabeth Street, Cooper Street, Marriott Street, Boronia Street and Baptist Street within Area 33,

with funds available in the 1997/98 Estimates, to cover the cost of the work

(DPWS 1.8.97)

Carried

37.

**KNOX STREET, NOS. 5-5A, AND CITY ROAD, NO.20A, CHIPPENDALE -
DEMOLITION BUILDING AND ERECT A RESIDENTIAL DEVELOPMENT -
DEVELOPMENT APPLICATION (U97-00021)**

- (A) That the Council is satisfied that the State Environmental Planning Policy No.1 objection against the development standard relating to the maximum height limit of 9m within Local Environmental Plan No.66 is well founded and compliance is not unnecessary and unreasonable for the following reasons:-
- (1) That the height, siting, bulk and relationship between the proposed five buildings (all of which exceed the height limit), causes internal and external amenity impacts, including adverse impacts related to visual and oral privacy and inadequate open space;
 - (2) That the proposed height needs to be considered in conjunction with the scale of the development; which is considered to be an overdevelopment of the site;
 - (3) That the height of proposed building unsatisfactory relates to the surrounding area and the qualities and attributes of the conservation area.
- (B) That the Council as the responsible authority refuses its consent to the application submitted by Mr J & M Esber, with the authority of Rain Bird Sprinklers Pty Ltd, for permission to convert the existing building fronting Knox Street, demolish other buildings on the site, provide a through site link and improvements to Knox Street and construct a residential development containing 71 units and basement parking, for the following reasons:
- (1) That the proposal is an over-development of the site;
 - (2) That the proposal does not comply with the maximum floor space ratio for the site within Development Control Plan 1997;
 - (3) That the proposal fails to comply with objectives, performance criteria and controls relating to sunlight access, aural and visual privacy and open space as outlined in Council's Development Control Plan 1997;

- (4) That the proposal, and particularly the proposed building to Rose Street, is not sympathetic to the qualities and attributes of the surrounding Conservation Area;
 - (5) That the scale of the development would set an undesirable precedent;
 - (6) That the circumstances of the case and granting approval 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

38.

EVELEIGH STREET, NOS. 44-56, 64-70, 76-78 AND 90 - DEMOLITION OF ABORIGINAL HOUSING - DEVELOPMENT APPLICATION (U97-00557)

This matter was submitted to Council without recommendation.

Moved by the Mayor, seconded by Councillor Waters:-

That no approval be granted to the demolition of those properties detailed in the report of the Director of Planning and Building dated 6 August 1997, until such time as all current tenants have been relocated to their satisfaction and that an agreement is signed between the Aboriginal Housing Company and the tenants affected by this decision.

Carried.

At 7.17 p.m. the meeting terminated.

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

CHAIRPERSON

GENERAL MANAGER