

191ST Meeting**Paddington Town Hall
Paddington****Wednesday, 27 August 1997**

An Ordinary Meeting of South Sydney City Council was held at the Paddington Town Hall, Paddington, at 6.45 pm on Wednesday, 27 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.

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GENERAL MANAGER

Confirmation of Minutes

Moved by Councillor Macken, seconded by Councillor Lay:-

That the minutes of the Ordinary Meeting of Council of 13 August 1997, be taken as read and confirmed.

Carried.

Welcome to Guests

The Mayor welcomed to the meeting, Councillor John Procopiadis from Randwick City Council and his wife Iris.

Apology

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

Moved by Councillor Macken, seconded by Councillor Lay:-

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

Carried.

Leave of Absence - Councillor Deftereos

A request was received from Councillor Deftereos for leave of absence from the Extraordinary Council Meeting on 2 September until 29 September 1997.

It was moved by Councillor Bush, seconded by Councillor Fowler:-

That leave of absence be granted to Councillor Deftereos from the Extraordinary Council Meeting on 2 September until 29 September 1997.

Carried.

At this stage it was moved by Councillor Harcourt, seconded by Councillor Lay, that permission be hereby granted by Council to bring forward business of which due notice has not been given, namely, "City Kids out West" Programs.

Carried.

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

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

“CITY KIDS OUT WEST” PROGRAMS (2006649)

Following on from the highly successful “Kids from the Bush” programs of 1995 and 1996, where kids from drought effected areas of Western NSW came to Sydney for a week, it was decided to send some “City Kids” out West for a taste of life in the bush.

15 children from Council’s Leisure Centres, escorted by Rhonda McClelland, Noel Laughton and Joanne MacArthur, traveled to Parkes and Dubbo in the Central West in June, staying at the local P.C.Y.Cs.

While on tour they visited the North Parkes Mines, Parkes Radio Telescope, the Western Plains Zoo and got a close-up look at the workings of a Parkes wheat and sheep farm. Prominent among the many highlights of the tour was the hospitality extended to the children wherever they went, and particularly the warm welcome from Parkes Council.

On their return to the “Big Smoke” the children could boast a much improved knowledge of people and places West of the Mountains, and were able to add valuable experiences to their own day to day lives. The programs have been a great boost to the bond between City and Country, and in particular between Parkes and South Sydney.

The Mayor of Parkes, Robert Wilson, has asked the group here this evening to pass on this gift to our Mayor as a way of thanking him for his support of this highly successful program.

The “Kids to the Bush” have also asked me to pass this card on to you as a sign of their tremendous gratitude to you and all of Council for making this fantastic opportunity possible.

Carried.

At this stage it was moved by Councillor Harcourt, seconded by Councillor Macken, that permission be hereby granted by Council to bring forward business of which due notice has not been given, namely, Draft Motion for New South Wales Local Government Assembly and National General Assemblies.

Carried.

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

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

DRAFT MOTION FOR NEW SOUTH WALES LOCAL GOVERNMENT ASSEMBLY AND NATIONAL GENERAL ASSEMBLIES

That as requested by the Executive of the Australian Local Government Nuclear Free Zones and Toxic Industries Secretariat (ALGNFZ & TIS), Councils submit a motion to the New South Wales Local Government Assembly and the National General Assembly of Local Government, expressing opposition to the siting of a new nuclear reactor at Lucas Heights.

Such motion is based on the wording of a petition which the Executive supports and is set out hereunder.

This Assembly strongly opposes the expansion of the nuclear industry in Australia.

We oppose:

- refurbishment of the HIFAR reactor
- construction of a new nuclear reactor anywhere in Australia
- construction of a nuclear waste reprocessing plant anywhere in Australia
- further mining of uranium

We support:

- the evolution of ANSTO into a science and technology centre to conduct valuable medical and industrial research, including the use of cyclotrons and accelerators.

Carried.

In connection with the foregoing motion, Councillor Fowler requested that his name be recorded as being opposed to further mining of uranium.

MINUTE BY THE MAYOR

27 August, 1997

PUBLIC RELATIONS - LOCAL GOVERNMENT WEEK 1997 CELEBRATIONS (2003690)

Council is aware that Local Government Week celebrations are being held throughout the City of South Sydney from 24 to 31 August.

Council has organised a series of locally-based events involving Councillors, staff and, most importantly, the community.

South Sydney Council has organised a variety of events and activities for local residents and community organisations.

GENERAL MANAGER

a. Highlights of Local Government Week

Highlights include:

- a tree planting day in Sydney Park featuring pony rides, a BBQ lunch and a tour of the park, and the distribution of free spring plants in local parks
- a free classical music concert in the Paddington Town Hall
- the Combined Councils Youth Games hosted by Hurstville Council
- presentations to local schools
- a special citizenship ceremony with the launch of the Local Government Week video 'Its Your Council'
- gardening and waste minimisation exhibitions
- viewing of the video 'The Making of Mascon II' and
- the second Annual Mayoral Ball with proceeds donated to the Public Housing Estate Boards

I would like, on behalf of the Councillors, to thank the community organisations, residents and Council staff for helping to make Local Government Week a success in our area.

Local Government Week is an important event for Council as it allows us to work co-operatively with the local community and provide an understand of Council's role and the services provided.

Recommendation:

That the General Manager convey to all staff associated with Local Government Week activities the Council's appreciation for their efforts, and look forward to a successful Local Government Week in 1998.

Councillor Vic Smith (SGD)
Mayor

GENERAL MANAGER

Moved by Councillor Macken, seconded by Councillor Lay:-

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

Carried.

MINUTE BY THE MAYOR

27 August, 1997

PUBLIC RELATIONS - REPRESENTATIVES IN THE NSW COUNCILS YOUTH GAMES - PRESENTATION OF CERTIFICATES (2004978)

Last Sunday, three representatives from South Sydney Council gave it their best at Hurstville Oval in the NSW Councils Youth Games.

Amber Kelly, Liz Heiler and Jessie Pittard put in strong performances and I understand that Amber tenth in the group in the long jump and fourth in her heat for the hundred metres.

Recommendation:

On behalf of the Council I would like to thank Amber Kelly, Liz Heiler and Jessie Pittard for competing and giving it their best to represent South Sydney. I would now like to present them with a certificate in appreciation of their efforts.

Councillor Vic Smith (SGD)
Mayor

Moved by Councillor Fowler, seconded by Councillor Lay:-

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

Carried.

The Mayor then presented the certificates.

MINUTE BY THE MAYOR

27 August, 1997

PUBLIC RELATIONS - NEW PUBLICATION - 'WORKING TOGETHER TO REDUCE WASTE' (2010935)

It gives me great pleasure tonight on behalf of the Council to launch a new publication on Council's Waste Services entitled 'Working Together to Reduce Waste'.

This publication is the first component in a comprehensive Waste Publications Kit which has been designed to provide information to all those who live, work, or go to school in the South Sydney area.

The State Government's goal to reduce waste by 60% by the year 2000 provides a tremendous challenge to South Sydney City Council. Council recognises that this challenge will not be met without the assistance and co-operation of residents.

'Working Together to Reduce Waste' is an excellent starting point as it details Council's services in waste and recycling collection, clean up collection, public place recycling, composting and worm farming as well as waste education programs such as Earth Works and much more.

We as a Council encourage all residents to take the opportunity to read this important publication and to work with Council to reduce waste and lessen our impact on the environment.

Recommendation:

That Council officially launches the document 'Working Together to Reduce Waste' and thanks those staff involved in its production.

Councillor Vic Smith (SGD)
Mayor

Moved by Councillor Lay, seconded by Councillor Macken:-

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

Carried.

GENERAL MANAGER

MINUTE BY THE MAYOR

27 August, 1997

PUBLIC RELATIONS - LAUNCH OF THE GARDEN GUIDE (2016182)

Council has produced a publication entitled 'The Garden Guide'. This publication outlines Council's Tree Preservation Order and gives an overview of all aspects of tree care from selection and location to nutrition and pest control.

This brochure is the start of a series of gardening information leaflets and reiterates our commitment to the improvement of the urban environment.

Recommendation:

That 'The Garden Guide' be officially launched.

Councillor Vic Smith (SGD)
Mayor

Moved by Councillor Harcourt, seconded by Councillor Fenton:-

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

Carried.

MINUTE BY THE MAYOR

27 August, 1997

PUBLIC RELATIONS - 1997 SOUTH SYDNEY COUNCIL AND REVERSE GARBAGE ENVIRONMENTAL EDUCATION PROGRAM AND URBAN ENVIRONMENTAL COMPETITION (2011181)

This is the 3rd environmental education program Reverse Garbage has conducted on behalf of South Sydney Council. The program was organised by Mark Joseph, Education Officer for Reverse Garbage and Council's Health Promotions Officer and Waste Minimisation Manager.

This year's program has reached eighteen schools during terms two and three and over 1,800 students. The program involves workshops available to all schools covering issues of reducing waste and increasing recycling as well as maintaining the health of our soil, water and air.

GENERAL MANAGER

Local students made posters, mini worm farms, and other creative items out of Reverse Garbage materials to highlight the environmental issues discussed in the program. Teachers were also provided valuable environmental resources for their classrooms to assist with their current environment education programs.

The 'Win a Green Wish' competition was run this year for the first time to encourage schools to nominate an environmental improvement they would like to make to their school. Darlington Public School won the First Prize with Crown Street Public, Gardeners Road Public, St. Mary's Primary and Redfern Public Schools receiving high commendation.

The Reverse Garbage program also involved workshops for the Mascon II Festival at six centres during the school holidays.

The third South Sydney Council and Reverse Garbage environmental education program has given an important message of the shared responsibility that our community has in maintaining the environment. When the Council, community organisations like Reverse Garbage and schools work together we begin to tackle the environmental problems that are part of our society.

All schools and community groups that have participated in the 1997 South Sydney Council environmental education program have expressed their support and look forward to being involved again next year.

Councillors may be also be aware that seven local schools have entered the Reverse Garbage Urban Environment Competition. Those entries are displayed at the Paddington Town Hall during this week.

Recommendation:

That Council thank all those members of the community, particularly the local schools and Reverse Garbage, and Council staff for their efforts in the 1997 South Sydney Council and Reverse Garbage environmental education program and urban environmental competition. In particular Council congratulates the First Prize winners Darlington Public School for their outstanding entry in the 'Win a Green Wish' competition, and those schools that were highly commended.

Councillor Vic Smith (SGD)

Mayor

Moved by Councillor Harcourt, seconded by Councillor Deftereos:-

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

Carried.

MINUTE BY THE GENERAL MANAGER

22 August 1997

PERSONNEL - ATTENDANCE AT PRIME MINISTERS EMPLOYER OF THE YEAR AWARDS 1997 (2010594)

The Head of the Office of Disability, Commonwealth Department of Health and Family Services, Ruth Goren has extended an invitation to the General Manager and Director of Employment Services to attend the presentation of the above award, at a luncheon to be hosted by the Prime Minister, The Hon. J W Howard MP, on Thursday, 4 September 1997 between 11.30am and 2.00pm in the Great Hall of Parliament House in Canberra.

The awards are an initiative of the abovementioned department and an invitation is recognition of Council's commitment to our Equal Employment Opportunity Management Plan in dealing with people with a disability such as their placement in work experience situations throughout the organisation, and in some cases permanent employment.

If approved the funds for attendance at the Awards are available in the 1997/1998 estimates.

Recommendation:

That approval be given to the Director of Employment Services attending the Prime Ministers Employer of the Year Awards 1997 to be held at the Great Hall, Parliament House, Canberra on Thursday, 4 September 1997, and that 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 (HAA-77MO and 77RO).

J.W. Bourke (SGD)
General Manager

GENERAL MANAGER

Moved by Councillor Lay, seconded by Councillor Fenton:-

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

Carried.

MINUTE BY THE GENERAL MANAGER

26 August 1997

PUBLIC RELATIONS - SISTER CITY RELATIONSHIPS - CITY OF PORT PHILLIP (5262801)

Council on 23 July 1997, approved of the Mayor, the General Manager and the Civic Affairs Manager/Public Officer visiting Melbourne to hold discussions with the Mayor of the City of Port Phillip.

The Councillors and Officers from the City of Port Phillip who met with Council's representatives were Councillor Christine Haag, Mayor, Councillors Pat Brown, Liz Johnston, Dick Gross and Freda Erlich. The Chief Executive Officer, Anne Dunn, David Spokes General Manager of Services, Davis Graham, General Manager Corporate, Geoff Oulton, Manager of City Development and Lisel Thomas, Co-ordinator Corporate Projects.

The Mayor of the City of Port Phillip indicated that they have a number of overseas Sister City Relationships and also a relationship with the City of Davenport, Tasmania and presently do not have the resources to formulate another Sister City Relationship.

The Mayor said that they would be most interested in exchanging information of mutual interest and advantage with South Sydney Council.

The discussions centered around the affects that amalgamations had on the City of Port Phillip in particular the rating cap put on by the Victorian State Government, which restricted their finances and also the problems they have encountered with the contracting out of services.

The City of Port Phillip were particularly interested in the way South Sydney Council raised additional revenue through Parking Meters, and footpath leasing, etc.

Discussions also took place on Resident Parking, Gay and Lesbian Community, Aboriginal Reconciliation, SSROC, Street Cleansing and Planning and Building issues.

Both Councils indicated they would be willing to exchange information on all these issues and also look at exchanging staff and for Councillors to exchange visits,

GENERAL MANAGER

however that because of financial constraints they will not be able to exchange visits this financial year.

Council's representatives were taken on a tour of the Port Phillip Bay area which had been recently redeveloped.

The Chief Executive Office of the City of Port Phillip is to contact our General Manager to further discuss the matters raised.

Recommendation:

That the minute by the General Manager, be received and noted.

J.W. Bourke (SGD)
General Manager

Moved by Councillor Harcourt, seconded by Councillor Lay:-

That the minute by the General Manager, be received and noted.

Carried.

PETITIONS

1. The Mayor tabled a petition received by the General Manager with approximately 87 signatures appended from residents and business people adjacent to No. 112 and No. 114 Flinders Street, Surry Hills, objecting to the unauthorised sheds built without Council's consent facing South Dowling Street and Albion Avenue over the rear courtyard of the rooming houses at the beforementioned address.

Received.

2. The Mayor tabled a petition received by the General Manager with approximately 46 signatures appended from local residents objecting to the proposed development at premises No. 476 Crown Street, Surry Hills.

Received.

- 3.

GENERAL MANAGER

Councillor Macken tabled a petition with approximately 215 signatures appended from members of the public requesting that only bicycle friendly roadworks are commenced on the proposed cycle routes.

Received.

QUESTION ON NOTICE

1.

FLINDERS STREET NOS. 88-114, DARLINGHURST - ORDERS PLACED ON PREMISES - QUESTION ON NOTICE BY COUNCILLOR FOWLER (2011047)

Question:

Could I have a detailed report to Committee which outlines all orders including court orders and summonses placed on the owner/s of the above properties that relate to all legislation for which Council is responsible? The report should outline date of notice of order, whether work has been completed and any explanation as to why the notice is still outstanding.

Because of the continual degradation of these properties (all listed as items of Environmental Heritage), it would be appreciated if the matter was dealt with some urgency.

Answer by the Mayor:

I will have a joint report prepared by the Director of Planning and Building and Director of Health and Community Services for Committee.

QUESTIONS WITHOUT NOTICE

1.

PUBLIC RELATIONS - LETTER OF CONGRATULATIONS TO BE SENT TO THE NEWTOWN JETS FOR WINNING THE METROPOLITAN CUP - QUESTION WITHOUT NOTICE BY COUNCILLOR MACKEN (2016192)

Question:

I understand that the Newtown Jets were successful, yet again, in winning the Metropolitan Cup.

Could a letter of congratulations under the signature of the Mayor be forwarded to the Club congratulating them on their win?

GENERAL MANAGER

Answer by the Mayor:

Certainly I will send a letter of congratulations both to the Club and to the Coach.

2.

STREETS - FILMING IN THE SOUTH SYDNEY AREA - INTER-DEPARTMENTAL PROCEDURES - QUESTION WITHOUT NOTICE BY COUNCILLOR LAY (2014344)**Question:**

Could I please have a report outlining the procedures for dealing with filming in the South Sydney area? Could the report please include inter-departmental procedures and the on site supervision?

Answer by the Mayor:

I will ask the Officers to prepare a report for Council's Committee in relation to that question.

3.

TRAFFIC - LAWSON STREET, DARLINGTON - REQUEST FOR A 40KM SPEED LIMIT - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (5262364)**Question:**

I have had numerous requests from residents in Lawson Street, Darlington, for a 40km limit. Could this request be reviewed as a matter of urgency by the Manager of Traffic and Design and the Traffic Committee?

Answer by the Mayor:

I will have the matter referred to the Traffic Committee for you.

4.

COMMITTEES - COUNCIL SERVICES - VIABILITY OF NEW TECHNOLOGIES TO IMPROVE SERVICE - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2008384)

Question:

- (1) Should Council be now developing and building major physical facilities, based around the idea of locating our staff and resources in one principle building largely on the basis of overcrowding and poor facilities in the existing premises?
- (2) Given that South Sydney Council is facing the prospect of radical changes to the services we provide and the types of interactions we will have with rate payers, other community groups and organisations in the future, a range of other possibilities also should be examined based around new models of how we should interact with our constituents and where we would locate our staff and other resources, new technologies exist and are rapidly emerging that will allow us to do things very differently, and may allow us to better:

- meet the needs and service expectations of our constituents;
- satisfy the working preferences of many of our staff;

in a more (overall) cost effective way for Councils.

- (3) Council should now undertake a study to examine what are the viable alternatives to this proposal, especially given the magnitude of the \$35 to \$40 million decision being made by Council.

It should be noted that organisations such as the NRMA, AGL, IBM, RTA and Brisbane City Council are choosing these new technologies. Could a report be prepared on the viability of technology that arranges around providing services and allowing information technology and mobile technology to allow staff and services we provide to constituents in a different format to what we have at present.

Answer by the Mayor:

The question has been tabled.

5.

SUPACENTA, SOUTH DOWLING STREET, MOORE PARK - TRAFFIC IMPLICATIONS SURROUNDING DEVELOPMENT - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (U97-00114)**Question:**

Mr Mayor, a recent article in the Southern Courier reports criticism towards this Council in its role for approving a development at the Moore Park Supacenta. Mr Gerry Harvey claims that the traffic implications of this development have been totally disregarded.

Is this the case or is this an attempt by Harvey Norman to discredit the performance of the Supacenta, paving the way for him to develop a store elsewhere in the area?

Answer by the Director of Planning and Building:

The application was assessed by the Council's in-house Planning Staff and Transport Planner, it was also referred to the Sydney Regional Advisory Committee which involved people from the Roads and Traffic Authority and Police for comment. On one occasion they were even asked to review their earlier decision which they declined to do, so I believe that full consideration of traffic implications was given when Council made its decision.

6.

PARKS - REPAIR OF LANDSCAPED WALL NEAR JUNCTION OF MERTON AND TILFORD STREETS, ZETLAND - QUESTION WITHOUT NOTICE BY COUNCILLOR BUSH (2016193)**Question:**

Residents adjoining a small landscaped wall near the junction of Merton Street and Tilford Street have requested the wall be repaired.

Answer by the Mayor:

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

7.

**ANTI-SOCIAL ACTIVITIES - OXFORD STREET, DARLINGHURST/
PADDINGTON - INCREASED PRESENCE OF POLICE - QUESTION
WITHOUT NOTICE BY COUNCILLOR FOWLER (2013947)****Question:**

I have had a number of positive comments from traders on Oxford Street regarding the increased presence of Police on their beats. Could the General Manager under Council's Seal send Council's appreciation of their service to improve the amenity for retailers and the nearby residents?

Answer by the Mayor:

I spoke to Superintendent Taylor on Monday in relation to that matter and I did commend him on the increase in Police presence in Oxford Street, but certainly I will write a letter to him.

8.

**MACLEAY STREET, NOS. 57 - 59, POTTS POINT - CHANGE OF USE -
QUESTION WITHOUT NOTICE BY COUNCILLOR FOWLER (U97-00228)****Question:**

I have had continuing representations regarding the demolition of the Yellow House at Nos. 57 - 59 Macleay Street, Elizabeth Bay. While I appreciate Council taking the initiative to get a Heritage Evaluation, could I be assured that Council's Planners will strongly consider any change of usage to tourist accommodation rather maintaining the usage as residential?

Answer by the Director of Planning and Building:

There are also requirements with that building that we get concurrence from the Department of Housing and its low cost accommodation and we are still waiting for a response from them on that issue.

9.

**PLANNING - ELIZABETH BAY HOUSE - QUESTION WITHOUT NOTICE BY
COUNCILLOR FENTON (2015554)****Question:**

I request the Director of Planning and Building to report to Council as soon as possible on the process for Council supporting the Historic Houses Trust on the retention and extension of the concurrence clause that protects the curtilage of Elizabeth Bay House in our Local Environmental Plan which is currently waiting gazettal at the Department of Urban Affairs and Planning? I table the Plan showing the existing and proposed area covered by the curtilage clause and I

ask if this matter could be dealt with as soon as possible?

Answer by the Director of Planning and Building:

I had a meeting with the Manager of the Southern Branch of the Department of Urban Affairs and Planning some two weeks ago where we discussed this issue. He informed me that it was going to be a requirement of the State Government to reinsert the clause to require the consultation to take place. It seems that this view has not got back to the Branch, but I will investigate the matter tomorrow.

10.

PUBLIC RELATIONS - ADVERTISING - FUNDING OF THE WOOLLOOMOOLOO REVIEW - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (2016139)

Question:

At the last meeting, I requested a report regarding funding of the Woolloomooloo Review and the possibility of this being in the way of aid advertising. Could we have that report for our next meeting?

Answer by the Mayor:

A report is coming to the next Committee.

11.

HENLEY HALL, NOS. 37 - 41, BAYSWATER ROAD, KINGS CROSS - ISSUING OF FIRE ORDERS. - QUESTION WITHOUT NOTICE BY COUNCILLOR FENTON (2012693)

Question:

I have had requests that the caretaker living at Henley Hall on Bayswater Road near Ward Avenue, not be evicted. Apparently fire orders have been issued on the building and nearby residents are concerned that if the building's caretaker is evicted then squatters will move into the building.

Could we please have a report on this matter?

Answer by the Mayor:

I will ask the Director of Planning and Building to provide an urgent report for Council's Committee in relation to that matter so that all Councillors are aware of the current situation to make a determination on the matter.

REPORT OF THE FINANCE COMMITTEE**20 August, 1997****PRESENT****Councillor Sean Macken (Chairperson)****Councillors - Margaret Deftereos, Sonia Fenton.**

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

Councillors - Deftereos, Fenton, Macken.

Apology:

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

The Committee resolved that the press and the public be excluded from the meeting of the Finance Committee during consideration of Items 2,5,6,7, and 18, 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 2 & 18 Personnel Matters

Items 5,6 & 7 Lease or Contractual Matters

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

That the Report of the Finance Committee of its meeting of 20 August 1997, be received and the recommendations set out below for Items 1 to 18, inclusive, be adopted.

Carried.

GENERAL MANAGER

The Committee **recommended** the following:-

1.

ALCOHOL FREE ZONE - NEWTOWN - ESTABLISHMENT (2012385)

That as all aspects of the proposed Newtown Alcohol-Free zone conform with the Local Government Act 1993, the Local Government Amendment (Alcohol-Free Zones Act) 1995 and the Minister of Local Government's Guidelines, Council therefore decides to publish in two newspapers circulating in the area indicating:-

- (1) The receipt of Expressions of Interest to establish an Alcohol-Free Zone within the following streets of Newtown:
 - (a) King Street (eastern side) between Newtown Railway Station and approximately 50 metres south of the intersection of Newman Street;
 - (b) Thomas Street;
 - (c) Railway Lane commencing at Thomas Street and extending south for approximately 75 metres;
 - (d) Newman Street running south from the T-intersection with King Street and continuing to the road closure within that street;
 - (e) Whitehorse Street;
 - (f) Norfolk Street;
 - (g) any future or existing footway licensed by this Council for the purpose of food and alcohol consumption that may fall within the zone would be excluded from the provisions of the zone;
- (2) That notification of these Expressions of Interest be forwarded to the persons and bodies referred to in the Director of Corporate Services Report of 25 July 1997 allowing those persons and bodies the statutory period to lodge representations and objections.
- (3) That the prospective Alcohol-Free Zone be for one year.
- (4) That the persons referred to in the petition be notified of Council's decision.

(DCS Report 5.8.97)

Carried.

2.

**PERSONNEL - POLICY ON PAYMENT OF MOTOR VEHICLE FINES
(2015759)**

- (A) That Council adopt as policy that Departmental Directors be able to approve the payment of motor vehicle Infringement Notices on behalf of an employee where it is determined by the Director that the circumstances of the Infringement are such that it was beyond the control of the Council driver and that the policy should apply only to vehicle related Infringements and not driver related Infringements such as speeding and parking fines which are covered by Council's Motor Vehicle Drivers' Manual.
- (B) This policy will not reduce the obligation of all vehicle drivers and plant operators to check the roadworthiness and safety of their vehicles.

(A/DPWS Report 5/8/97)

Carried.

3.

FINANCE - 1997 BICYCLE SAFETY WEEK - GRANT (C52-00109)

That Council accepts the \$700 Grant offered by the RTA for funding Bike Week Activities in accordance with the conditions specified in the grant and that the money be credited to Account Code CBA0042.93QØ - Traffic & Design - Road Safety Officer.

(A/DPWS Report 5/8/97).

Carried.

4.

**BOUNDARIES - SOUTH SYDNEY COUNCIL - PROPOSED ALTERATION
TO SUBURB BOUNDARIES OF EVELEIGH STREET (B52-00003)**

That, further to the resolution of Council dated 14 May 1997 and following submissions received by Council in relation to the suburb of Eveleigh and its boundaries, approval be given to:-

- (a) the suburb boundary for Eveleigh/Darlington amended in Wilson Street to include the rear property No. 501 Wilson Street, Eveleigh in the suburb of Darlington, as shown on Plan No S5-105/141;
- (b) the suburb boundary for Eveleigh/Redfern be amended in Little Eveleigh Street to include the properties Nos. 125 to 157 Little Eveleigh Street in the suburb of Redfern, as shown on Plan No S5-105/141;
- (c) the Geographical Names Board being notified of the decisions;

GENERAL MANAGER

- (d) all future subdivisions and/or redevelopments within the suburb of Eveleigh retain that suburb name;
- (e) the residents within the suburb of Eveleigh be informed of Council's decision.

(ADPWS Report 5.8.97)

Carried.

5.

LEASING - OXFORD STREET, NO.94, ROOM 31 - 32, DARLINGHURST - APPLICATION BY INNER CITY LEGAL CENTRE TO LEASE (L52-00081)

That Inner City Legal Centre be offered a three year lease of Council premises, Rooms 31 and 32, No. 94 Oxford Street, Darlinghurst, commencing on 1 July 1997, such lease to be in accordance with the recommendation of the Director of Corporate Services in the report dated 12 August 1997.

Carried.

6.

LEASING - HEFFRON HALL, DARLINGHURST - APPLICATION BY METROPOLITAN COMMUNITY CHURCH TO LEASE (P56-00383)

That the Metropolitan Community Church be offered a two year lease with a two year option of Council premises, upstairs Heffron Hall, Darlinghurst, commencing on 1 July 1997, such lease to be in accordance with the recommendation of the Director of Corporate Services in the report dated 12 August 1997.

Carried.

7.

LEASING - ADA AND CLARA STREETS, ERSKINEVILLE - APPLICATION BY MR. TOM BASS TO LEASE (2002007)

That the Tom Bass Sculpture School be offered a three year lease of Council premises, No. 1A Clara Street, corner of Ada Street, Erskineville, such lease

to be in accordance with the recommendation of the Director of Corporate Services in the report dated 12 August 1997.

Carried.

8.

CONFERENCES - NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT (1977) ATTENDANCE OF COUNCIL'S REPRESENTATIVES - SUBMISSION OF MOTIONS (5202027)

That:-

- (a) the Mayor and interested Councillors and the General Manager be nominated as Council's representatives to attend the 1997 National General Assembly of Local Government to be held in Canberra from 23 to 26 November 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 (EBE,77LO and 77MO);
- (b) the Mayor or his nominee be the Council's voting delegate at the Assembly;
- (c) the question of submitting motions to the assembly is submitted for consideration.

(ACAM/PO Report 5/8/97)

Carried.

9.

FINANCE - ACCOUNTS - SCHEDULE OF PAYMENTS - JUNE 1997 (2015776)

That arising from the report of the Director of Finance dated 14 July 1997 approval be given to the confirmation of the payment of the accounts totalling \$11,848,244.03, as detailed in the Summary of Warrants for the Month of June 1997, accompanying the report.

Carried.

10.

**FINANCE - ACCOUNTS - SCHEDULE OF PAYMENTS - JULY 1997
(2015998)**

That arising from the report of the Director of Finance dated 13 August 1997, approval be given to the confirmation of the payment of the accounts totalling \$11,877,515.76, as detailed in the Summary of Warrants for the Month of July 1997, accompanying the report.

Carried.

11.

**FINANCE - ACCOUNTS - INVESTMENTS - MONTHLY REPORT - PERIOD
ENDING 25 JULY 1997 (2015594)**

That the monthly investment report for the period ending 25 July 1997, by the Director of Finance dated 11 August 1997, be received and noted.

Carried.

12.

**FINANCE - ACCOUNTS - RECONCILIATION WITH BANK PASSBOOKS
FOR PERIOD ENDED 30 JUNE 1997 (A52-00240)**

That the report by the Director of Finance dated 14 August 1997, certifying to the Bank Reconciliation of Council's various Cash Books for the period ended 30 June 1997, be received and noted.

Carried.

13.

**PARKS - GREEN BAN PARKS, ALBERT STREET, ERSKINEVILLE -
LANDSCAPE CONSTRUCTION - ACCEPTANCE OF TENDER (5250587)**

That approval be given to:-

- (1) the acceptance of the tender submitted by Co-ordinated Landscapes in the amount of \$218,750 for the construction of Green Ban Parks, Albert Street, Erskineville, and provision of a contingency sum of \$21,875, for which funds are available from the 1997/98 Works Programme - Green Ban Parks (\$150,000), Parks Upgrading - Works to be specified (\$40,625) and the Engineering Works Programme Miscellaneous Works (\$50,000);
- (2) the transfer of \$40,625 from FWP8101 (Park Upgrading Works to be specified) and \$50,000 from the Engineering Works Programme to

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FWP8131 - Green Ban Parks - in order to meet the budget requirements for the project.

(ADPWS Report 8.8.97).

Carried.

14.

STREETS - MANAGEMENT PLAN WORKS PROGRAMME 1996/97 - PUBLIC WORKS AND SERVICES DEPARTMENT/CONSTRUCTION BRANCH - QUARTERLY REPORT FOR PERIOD ENDING 30 JUNE 1997 (9S56-02169)

That the report by the Director of Public Works and Services dated 5 August 1997, presenting the Quarterly Progress Report of the 1996/97 Works Programme (Construction Branch) for the period ending 30 June 1997, be received and noted.

(ADPWS Report 5.8.97)

Carried.

15.

DONATIONS - REQUEST FOR FINANCIAL CONTRIBUTION - AUSTRALIA DAY BOTANY BAY REGATTA (2009189)

That arising from a report by the Director of Health and Community Services dated 15 August 1997, approval be given to the donation of \$500 towards the Australia Day Botany Bay Regatta, for which funds are available from Section 356 in Community Grants Donations.

Carried.

16.

PLANT - SUPPLY AND DELIVERY OF 14 MOTOR VEHICLE FLEET ITEMS - TENDERS (2015532)

That approval be given to the acceptance of tenders submitted for the supply and delivery of 14 motor vehicle fleet items in accordance with Council's Specification PWS.8/97 under the following Categories:

- (1) Categories A and B - Tender by McLeod Ford dated 9 July 1997 for four Ford Falcon GLi sedans in the sum of \$24,605 per unit, one Ford Falcon GLi station wagon in the sum of \$21,347 (sales tax exempt) and one Ford Falcon GLi station wagon in the sum of \$26,035, in the total sum of \$145,802 less a total trade-in allowance of \$105,560 on Council vehicles Nos. 4070, 4074, 6279 and 6284 Toyota Camry sedans and Nos. 4079

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and 6081 Mitsubishi station wagons, in the total nett sum of \$40,242;

- (2) Category A - Tender by Fury Group dated 4 July 1997 for one Ford Falcon GLi sedan in the sum of \$24,626 less a trade-in allowance of \$18,650 on Council vehicle No 4081 Toyota Station wagon in the total nett sum of \$5,976 ;
- (3) Category A - Tender by Sundell Holden dated 9 July 1997 for one Holden Commodore Executive sedan in the sum of \$24,710 less a trade-in allowance of \$18,300 on Council vehicle No 6352 Toyota sedan, in the total nett sum of \$6,410;
- (4) Category C - Tender by Suttons Arncliffe Holden dated 7 July 1997 for one Holden Calais Sedan in the sum of \$37,788 less a trade-in allowance of \$29,569 on Council vehicle No 6275 Holden Calais sedan in the total nett sum of \$8,219;
- (5) Category E - Tender by Terry Shields Toyota dated 8 July 1997 for one Toyota Hi Lux one tonner in the sum of \$19,154 less a trade-in allowance of \$15,500 on Council vehicle No 4137 Toyota Hi Lux one tonner in the total nett sum of \$3,654;
- (6) Category F - Tender by Lander Toyota dated 7 July 1997 for one Toyota Hi Lux 4x4 dual cab utility in the sum of \$25,593 less a trade-in allowance of \$24,260 on Council vehicle No 4140 Toyota Hi Lux 4x4 dual cab utility, in the total nett sum of \$1,333;
- (7) Category D - Tender by Muirs Motors (Ashfield) Pty Ltd for two Holden Commodore 'S' Pack utilities in the sum of \$19,035 per vehicle, in the total sum of \$38,070 less a total trade-in allowance of \$42,600 on Council vehicles Nos. 4542 and 4998 Holden Commodore 'S' Pack utilities for a total credit of \$4,530;
- (8) Category D - Tender by Sundell Holden dated 9 July 1997 for one Holden Commodore 'S' Pack utility in the sum of \$18,866 less a trade-in allowance of \$20,300 on Council vehicle No 4996 Holden Commodore 'S' Pack utility, for a credit of \$1,434;

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

(ADPWS Report 1.8.97)

Carried.

17.

DONATIONS - REQUEST FOR FINANCIAL CONTRIBUTION TO A GARDEN PROJECT IN THE SHIRE OF YOUNG (2002408)

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That arising from a report by the Director of health and Community Services dated 15 August 1997, approval be given to a donation in the sum of \$1,000, under the provision of Section .356 of the Local Government Act (1993), to the Shire of Young towards the cost of establishing the Lambing Flat Tribute Garden.

Carried.

18.

PERSONNEL - WASTE SERVICES BRANCH - PERMANENT WASTE EDUCATION UNIT (2003078)

That the recommendation as contained in the report by the Director of Public Works and Services dated 18 August 1997, regarding the extensions of contracts in the Waste Services Branch, Public Works and Services Department be approved and adopted.

Carried.

REPORT OF THE COMMUNITY SERVICES COMMITTEE

20 August 1997

PRESENT

Councillor Sonia Fenton (Chairperson)

Councillors - Margaret Deftereos, Sean Macken.

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

Councillors - Deftereos, Fenton, Macken.

Apology:

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

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

That the Report of the Community Services Committee of its meeting of 20 August 1997, be received and the recommendation set out below for Item 1, be adopted.

Carried.

The Committee **recommended** the following:-

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1.

HEALTH - ALEXANDRA CANAL WATER ENVIRONMENT PLAN (2010556)

Councillor Lay declared an interest and did not take part in discussions or voting on the Item.

That arising out of a report by the Director of Health and Community Services dated 15 August 1997, it be resolved that:-

- (1) the aforementioned report be received and endorsed in principle;
- (2) Council write to the Department of Urban Affairs and Planning requesting that the Alexandra Canal Water Environment Plan be placed on public exhibition to allow for public and stakeholders comment.
- (3) prior to exhibition the Sections of the plan that relate to "Green Square" and Council's new planning controls, be updated;
- (4) a report be submitted to Council explaining the outcome of the Consultant's meeting with Sydney Water.

Carried.

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

20 August, 1997

PRESENT

The Mayor, Councillor Vic Smith (Chairperson)

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

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

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

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

That the Report of the Planning and Development Committee of its meeting of 20 August 1997, be received and the recommendations set out below for Items 1, 2, 4 to 6, inclusive, 9, 12 to 18, inclusive, 22 to 24, inclusive, and 26 to 29, inclusive, be adopted. The recommendations for Items 3, 7, 8, 10, 11, 19 to 21, inclusive, and 25 having been dealt with as shown immediately following such Items.

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Carried.

The Committee **recommended** the following:-

1.

CHURCH STREET, NO. 230, NEWTOWN - ENLARGING EXISTING ROOF WITH NEW DORMER WINDOW - DEVELOPMENT APPLICATION (U97-00506)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mr I M Seppelt, for permission to erect an attic conversion with a front dormer and rear roof projection, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans reference A01da dated June 1997;
 - (2) That this consent shall lapse after a period of two years from the date this consent becomes effective (The applicant is advised that an application can be made to the Council before the period expires for an extension of one year);
 - (3) 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;
 - (4) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building (including any demolition) work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation;
 - (5) That any intruder alarm shall be fitted with a timing device in accordance with the requirements of Regulation 12A of the Noise Control Act, 1975, and Australian Standard 2201, Parts 1 and 2 - 1978, Intruder Alarm Systems;
 - (6) That 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

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Public Works and Services Department for the use of a mobile crane;

- (7) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
- (8) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (9) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (10) That refuse skips shall be delivered and placed on the public way only by approved suppliers who comply with Council's code for the placement of waste containers on the public way;
- (11) That all proposed work shall be wholly within the boundaries of the subject site;
- (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.

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

Carried.

2.

MITCHELL ROAD, NO. 129, ALEXANDRIA - ALTERATIONS AND ADDITIONS TO DWELLING - DEVELOPMENT APPLICATION (U97-00518)

- (A) That the Council as the responsible authority grants its consent to the development application submitted by Mr P Butler, with the authority of Ms S Butler, for permission to erect a rear "Juliet" style balcony to the top storey, reinstatement of the existing front infilled balcony and erection of a double garage door on the rear lane, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans dated 26 June 1997;
 - (2) That the door to the rear balcony shall only open outward;
 - (3) That the details of the proposed balcony balustrading to both the front and rear balconies shall be submitted with the building application;
 - (4) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building (including any demolition) work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation;
 - (5) That any intruder alarm shall be fitted with a timing device in accordance with the requirements of Regulation 12A of the Noise Control Act, 1975, and Australian Standard 2201, Parts 1 and 2 - 1978, Intruder Alarm Systems;
 - (6) That 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;

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- (7) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
- (8) That 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;
- (9) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (10) That refuse skips shall be delivered and placed on the public way only by approved suppliers who comply with Council's code for the placement of waste containers on the public way.

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.

3.

KEPOS STREET, NO. 57, REDFERN - ALTERATIONS AND ADDITIONS TO REAR GROUND AND FIRST FLOOR OF PREMISES - BUILDING APPLICATION (Q97-00283)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Ms S Bryden for permission to carry out alterations and additions to rear ground and first floor at the abovementioned premises, all in accordance with the submitted plan unnumbered dated 4 April 1997 subject to the following conditions, namely:-
 - (1) That the bike, bins and storage area shall be reduced to a maximum of 5.25m² being 3.5 x 1.5 overall;
 - (2) That the first floor rear balcony shall be deleted and the rear elevation shall be amended to include two vertically proportioned windows or other acceptable alternative. The details of which

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shall be approved by the Director of Planning and Building prior to commencement of construction;

- (3) That the skylights to the bathrooms shall be capable of ventilating the room when in the closed position;

and the following adopted standard conditions:

- (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) BC34 - Brickwork to match existing;
- (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) BC120 - Letter of consent to underpinning;
- (18) BC123 - Demolition to comply with standard;
- (19) BC167 - Structural details and certification to be submitted;
- (20) BC170 - Structural certificate upon completion;
- (21) BC175 - Comply with Timber Framing Code;
- (22) BC176 - Approval for permanent work only;
- (23) BC189 - Termite protection;
- (24) BC337 - Construction of boundary walls;

- (25) BC340 - Non-flammable sarking materials;
- (26) BC352 - Glazing materials;
- (27) BC529 - Smoke alarm systems;
- (28) BC601 - Water closets and shower compartments;
- (29) BC602 - Clothes washing and drying facilities;
- (30) BC603 - Damp and weatherproofing;
- (31) BC616 - Bathroom and laundry floor requirements;
- (32) BC617 - Rain or dampness penetration;
- (33) BC618 - Flashing to be provided;
- (34) That for the purpose of child safety, it is **recommended** that all new or replacement hot water systems be designed to deliver hot water to a maximum 50°C and/or install safety devices such as child resistant taps, single lever mixing taps, and automatic flow reduction devices;
- (35) 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;
- (36) 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;
- (37) That the developer shall submit for the approval of the Director of Public Works and Services the details of the stormwater disposal and drainage for the development;
- (38) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (39) That refuse skips shall be delivered and placed on the public way only by approved suppliers who comply with Council's code for the placement of waste containers on the public way;
- (40) That to eliminate concrete and other wastes entering the drainage system, the washing down of concrete trucks and trucks used for the disposal of spoil shall be carried out in a suitable off-street

area and not in the public way, in accordance with the requirements of the Director of Public Works and Services;

- (41) HSC500 - Premises to be ventilated;
 - (42) HSC556 - Laundry ventilation;
 - (43) HSC800 - Use of appliances emitting intrusive noise.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

4.

PROPERTIES - CLOSURE AND SALE OR LEASE OF LANEWAYS AND SALE OF VACANT COUNCIL LAND - POLICY (2001754)

That approval be given to:

- (a) the Policy for the Proposed Closure and Sale or Lease of Laneways and Sale of Vacant Council Owned Land being amended by the inclusion of:
 - (1) The applicant is responsible for the cost of the valuations and shall provide written agreement to pay them prior to advertising commencing;
 - (2) The applicant will reimburse Council for the valuation fees before the final report is submitted to Committee;
- (b) the letter dated 15 July 1997 from the State Lands Service, The NSW Department of Land and Water Conservation about the closing of Roads, Roads Act 1993, be received and noted.

(DPWS Report 7.8.97)

Carried.

5.

TRAFFIC - PEDESTRIAN ACTIVATED FLASHING LIGHTS - BOURKE STREET, REDFERN (2004630)

That arising from consideration of a report by the Acting Director Public Works and Services dated 4 August 1997, representations be made to the Minister For Roads seeking his support of the existing Solar Powered Pedestrian

Activated Flashing Lights in Bourke Street near Telopea Street and the further installation of similar systems in Baptist Street and Joynton Avenue.

(DPWS Report 5.8.97)

Carried.

6.

SECOND SYDNEY AIRPORT - HOLSWORTHY AIRPORT PROPOSAL - REQUEST FOR FINANCIAL ASSISTANCE BY C.R.A.S.H. (5257042)

That Council not support the C.R.A.S.H. request for financial assistance in its campaign against a second airport at Holsworthy.

(DPB 29.7.97)

Carried.

7.

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 Bush:-

- (A) That the Council as the responsible authority refuses its consent to 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, for the following reasons, namely:-
 - (1) That the proposal is not permissible under Local Environmental Plan 82;
 - (2) That the proposal is not in the public interest.
- (B) That Council issue a notice that the use cease within 60 days of date of issue of the notice.
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

8.

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

(A) That the Council as the responsible authority grants its consent to 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 restoration and repairs, subject to the following conditions, namely:-

- (1) That the development shall be generally in accordance with plans dated 26 May 1997;
- (2) That the use shall cease after a period of one year from the date of commencement.

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

- (3) That should Council receive noise complaints regarding the use, the applicant will be required to submit an acoustics report to Council to ensure that noise levels are not exceeding Council's requirements;
- (4) That a maximum of ten off-street motor cycle parking space shall be provided and, except where elsewhere stipulated, shall be a minimum of 5.4m x 2.6m or 5.5m x 2.5m, located, prepared and marked to the satisfaction of the Director of Planning and Building;
- (5) That a maximum of 1 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;
- (6) That the hours of operation shall be restricted to between 8.30 a.m. and 5.30 p.m. Mondays to Fridays ;
- (7) That all motorcycles washing activities shall be carried out in a wash bay area which is graded and drained to the sewer in accordance with the requirements of Sydney Water.
- (8) 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:

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- (9) LDA29 - Provide sign indicating parking;
- (10) LDA37 - Loading within confines of building;
- (11) LDA47 - Loading, parking and access to be kept clear;
- (12) LDA167 - No garbage on public way;
- (13) LDA170 - Commercial daily garbage collection;
- (14) LDA201 - Make separate application for sign;
- (15) LDA203 - No lights or sound equipment on public way;
- (16) LDA251- Only clean water to discharge;
- (17) LDA252 - Discharge to atmosphere to comply;
- (18) LDA258 - Regulation of emissions;
- (19) LDA363 - Vehicles awaiting repair on premises;
- (20) HSC500 - Premises to be ventilated;
- (21) HSC018 - Sanitary facilities;
- (22) HSC101 - Not give rise to emissions into the environment;
- (23) HSC105 - Storage areas being bunded;
- (24) HSC107 - Mechanical repairs in workshop;
- (25) HSC718 - Disposal of waste;
- (26) HSC801 - Noise from premises.

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

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

9.

**LANG ROAD, NO. 66, CENTENNIAL PARK - BUILDING APPLICATION
(Q97-00523)**

- (A) That the Council as the responsible authority grants its consent to the application submitted by Transarque Architects, for permission to erect double garage and games room at the rear of No. 66 Lang Road, all in accordance with the submitted plan numbered 11/961B dated 12 June 1997 subject to the following conditions, namely:-
- (1) That the setback from the southern side boundary shall be increased to 900mm;
 - (2) That the proposed rear outbuilding shall not be used or be altered for use as a separate occupancy;
 - (3) That for the purpose of child safety, it is **recommended** that all new or replacement hot water systems be designed to deliver hot water to a maximum 50°C and/or install safety devices such as child resistant taps, single lever mixing taps, and automatic flow reduction devices;
 - (4) That the developer shall make application to the Public Works and Services Department for the issuing of new alignment levels to be adopted for the design of the building and other on-site works;(PWS2)
 - (5) That the developer shall make application to the Director of Public Works and Services for the provision and meet the cost of the necessary vehicular footway crossings and bear the cost of the reinstatement of the footpath where any existing crossings adjacent to the site are no longer required;(PWS5)
 - (6) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
 - (7) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
 - (8) That refuse skips shall be delivered and placed on the public way only by approved suppliers who comply with Council's code for the placement of waste containers on the public way;
 - (9) That to eliminate concrete and other wastes entering the drainage system, the washing down of concrete trucks and trucks used for the disposal of spoil shall be carried out in a suitable off-street area and not in the public way, in accordance

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with the requirements of the Director of Public Works and Services;

and the following conditions delegated by the numbers shown on the Council's approval standard conditions brochure namely:-

- (10) BC2 - Compliance with Local Government Act 1993;
 - (11) BC3 - Compliance with conditions on plan;
 - (12) BC111 - Hours of work;
 - (13) BC116 - New work not to encroach boundaries;
 - (14) BC123 - Demolition to comply with standard;
 - (15) BC167 - Structural details and certification to be submitted;
 - (16) BC337 - Construction of boundary walls;
 - (17) BC352 - Glazing materials;
 - (18) BC603 - Damp and weatherproofing;
 - (19) LDA106 - Preserve existing trees;
 - (20) LDA107 - Make application to remove trees;
 - (21) HSC500 - Premises to be ventilated;
 - (22) HSC542 - Approved bathroom system;
 - (23) HSC501 - Plans and specification of ventilation;
 - (24) HSC800 - Use of appliances emitting intrusive noise;
 - (25) BC113 - Work to comply with noise standards.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

10.

WATKIN STREET, NO. 43, NEWTOWN - MODIFY ROOF AND EXTEND PARTY WALLS - DEVELOPMENT APPLICATION (U97-00080)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

- (A) That the Council is satisfied that the State Environmental Planning Policy No. 1 objection against the development standards in Clauses 10 and 11 of Local Environmental Plan No. 107 relating to the maximum floor space ratio of 1:1 and maximum building height of 9m respectively is well founded and compliance is therefore unreasonable and unnecessary for the following reasons, namely:-

Floor Space Ratio

The extra floor space contained in the 'attic' space does not add unacceptable scale and bulk to the building; the proposal meets Council's requirements regarding site coverage, open space provision and privacy and solar access.

Height

The exceedence is only minor; the extra height is not visible from the main street frontage and will appear as an attic from the rear; and the proposal complies with Council's draft performance based control.

- (B) That the Council as the responsible authority grants its consent to the application submitted by A G Broadley, with the authority of A G Broadley and J F Broadley, for permission to alter and extend the existing 2 storey terrace house involving extension of the ground and first floors, with a rear first floor balcony; erection of a second floor study and roof deck, and removal of an existing infilled balcony, subject to the following conditions, namely:-

- (1) That the development shall be generally in accordance with plans DA01A and 02A dated 10 June 1997;

and the following adopted standard conditions:

- (2) LDA152 - Schedule of finishes;
- (3) LDA153 - Reflectivity of external glazing;
- (4) LDA351 - Building Application required;
- (5) LDA367 - Timing device on alarms;
- (6) LDA376 - Hours of building work;
- (7) LDA377 - Construction noise regulation;
- (8) LDA384 - New alignment levels;
- (9) LDA389 - Stormwater disposal requirements;

- (10) LDA392 - No obstruction to public way;
- (11) LDA393 - Delivery of refuse skips;
- (12) LDA396 - Works within boundaries;
- (13) HSC500 - Premises to be ventilated.

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

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

- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.
- (D) That the Secretary of the Department of Urban Affairs and Planning be notified of the Council's determination under SEPP No.1 in accordance with the Department's Circular No.117 of 9 December 1986.

Carried.

11.

WATKIN STREET, NO. 45, NEWTOWN - ALTER AND EXTEND EXISTING TWO STOREY TERRACE HOUSE - DEVELOPMENT APPLICATION (U97-00081)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Lay:-

- (A) That the Council is satisfied that the State Environmental Planning Policy No. 1 objection against the development standards in Clauses 10 and 11 of Local Environmental Plan NO. 107 relating to the maximum floor space ratio of 1:1 and maximum building height of 9m respectively is well founded and compliance is therefore unreasonable and unnecessary for the following reasons, namely:-

Floor Space Ratio

The extra floor space contained in the 'attic' space does not add unacceptable scale and bulk to the building; the proposal meets Council's requirements regarding site coverage and open space provision and with minor amendment can meet requirements for privacy and solar access.

Height

The exceedence is only minor; the extra height is not visible from the main street frontage and will appear as an attic from the rear; and the proposal complies with Council's draft performance based control.

- (B) That the Council as the responsible authority grants it s consent to the application submitted by A G Broadley, with the authority of M. Broadley for permission to alter and extend the existing 2 storey terrace house involving extension of the ground and first floors, with a rear first floor balcony, and erection of a second floor study and roof deck, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans DA01A and 02A dated 10 June 1997;
 - (2) That the proposal shall be amended to the satisfaction of the Director of Planning and Building to include:-
 - (a) the side facing windows in the second storey study shall be fixed obscure glass and the side facing fenestration in the rear extension shall be deleted or in the case of the vertically proportioned opening constructed in glass bricks;

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- (b) a fixed planter box shall be constructed to restrict access to the southern side of the front roof deck;
- (3) That the owner shall dedicate for road purposes free of cost to Council, the following land:-

a 1000mm splay at the intersection of Watkin Lane and Bruce Lane

on the understanding that the affected areas will be available for the calculation of the floor area of the proposed building and that all reasonable legal expenses involved in the transfer of the land will be borne by the Council;

and the following adopted standard conditions:

- (4) LDA384 - New alignment levels;
- (5) LDA389 - Stormwater disposal requirements;
- (6) LDA392 - No obstruction to public way;
- (7) LDA393 - Delivery of refuse skips;
- (8) LDA396 - Works within boundaries;
- (9) HSC500 - Premises to be ventilated.

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

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

- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.
- (D) That the Secretary of the Department of Urban Affairs and Planning be notified of the Council's determination under SEPP NO. 1 in accordance with the Department's Circular No. 117 of 9 December 1986.

Carried.

**MARGARET STREET, NO.1, CORNER GIBBONS STREET, REDFERN -
ERECT 4-5 STOREY APARTMENT BUILDING - DEVELOPMENT
APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U97-0495)**

- (A) That the Council is satisfied that the State Environmental Planning Policy No. 1 objection against the development standard relating to a maximum floor space ratio of 2:1 in Clause 10 of Local Environmental Plan No.107 is well founded and compliance is therefore unreasonable and unnecessary for the following reason, namely:-

That the scale and bulk of the proposal is consistent with that of the adjoining development and the development will not have any unreasonable adverse impact on surrounding properties as a result of the proposed floor space ratio.

- (B) That the Council as the responsible authority grants its consent to the application submitted by M Cashman, with the authority of P & I Putschogl, for permission to demolish the existing building and erect a residential flat building in stepped form up to five storeys in height above basement car parking, subject to the following conditions, namely:-

- (1) That the development shall be generally in accordance with plans A01 to A07 inclusive;
- (2) That the floor space ratio of the building shall not exceed 2.2:1;
- (3) As a consequence of this development, Council has identified an additional demand for public facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Contributions Plan 1993, the following monetary contributions towards the cost of providing facilities are required:

Civic Improvement, Open Space and Recreation	\$23,417	2 EJ-BGY 0
Child Care	\$ 1,230	2 EK-BGY 0
Community Facilities	\$ 1,218	2 EL-BGY 0
Transport and Access	\$ 4,560	2 EM-BGY 0
Environmental Improvements	\$ 737	2 EN-BGY 0

TOTAL: \$31,162

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

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

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

- (4) That the owner shall dedicate for road purposes free of cost to Council, the following land:-
- (a) a 1000mm widening along the site frontage to Margaret Street;
 - (b) a 1500mm widening along the site frontage to William Lane;
 - (c) 2500mm splays at the intersection of Margaret Street and Williams Lane and at the intersection of Gibbons Street and Margaret Street limited if so desired in height and/or depth to 5m above and/or 2m below the adjacent footway level;

On the understanding that the affected areas will be available for the calculation of the floor area of the proposed building and that all reasonable legal expenses involved in the transfer of the land will be borne by the Council;

- (5) That the building shall be amended to the satisfaction of the Director of Planning and Building to include:
- (a) reduction in the building height by lowering the ceiling height of the top floor to 2600mm;
 - (b) replacement of the pitched roof form over the top floor with a simple parapet element;
 - (c) redesign of the awning to the ground floor unit on the corner of Gibbons Street and Margaret Street;
 - (d) redesign of the car park to relocate the security door to the alignment;
 - (e) redesign of the horizontal rectangular external openings to square or vertically proportioned openings;

- (f) deletion of part of the third storey on the eastern side of the building back to the proposed stairwell to step the building;
- (6) That the developer shall pay Council the full cost of pedestrian environment thresholds across Margaret Street at Gibbons Street and across Williams Lane on the southern side of Margaret Street. The form and materials of the necessary works to be determined through Council's Pedestrian Plan and Streetscape Treatment Master Plan (- a Bank guarantee for an appropriate amount of 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 a maximum of 17 (15 resident and 2 visitor) off-street car parking spaces shall be provided and, except where elsewhere stipulated, each space shall be a minimum of 5.4m x 2.6m or 5.5m x 2.5m, located, prepared and marked to the satisfaction of the Director of Planning and Building;
- (8) That a minimum of 6 x Class 1 and 2 x Class 3 secure bicycles storage facilities in accordance with AS.2890.3 shall be provided to the satisfaction of the Director of Planning and Building;
- (9) That tree planting within the footpath in Gibbons Street shall be planted across the site in accordance with Council's The Planting Master Plan;
- (10) That the owner shall forego any claim for compensation in respect of that part of the land affected by the realignment of Williams Lane on the understanding that the affected area will be available to the developer for the calculation of the floor area of the proposed building and all reasonable legal expenses involved in the transfer of the land will be borne by the Council;
- (11) That plans and specifications showing details of:-
 - (a) all required mechanical ventilation systems;
 - (b) car park ventilation systems;
 - (c) the garbage room;
 - (d) the recycling storage area;

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

- (12) That the car park shall be ventilated in accordance with AS 1668-1991.1 Specification 7 and AS 1668.2 Section 4;
- (13) That the boundary fence shall be redesigned to incorporate a solid wall not exceeding 1400mm and open form such as lattice

above not exceeding a total overall height of 1800mm, except for the fence to the corner unit which shall be reduced in height to the satisfaction of the Director of Planning and Building;

- (14) That all habitable rooms in the development shall be designed to limit internal noise levels to 50dBA maximum and the developer shall submit an acoustic report with the building application showing how this will be complied with;

and the following adopted standard conditions:

- (15) LDA12 - Applicant to liaise with Sydney Water;
- (16) LDA21 - No resident parking for residential flat developments;
- (17) LDA29 - Provide sign indicating parking;
- (18) LDA48 - Safe walking surface on crossing;
- (19) LDA49 - Signage for vehicular egress;
- (20) LDA66 - Minimum 2.2m headroom;
- (21) LDA101 - Provide landscaping plan;
- (22) LDA152 - Schedule of finishes;
- (23) LDA153 - Reflectivity of external glazing;
- (24) LDA159 - Provide details of exhaust vents;
- (25) LDA160 - Provide service ducts within building;
- (26) LDA161 - Provide common television aerial;
- (27) LDA261 - Washing down of trucks;
- (28) LDA351 - Building Application required;
- (29) LDA367 - Timing device on alarms;
- (30) LDA368 - Display of street numbers;
- (31) LDA376 - Hours of building work;
- (32) LDA377 - Construction noise regulation;
- (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) LDA393 - Delivery of refuse skips;
 - (39) LDA396 - Works within boundaries;
 - (40) LDA399 - Cost of consequential roadworks;
 - (41) HSC103 - Environmental site assessment being carried out;
 - (42) HSC500 - Premises to be ventilated;
 - (43) HSC555 - Bathroom ventilation;
 - (44) HSC700 - Compliance with code for Garbage Handling System;
 - (45) HSC705 - Construction of garbage room;
 - (46) HSC706 - Storage of recyclables;
 - (47) HSC800 - Use of appliances emitting intrusive noise.
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.
- (D) That the Secretary of the Department of Urban Affairs and Planning be notified of Council's determination under SEPP No.1 in accordance with the Department's Circular No.117 of 9 December 1986.

Carried.

13.

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

That consideration 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 deferred.

Carried.

14.

**CHALMERS STREET, NOS. 168 -180, SURRY HILLS - CONVERT
EXISTING WAREHOUSE INTO RESIDENTIAL UNITS - CONTRIBUTION
INCLUDED IN CONSENT (U97-00468)**

- (A) That the Council resolves it is satisfied that the objections pursuant to State Environmental Planning Policy No. 1 against the development standard relating to maximum height and floor space ratio in Clauses 11 and 10 of Local Environmental Plan No. 107 are well founded and compliance is therefore unreasonable and unnecessary for the following reasons, namely:-

That the additional bulk will have minimal impact in terms of design, streetscape, overshadowing, privacy, open space, traffic and parking.

- (B) That the Council as the responsible authority grants its consent to the application submitted by the Presbyterian Church with the authority of same for permission for a building conversion involving alterations and additions for 31 car spaces, ground and first floor commercial area, 32 x 1 bedroom units, 9 x 2 bedroom units, and 3 x 3 bedroom units above, subject to conditions, namely:-

- (1) That the development shall be generally in accordance with plans DA01-DA 17 dated June 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 1 year);

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- (3) That the common boundary wall on the northern side shall be raised to the fourth level and that the existing water tower on the Pembroke Street elevation be retained.
- (4) That the applicant be advised that an opportunity exists for public domain improvements involving streetscape and Belvoir Street threshold treatments. This matter shall be discussed with Council's Planning and Building and Public Works and Services Departments and may be considered in lieu of Section 94 Contributions contained in Condition (5) of this consent;
- (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	\$46,116.87	2 EJ-BGY 0
Child Care	\$ 2,491.48	2 EK-BGY 0
Community Facilities	\$ 2,758.10	2 EL-BGY 0
Transport and Access	\$10,331.49	2 EM-BGY 0
Environmental Improvements	\$ 1,402.52	2 EN-BGY 0
TOTAL:	\$63,100.46	

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.

- (6) That the developer shall advise any purchaser of a unit, or tenant where units are not to be sold, that it is Council's policy not to issue resident parking permits to residents of new

residential flat developments located in Resident Parking Scheme areas;

- (7) That a maximum of 31 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;
- (8) That the required off-street car parking spaces shall be allocated on the basis of 12 spaces for commercial/visitor spaces and 19 spaces for the residential component.;
- (9) That of the total of off-street car parking spaces required in condition (4), at least 1 space shall be 3m x 5.5m minimum and clearly marked for disabled driver's parking;
- (10) That a sign, legible from the street, shall be permanently displayed to indicate that visitor parking is available on the site and the visitor car parking spaces shall be clearly marked as such;
- (11) That an area equivalent to one car space shall be provided with cycle racks, such racks to be made available without charge to cyclists who work in the building;
- (12) That shower facilities shall be provided, in close proximity to the cycle racks referred to in condition (31), for use by cyclists who work in the building;
- (13) That a minimum headroom of 2.2m shall be provided over all car parking areas;
- (14) That stacked parking shall be prohibited unless each obstructed space is let or owned concurrently with the corresponding unobstructed space;
- (15) 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) roofing;

- (c) balustrade treatment;
 - (d) windows and doors;
- (16) That any external glazing shall have a reflectivity not exceeding 20%;
- (17) That the developer, with the concurrence of the adjoining owners, shall treat any exposed walls of the adjoining buildings to the satisfaction of the Director of Planning and Building;
- (18) That only one common television aerial shall be installed;
- (19) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building (including any demolition) work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation;
- (20) That the hours of operation shall be restricted to between 8am to 6pm daily for the office use ;
- (21) That the street numbers shall be clearly displayed to the satisfaction of the Director of Planning and Building with such numbers being of a colour contrasting with the wall to which they are affixed;
- (22) That details of demolition shall be submitted for consideration and approval prior to the commencement of demolition work;
- (23) 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;
- (24) That the reconstruction 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;

- (25) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (26) That the basement car park area shall be ventilated in accordance with the Australian Standard 1668.1-1991, Section 7 and Australian Standard 1668.2-1991, Section 4;
- (27) That all internal bathrooms, toilets and laundries shall be mechanically ventilated in accordance with the requirements of the Building Code of Australia;
- (28) That in the event of any process in any room being of such nature that heat, excessive moisture, dangerous or noxious gases, fumes or other aerosols are given off, an approved air handling system shall be installed;
- (29) That adequate provision shall be made for the installation of a mechanical exhaust ventilation for future food premises where cooking, heating or similar food preparation is to be carried out;
- (30) That the effluent air from the exhaust system 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;
- (31) That the construction of any commercial food premises shall comply with the National Code for the Construction and Fitout of Food Premises;
- (32) That the premises shall not be used for the cooking of food unless an approved air handling system is installed to the cooking appliances;
- (33) That sanitary and other facilities shall be provided in accordance with the requirements of the Building Code of Australia, Part F2;
- (34) 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;
- (35) 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";
- (36) That domestic refuse facilities separate from trade waste facilities in a garbage room or garbage receptacle storage area shall be provided within the site in an approved position

construction in accordance with the requirements of Council's Waste Management/Minimisation Fact Sheets;

- (37) That the applicant shall enter into a commercial contract for the removal of trade waste;
- (38) 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;
- (39) 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;
- (40) That plans and specifications showing details of:-
 - (a) all proposed and required mechanical ventilation systems;
 - (b) the garbage room or garbage receptacle storage area;
 - (c) the garbage chute;
 - (d) the recycling storage area;
 - (e) the sanitary facilities;
 - (f) the car park ventilation system;
 - (g) the location of exhaust and intake vents;
 - (h) the layout, disposition and method of installation of fixtures and fittings, together with wall, floor and ceiling finishes to all commercial food premises;
- (41) That at least one main entry without steps and usable by people in wheelchairs shall be provided from the public way to the lift lobby in accordance with the Standards Association of Australia Code AS 1428-1977 - "Design Rules for Access by the Disabled";

- (42) 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;
- (43) 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;
- (44) That prior to the commencement of any excavation of the building site, a Road Opening Permit shall be obtained from the Director of Public Works and Services and details of shoring required to support the public way shall be submitted for the approval of the Director of Public Works and Services; the requirement for such shoring shall be at the discretion of the Director of Public Works and Services;
- (45) 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;
- (46) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
- (47) 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;
- (48) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;

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

NOTE 1: 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 50C and/or install safety

devices such as child resistant taps, single lever mixing taps, and automatic flow reduction devices;

NOTE: 2: The applicant may be liable to prosecution under the Local Government Act, 1993, for a breach of an approved condition, or under the Clean Waters Act, 1970, if its employees, agents or sub-contractors allow sediment, including soil, excavated materials, building materials, or other materials to fall, descend, percolate, be pumped, drained, washed or allowed to flow to the street, stormwater system or waterways. The applicant shall ensure that its employees, agents, or sub-contractors provide and maintain sediment control measures.

NOTE 3: Details relating to the residential garbage and recycling facilities should be referred to Council's Waste Services Section, Public Works and Services Department, for approval of the location and type of storage containers.

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

Carried.

15.

MOUNTAIN STREET, NOS. 2-14, ULTIMO - USE PREMISES AS A CLOTHING SHOWROOM - DEVELOPMENT APPLICATION (U97-00330)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Rif-Raf Clothing Pty Ltd with the authority of Mr Uttarkham for permission to use the second floor (top level) of the building for fabric cutting, clothing manufacture and as a wholesale clothing showroom, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans submitted 24 April 1997;
- (2) That the floor between the northern section of the proposed use and the tenancy below shall be insulated or equivalent measures undertaken such that the noise and vibration levels in the tenancy below comply with Australian standards AS26710-2-1990 and AS2107-1987 and the Environmental Noise Control Manual of the NSW Environmental Protection Authority;

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- (3) That until such time as the works required by condition (2) above are carried out not more than one item of equipment (cutting machine or compressor) shall be operated in the northern section of the second floor at any one time, and use of the cutting machine on the eastern table shall be restricted to a maximum of three hours on any one day;
- (4) That the hours of operation shall be restricted to between 8.30am-7.30pm Monday to Saturday ;
- (5) That three off-street parking and one loading space 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;
- (6) That an amended parking layout plan showing the parking required by condition (4) shall be submitted to Council for approval within 60 days of this consent;

and the following adopted standard conditions:

- (7) LDA36 - Loading only within confines of the site;
- (8) LDA38 - Articulated service prohibited;
- (9) LDA47 - Loading, parking and access to be kept clear;
- (10) LDA201 - Make separate application for sign;
- (11) LDA257 - Regulation of noise transmissions;
- (12) LDA357 - Office and showroom to be ancillary;
- (13) LDA362 - No retail sales.

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

Carried.

16.

RILEY STREET, NO.370, SURRY HILLS - ALTERATIONS AND ADDITIONS TO EXISTING DWELLING - DEVELOPMENT APPLICATION (U97-00409)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Ms E Dewar with the authority of Mr A Plummer for permission to carry out alterations and additions to the dwelling for a first floor addition and attic, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans 104.01, 02, 03, 04 submitted on 21 May 1997;
 - (2) That a photographic record of the appearance of the dwelling shall be carried out including details of the interior and exterior of the roof with accurate dimensions and details of timber members and materials used in original construction, overall views (close-up) and showing its relationship to its surrounding), views of each exterior and interior elevation, views of all external and internal spaces (e.g. courtyards) and external and internal details (e.g. joinery, decorative features etc.) and that at least two copies of photographic negatives, labelled and cross-referenced to base plans and accompanied by information catalogues and proof sheet shall be submitted to Council prior to the release of the approved plans;
 - (3) That measured technical drawings of the building including plans, sections and elevations at a scale of 1:50 shall be carried out by an experienced heritage consultant. A location plan showing the relationship to the surrounding area and base plans shall also be provided and two copies of this information shall be submitted to Council prior to the release of the approved building plans;
 - (4) That details shall be submitted, including materials proposed and colours of same for the approval of the Director of Planning and Building with the Building Application, in respect of the following aspects of the proposal: -
 - (a) external finishes to walls;
 - (b) roofing finishes;
 - (c) balcony balustrade treatment;
 - (d) proposed fences;
 - (e) size and proportion of windows and doors;
 - (5) That a colour scheme for the building, incorporating heritage colours, shall be submitted with the Building Application for the approval of the Director of Planning and Building and the street

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elevation shall be painted in accordance with the approved colour scheme;

- (6) That the new windows and doors in the front and rear elevations shall be constructed in timber joinery;
- (7) That the proposed new brickwork shall match the existing;
- (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 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 the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (15) That plans and specifications showing details of the location of exhaust/and intake vents shall be submitted to the Director of

Planning and Building and approval obtained before installation is commenced.

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

Granting unconditional consent would be likely to adversely affect the amenity of the neighbourhood, including adverse effects relating to the emission of noise and vibration, streetscape qualities, heritage issues, 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.

17.

MOORE PARK ROAD, NO.430, PADDINGTON - ALTERATIONS AND ADDITIONS TO EXISTING TERRACE - DEVELOPMENT APPLICATION (U97-00504)

- (A) That the Council resolves to support the objection made under State Environmental Planning Policy No. 1 against the development standard relating to height in Clause 16 of IDO No. 22 on the basis that compliance is unreasonable and unnecessary for the following reason, namely:-

That the proposed height will not result in any alterations to the building envelope, nor is it inconsistent with surrounding development and will not unreasonably impact upon the amenity of the locality.

- (B) That the Council as the responsible authority grants its consent to the application submitted by David E. Phillips and Associates, with the authority of Mr. A. Ebeyer, for permission to carry out alterations and additions to No. 430 Moore Park Road, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans 1349/97 dated May 1997 as held on Council file U97-00504;
 - (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);

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- (3) That the proposed front dormer window shall be deleted from the plan;
- (4) That the rear first floor glazing and balcony shall be redesigned to provide French doors only (no side glazing) and a reduced scale juliet balcony located centrally within the facade, to the satisfaction of the Director of Planning and Building;
- (5) That the existing boundary wall located between Nos. 428 and 430 Moore Park Road shall be either retained or a new wall of exact measurements and finishes shall be constructed;
- (6) That all new windows and doors be constructed in timber joinery;
- (7) That all relevant sections of the BCA shall be complied with;
- (8) That the proposed rear 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;

and the following adopted standard conditions, namely:

- (9) LDA151 - Schedule of finishes;
- (10) LDA376 - Hours of building work;
- (11) LDA389 - Stormwater disposal requirements;
- (12) LDA392 - No obstruction to public way;
- (13) LDA393 - Delivery of refuse skips;
- (14) LDA396 - Works within boundaries;
- (15) HSC500 - Premises to be ventilated;
- (16) 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.

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

Carried.

18.

PORTMAN STREET, NO.9, ZETLAND - ALTERATIONS AND ADDITIONS TO TERRACE AND NEW BUILDING ON REAR LANE - DEVELOPMENT APPLICATION (U97-00552)

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

- (A) That the Council as the responsible authority grant its consent to the application submitted by Puffett Associates with the authority of Ms A. Brown for permission to make alterations and additions to the rear of the existing residence at ground level and to erect a new 2 storey building on Portman Lane containing a car space and laundry at ground level and bedroom, ensuite and sitting room above, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans numbered 9703.BA01 and 9703.BA02 dated 18 June 1997;
 - (2) That the first floor north-east facing window shall be replaced with a window with a sill at least 1600mm above the floor, or be fitted with screens or louvres to prevent overlooking to the satisfaction of the Director of Planning and Building;
 - (3) That that premises shall be occupied as a single residence only;
 - (4) 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;
 - (5) 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;
 - (6) 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;

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- (7) 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;
- (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 cost of signposting for alteration of any kerbside parking restrictions required to complement the new development shall be borne by the developer;
- (11) That a Building Application together with plans and specifications incorporating the requirements of conditions contained in this consent shall be lodged with Council and no building (including any demolition) work shall be commenced until that application and plans have been approved. It should be noted that the Building Application will be assessed under the provisions of the Building Code of Australia and the Local Government (approvals) Regulation.
- (12) That, in consultation with the owners(s) of No.7 Portman Street, the applicant shall finish the western wall of the proposed building fronting Portman Lane in a light colour, to the satisfaction of the Director of Planning and Building;
- (13) That subject to the agreement of the owner of No.7 Portman Street. The applicant shall arrange and meet the cost of carrying out a dilapidation report in respect of No.7 Portman Street prior to the commencement of any building work, to the satisfaction of the Director of Planning and 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.

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

Carried.

19.

NEWTON STREET, NOS. 18 - 20, ALEXANDRIA - TO ERECT A RESIDENTIAL FLAT BUILDING CONTAINING 33 UNITS - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U97-00252)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Bush:-

- (A) That the Council as the responsible grants its consent to the development application submitted by John Baker and Associates with the authority of Mrs M A and Mr J Doherty, for permission to demolish the existing building and to erect a residential flat building comprising of three buildings containing a total of 33 units, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with Drawing No A02c-A10c dated July 1997;
 - (2) That the attic level shall be deleted and the roof redesigned to a flat roof to the satisfaction of the Director of Planning and Building;
 - (3) That the car park shall be lowered by one metre so that the building generally sits at ground level to the satisfaction of the Director of Planning and Building;
 - (4) That the entrance portico to the courtyard shall be reduced in height to the satisfaction of the Director of Planning and Building;
 - (5) 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).
 - (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	\$35,970	2 EJ-BGY 0
Child Care	\$1,890	2 EK-BGY 0
Community Facilities	\$1,871	2 EL-BGY 0
Transport and Access	\$7,005	2 EM-BGY 0
Environmental Improvements	\$1,133	2 EN-BGY 0

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TOTAL: \$47,869

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.

- (7) That a maximum of 28 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;
- (8) That the basement car park shall be ventilated in accordance with the requirements of AS 1668.2-1991 Section 4;
- (9) That plans and specifications showing details of:-
 - (a) all proposed mechanical ventilation systems;
 - (b) car park ventilation system;
 - (c) the garbage and recycling storage area;

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

- (10) That the developer shall provide a system of on-site stormwater detention (OSD) to the satisfaction of the Director of Public Works and Services. The OSD shall discharge by gravity to the gutters or any underground stormwater system. The developer shall submit with the Building Application, the required fee and detailed stormwater drainage plans for the Director of Public Works and Services to consider;

- (11) That the developer prior to occupation shall exercise a positive covenant to the Council's satisfaction, relating to future owners of the development maintaining the OSD;
- (12) That the developer shall include with the Building Application, a plan detailing the Building Alignment Levels as approved by the Director of Public Works and Services. The developer shall apply and pay the fees for Council to consider the levels;
- (13) That the developer shall reinstate any damaged kerb and gutter in materials similar to those existing;
- (14) That the developer shall provide free of cost to Council dedicated for road purposes, 1.5m by 1.5m splay corners at the intersections of Newton Street and Allen Avenue and Allen Avenue and Newton Lane;

and the following adopted standard conditions:-

- (15) LDA22 - Parking spaces required;
- (16) LDA34 - Maintain existing loading dock;
- (17) LDA21 - No resident parking for residential flat developments;
- (18) LDA29 - Provide sign indicating parking;
- (19) LDA151 - Schedule of finishes;
- (20) LDA153 - Reflectivity of external glazing;
- (21) LDA161 - Provide common television aerial;
- (22) LDA367 - Timing device on alarms;
- (23) LDA368 - Display of street numbers;
- (24) LDA373 - Disabled access provision;
- (25) LDA376 - Hours of building work;
- (26) LDA377 - Construction noise regulation;
- (27) LDA399 - Cost of consequential roadworks;
- (28) LDA389 - Stormwater disposal requirements;
- (29) LDA392 - No obstruction to public way;
- (30) LDA393 - Delivery of refuse skips;

- (31) LDA351 - Building Application required;
- (32) LDA396 - Works within boundaries;
- (33) LDA391 - Builder's Hoarding Permits;
- (34) LDA387 - Footway crossings;
- (35) LDA376 - Hours of building work;
- (36) LDA394 - Cost of alteration to signposting;
- (37) LDA414 - Costs for alterations to public services;
- (38) HSC103 - Environmental site assessment being carried out;
- (39) HSC500 - Premises to be ventilated;
- (40) HSC700 - Compliance with code for Garbage Handling System;
- (41) HSC801 - Noise from premises;
- (42) HSC704 - Garbage storage area;
- (43) HSC706 - Storage of recyclables;
- (44) That a Geotechnical Report shall be carried for the site and Dilapidation Report for 85-89 Allen Avenue and 43-65 Brandling Street (subject to access being provided by the owners) shall be submitted with any Building Application and a copy be given to the property owners.
- (45) That privacy screens shall be provided to balconies that address Allen Avenue and Newton Lane details to be submitted with the Building Application and shall be to the satisfaction of the Director of Planning and Building.

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

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

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

- (1) That all relevant sections of the BCA shall be complied with;
 - (2) That in accordance with the requirements of Clause 34 of the Local Government (Approvals) Regulation, 1993, a person excavating below the level of the base of the footings of a building on an adjoining allotment of land (includes a public road and any other public place) must comply with the following:-
 - (a) preserve and protect the building from damage; and
 - (b) if necessary, underpin and support the building in an approved manner; and
 - (c) at least seven days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars to the owner of the proposed work;
 - (3) That all excavations must be properly guarded and protected to prevent them from being dangerous to life or property.
- (C) That the persons who made representations in respect of the proposal be advised of Council's decision.
- (D) That the Building Application, when submitted, to be notified to adjoining residents.

Carried.

20.

BRIGGS STREET, NOS. 3-11, CAMPERDOWN - PROPOSED ERECTION OF HOTEL - DEVELOPMENT APPLICATION (U96-00828)

- (A) That the Council as the responsible authority refuses its consent to the application submitted by Bosco Seeto and Associates, with the authority Lucky Development Pty Ltd, for permission to erect two hotel buildings with a total of 66 rooms plus a care takers unit, and parking for 25 cars, for the following reasons, namely:-
- (1) That the proposal does not comply with DCP No 11 – Transport Guidelines for Development in respect to the provisions of coach parking.
 - (2) That the proposal does not comply with DCP 1997 in respect to solar access, height, and setbacks.
 - (3) That the proposal is not in keeping with the predominant building form dictated by the buildings adjoining in Briggs and Dunblane

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Streets;

- (4) That the development has been designed in an architectural style that is not appropriate given the context and character of the area;
 - (5) That the buildings are too bulky and cover a substantial part of their site with undue detrimental effects on the adjoining single storey terraces and low scale building;
 - (6) That the setback and the footprint of the buildings particularly at the rear are not adequate to ensure a reasonable level of amenity is maintained to adjacent properties;
 - (7) That the three storey walk up type and form of the buildings are not in character or sympathetic with the streetscape;
 - (8) That the visibility of the ground level car parking is not acceptable and is contrary to the DCP requirements;
 - (9) That the design of the building generally does not comply with DCP 1997 Urban Design requirements, having regard to reinforcing predominant building patterns, scale and forms of buildings;
 - (10) That the proposal will adversely affect the future amenity of the area;
 - (11) That the proposal is not in the public interest.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

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

That the application be withdrawn as requested by applicant in fax dated 25 August 1997.

Motion, as amended by consent, carried.

21.

COOK ROAD, NO. 52, CENTENNIAL PARK - ALTERATIONS AND ADDITIONS TO DWELLING - BUILDING APPLICATION (Q97-00175)

This matter was submitted to Council without recommendation.

Moved by Councillor Harcourt, seconded by Councillor Deftereos:-

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- (A) That the Council as the responsible authority grants its consent to the application submitted by Mr Edward Moes for permission to erect a double garage and a new first floor timber deck to the rear at the abovementioned premises, all in accordance with the two unnumbered plans received on 4 March 1997, subject to the following conditions, namely:-
- (1) That the alterations to the front facade of the building shall be deleted from the approval. New plans reflecting the architectural style of the building should be submitted by the applicant if they wish to pursue the concept of opening up the balcony for further consideration and determination by the Director of Planning and Building;
 - (2) That the proposed rear deck shall be setback from the southern side boundary so that it is in line with the side setback of the terrace and shall maintain a similar rear setback to that of No. 50 Cook Road. Lattice screens to a height of 1.8m shall be erected to both sides of the deck;
 - (3) That compliance shall be given to the provisions of the Local Government Act, 1993, Local Government Regulations and the Building Code of Australia (BCA);
 - (4) That, in accordance with the requirements of Clause 29 of the Local Government (Approvals) Regulation 1993, the Council shall be informed in writing **prior to the commencement of work** of the following:-
 - (a) the name and contractor's licence number of the licensee who has contracted to do or intends to do the work; or
 - (b) the name and permit number of the owner-builder who intends to do the work;and the Council shall be immediately informed in writing if:-
 - a contract is entered into for the work to be done by a different licensee;
 - or
 - arrangements for the doing of the work are otherwise changed;
 - (5) That the applicant shall inform Council once the stages indicated on the approved plans have been reached so inspections can be carried out by Council officers;

- (6) That the hours and days during which building work may be carried out shall be restricted to between 7.00 am and 5.00 pm Mondays to Fridays and 7.00 am and 3.00 pm Saturdays with no work being carried out on Sundays or public holidays;
- (7) That the building/demolition work shall comply with Australian Standard 2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites";
- (8) That new work including footings shall not project beyond the street alignment or boundaries of the allotment;
- (9) That in accordance with the requirements of Clause 34 of the Local Government (Approvals) Regulation, 1993, a person excavating below the level of the base of the footings of a building on an adjoining allotment of land (includes a public road and any other public place) must comply with the following:-
 - (a) preserve and protect the building from damage; and
 - (b) if necessary, underpin and support the building in an approved manner; and
 - (c) at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars to the owner of the proposed work;
- (10) That structural details (including underpinning and/or shoring details) shall be submitted for consideration and approved prior to the commencement of any structural work. You are advised that by a resolution of Council, all structural plans must be accompanied by a certificate from an **approved** practising Structural Engineer. Details of the procedure of Structural Certification are attached herewith;
- (11) That all timber framing shall be in accordance with AS 1684-1992 S.A.A. National Timber Framing Code or certified by a structural engineer in accordance with AS 1720.1 timber structures code;
- (12) That the external walls closer than 900mm from a side boundary shall be of masonry or masonry-veneer construction or having a fire resistance level of not less than 60/60/60, in accordance with Specification C1.9-4 of the BCA;
- (13) That all damp and weatherproofing provisions shall be in accordance with Part F1 of the BCA;

- (14) That the external walls shall be so constructed as to prevent rain or dampness penetrating to the inner parts of a building in accordance with the requirements of F1.4 of the BCA;
 - (15) That stormwater shall be disposed from the site in accordance with the Director of Public Works and Services' standard requirements;
 - (16) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
 - (17) 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;
 - (18) 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;
 - (19) 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;
 - (20) 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;
 - (21) 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;
 - (22) That the proposed works should take appropriate precautions to ensure that any internal architectural detailing pertaining to cornices or decorative ceilings etc. are not damaged during construction of the new works.
- (B) That the person who made representations in respect of the proposal be advised of Council's decision.

Carried.

22.

**SURREY STREET, NO. 90, DARLINGHURST - UPPER FLOOR ADDITION
TO TERRACE - DEVELOPMENT APPLICATION (U97-00466)**

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- (A) That the Council resolves to support the State Environmental Planning Policy No 1 objections against the development standards pertaining to height and floor space ratio within Clauses 11 and 18 of Local Environmental Plan No 101 on the basis that compliance is unreasonable and unnecessary for the following reason, namely:-
- That the additional floor space and height will result in a building which is compatible in bulk, scale and form to adjoining development and will not impose any significant environmental impact.
- (B) That the Council as the responsible authority grants its consent to the application submitted by Wayne Mitchell for alterations and additions to the existing premises including an additional floor and attic conversion at 90 Surrey Street, Darlinghurst, subject to the following conditions, namely:-
- (1) That the development shall be generally in accordance with plans numbered Issue A and dated 3 June 1997;
 - (2) That the proposed juliet balcony located off bedroom 1 at ground floor level shall have solid/opaque screening to a height of 1.0m on its south eastern elevation. Details are to be submitted with the building application;
 - (3) That the Surrey Street facade of the building shall be finished in rendered brickwork;
 - (4) That the premises is to be utilised as one domicile only;
 - (5) 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;
 - (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 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.

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

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

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

Carried.

23.

OXFORD STREET, NOS. 124 - 128, DARLINGHURST - TO USE EXISTING RESTAURANT AT BASEMENT LEVEL FOR PUBLIC ENTERTAINMENT - BUILDING APPLICATION (Q97-00505)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Mr Rob Stubbs for permission to provide entertainment in the basement level of Nos. 124-128 Oxford Street, Darlinghurst, in association with the restaurant and in accordance with the submitted plan received by Council on 5 June 1997, subject to the following conditions, namely:-

- (1) That compliance shall be given to the provisions of the Local Government Act, 1993, Local Government Regulations and the Building Code of Australia (BCA);
- (2) That compliance shall be given to all of the conditions shown on the approved plan;
- (3) That the premises, and its site, shall be maintained in a clean and hygienic condition, clear of all undergrowth, rubbish, flammable or noxious material, and other material likely to constitute a fire or health hazard;
- (4) That entertainment shall not be conducted on the premises until a Certificate of Classification has been issued;
- (5) That the store rooms including all openings thereto shall be constructed by fire resistance level of not less than 60/60/60;
- (6) That the entertainment area shall be separated from the rest of the building by construction having a fire-resistance level of not less than 60/60/60;
- (7) That unobstructed access shall be provided and maintained to all exits at all times;
- (8) That all doors fitted to egress doorways shall be hung in two folds where the doorway is more than 1m in width, fitted only with 'panic' bolts where required to be secured;
- (9) That the main entry/exit door shall be fitted with an approved key-operated fastening in accordance with the requirements of Clause D2.21(e) of the BCA;
- (10) That the edges of the treads of steps shall be made conspicuous;
- (11) That the promoter shall ensure that any key-operated fastening fitted to an exit door or a gate used by the public as a main entrance is in the retracted position whenever the public is in attendance with the requirements of Schedule 2 of the Local Government (Approvals) Regulation 1993;
- (12) That the stair discharging to Foley Street shall be provided with handrails and balustrades complying with the requirements of Clauses D2.17 and D2.16 of the BCA respectively;
- (13) That fabric used to cover closed-back upholstered chairs in any part of a place of public entertainment shall comply with the requirements of Specification C1.10.4(d) of the BCA;

- (14) That any basement storey used for a place of public entertainment shall comply with the requirements of Clause H101.18 of the BCA. Details shall be submitted to Council;
- (15) That the electric mains installation shall comply with the requirements of Clause H101.19 of the BCA;
- (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 plans and specifications showing details of all proposed air handling systems shall be submitted to the Planning and Building Department and approval obtained before the installation is commenced;
- (18) 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;
- (19) That sanitary facilities shall be provided in accordance with requirements of Part F2 of the BCA.
- (20) That during demolition/building work the public way shall not be obstructed by building materials or in any way whatsoever;
- (21) That refuse skips shall be delivered and placed on the public way only by approved suppliers who comply with Council's code for the placement of waste containers on the public way;
- (22) That 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;
- (23) That at no time shall patrons be allowed to queue in front of close by premises;

- (24) That the hours of operation shall be restricted to between 12.00 noon and 3.00 am the following morning on Mondays to Saturdays, inclusive, and 12.00 and 12.00 midnight on Sundays;
- (25) That seating facilities for no more than 50 persons shall be located within the restaurant at any one time;
- (26) That the two doors fronting Foley Street shall be treated to prevent noise disturbance to nearby residences to the satisfaction of the Director of Planning and Building;
- (27) That the Foley Street service doors shall not be used after 8.00pm daily;
- (28) That all persons entering and leaving the restaurant shall do so by way of the Oxford Street access doorway.

Schedule of Essential Services

(Minimum Standard for Design, Installation and Maintenance)

FIRE BLANKETS

- (29) That a fire blanket complying with the requirements of AS3504 shall be provided in the kitchen adjacent to the cooking appliances;

HOSE REELS

- (30) That certification shall be required that the existing hose reel system has been designed and installed to the requirements of Clause E1.4 of the BCA and Australian Standard 1221 or to the standard to which it was designed.

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

Carried.

24.

PLANNING - PROPOSED CONSERVATION AREA FOR COOPER STREET: PRECINCT STUDY AND DCP (2011107)

It be resolved that:-

- (a) Council exhibit the volumes 1 and 2 of the Cooper Street Precinct Study and South Sydney Heritage Conservation DCP and adopt the

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Cooper Street DCP as an interim policy for the assessment of development and building application;

- (b) A further report be submitted Council following the exhibition of the documents, which outlines the comments received.

(DPB Report 18.8.97)

Carried.

25.

BELLEVUE STREET, NOS. 24 - 38, SURRY HILLS - CONVERSION FROM INDUSTRIAL BUILDING INTO RESIDENTIAL UNITS - DEVELOPMENT APPLICATION - CONTRIBUTION INCLUDED IN CONSENT (U97-00355)

- (A) That the Council as the responsible authority grants its consent to the application submitted by Rebel Developments Pty Ltd, with the authority of Tonale Pty Ltd, for permission to convert the existing building to a residential flat building containing 62 flats and a coffee shop, subject to the following conditions, namely:-

- (1) That development shall be generally in accordance with plans 721 DA01, 02B, 03C, 04C, 05B, 06A, 07A, 08A and 09-12.
- (2) As a consequence of this development, Council has identified an additional demand for public facilities. Pursuant to Section 94 of the Environmental Planning and Assessment Act, 1979, and South Sydney City Council Contributions Plan 1993, the following monetary contributions towards the cost of providing facilities are required:

Civic Improvement, Open Space and Recreation	\$50,435	2 EJ-BGY 0
Child Care	\$ 2,446	2 EK-BGY 0
Community Facilities	\$ 1,563	2 EL-BGY 0
Transport and Access	\$ 5,818	2 EM-BGY 0
Environmental Improvements	\$ 1,732	2 EN-BGY 0
TOTAL:	\$61,994	

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

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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 developer shall advise any purchaser of a unit, or tenant where units are not to be sold, that it is Council's policy not to issue resident parking permits to residents of new residential flat developments located in Resident Parking Scheme areas;
- (4) That a maximum of 28 off-street car parking spaces shall be provided and, except where elsewhere stipulated, each space shall be a minimum of 5.4m x 2.6m or 5.5m x 2.5m, located, prepared and marked to the satisfaction of the Director of Planning and Building;
- (5) That one space shall be for use in conjunction with the shop;
- (6) That 5 car spaces, located near to the car park entrance shall be to the satisfaction of the Director of Planning and Building reserved for visitors and shall be common property in any strata subdivision;
- (7) That 22 car space shall be for the use of residents and shall be so allocated that no unit has the use of more than one space;
- (8) That car space 23 shall be deleted to permit improved access to spaces 21 and 22;
- (9) That a sign, legible from the street, shall be permanently displayed to indicate that visitor parking is available on the site and the visitor car parking spaces shall be clearly marked as such;
- (10) That the vehicular crossing shall be treated in such a manner as to provide a safe walking surface to the satisfaction of Council's officers;
- (11) That bicycle racks with a capacity of not fewer than 30 bicycles, shall be provided, located to the satisfaction of the Director of Planning and Building;
- (12) That a system of traffic lights and/or mirrors shall be installed to the satisfaction of the Director of Planning and Building to indicate traffic movement on the single lane ramp;

- (13) That the common roof open space area shall be landscaped and maintained to the satisfaction of the Director of Planning and Building;
- (14) That a planter box of width not less than 900 mm shall be placed along the eastern (Waterloo Street) boundary of the communal open space to minimise overlooking;
- (15) That the new brick facade on the northernmost building shall match in colour and materials the other buildings on the site;
- (16) That all existing and proposed windows on the northern boundary wall shall be deleted;
- (17) That only one common television aerial for each building shall be installed;
- (18) That the hours of operation of the coffee shop shall be from 8.00 a.m. to 6.00 p.m. seven days a week;
- (19) That a separate application shall be submitted at the appropriate time for any proposed signs;
- (20) That due to the shortfall of parking and consequent reliance on other transport modes the applicant shall pay the Council for the full cost of embellishment of the pedestrian environment on Bellevue Street, which shall include such works as footpath paving on Bellevue Street adjoining the property and tree planting and construction of a pedestrian threshold on Bellevue Street;
- (21) 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;
- (22) That the use of the premises shall not give rise to the emission into the surrounding environment of gases, vapours, odours, dust, or other impurities which are a nuisance or injurious or dangerous or prejudicial to health;

- (23) That all liquid wastes other than stormwater arising on the premises shall be discharged to the sewer in accordance with the requirements of Sydney Water;
- (24) That where the decommissioning of any refrigeration and/or air conditioning equipment is to be carried out, any fluorocarbon refrigerate contained in the equipment shall be recovered by a mechanic authorised pursuant to the provisions of the Ozone Protection Regulation 1991;
- (25) That the premises shall be ventilated in accordance with the requirements of the Building Code of Australia and Council's Ventilation Code;
- (26) That smoke hazard management systems shall be designed and incorporated in compliance with the Building Code of Australia;
- (27) The car parking areas shall be ventilated in accordance with As 1668.2-1991, Section 4;
- (28) That all internal bathrooms, toilets and laundries shall be mechanically ventilated in accordance with the requirements of the Building Code of Australia;
- (29) That adequate provision shall be made for the installation of a mechanical exhaust ventilation for the food premises where cooking, heating or similar food preparation is to be carried out;
- (30) That the commercial food premises shall not be used for the cooking of food unless an approved air handling system is installed to the cooking and heating appliances;
- (31) That the effluent air from all exhaust systems shall be discharged in a vertical direction at least 3 metres above the trafficable roof and 1 metre above roof ridge level of the non-trafficable roofs in a position approved by the Health and Community Services Department where no nuisance will be created;
- (32) That the commercial food premises shall comply with the requirements of National Code for the Construction and Fitout of Food Premises;
- (33) That all car washing, engine degreasing and steam cleaning shall be carried out in a wash bay which is graded and drained to the sewer in accordance with the requirements of Sydney Water;
- (34) That sanitary and other facilities shall be provided in accordance with the requirements of the Building Code of Australia, Part F2;

- (35) 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;
- (36) 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;
- (37) That the 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 Waste Management/Minimisation Fact Sheets;
- (38) That the applicant shall enter into a commercial contract for the removal of trade waste;
- (39) That the use of the premises shall not give rise to:-
- (a) 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
 - (b) an "offensive noise" as defined in the Noise Control Act, 1975;
- (40) That plans and specifications showing details of:-
- (a) all proposed and required mechanical ventilation systems;
 - (b) car park ventilation systems;
 - (c) the location of exhaust/and intake vents;
 - (d) the facilities for the retention and storage of excess packaging material;
 - (e) the garbage room or garbage receptacle storage area;
 - (f) the layout, disposition and method of installation of fixture and fittings, together with wall, floor and ceiling finishes of the commercial food premises;
- shall be submitted to the Director of Planning and Building and approval obtained before installation is commenced;
- (41) That details relating to the residential facilities shall be referred to Public Works and Services Department, Waste Services for

comment and approval of the location and types of domestic use containers.

- (42) That any requirements of Sydney Water for grease arrestors shall be complied with completely.
 - (43) That for the purpose of child safety, it is recommended that all new or replacement hot water systems shall 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.
 - (44) That the two ground floor residential units fronting Belmore Lane shall be changed to retail/commercial use, with internal access to the two residential units above. Details to be submitted with the building application and to be to the satisfaction of the Director of Planning and Building.
- (B) That the persons who made representations in respect of the proposal be advised of Council's decision.

Carried.

26.

PLANNING - SOUTH SYDNEY SAFER DESIGN DRAFT POLICY (2013745)

That Council resolves:-

- (1) to publicly exhibit the South Sydney Safer Design Draft Policy as submitted by ERM Mitchell McCotter for a period of four weeks in accordance with the exhibition program outlined in Section 4 of this report;
- (2) that a further report be submitted for consideration after the closure of the exhibition outlining the public submissions received and presenting the final draft of the DCP, in a form that can be incorporated into DCP 1997 - Urban Design.

(DPB Report 18.8.97)

Carried.

27.

CROWN STREET, NOS. 470 - 474, SURRY HILLS - ALTERATIONS AND ADDITIONS TO CLOCK HOTEL - DEVELOPMENT APPLICATION (SECTION 102 AMENDMENT) (U96-00528)

- (A) That the Council as the responsible authority grants its consent to the Section 102 Application submitted by Nettleton Willoughby Williams Architects, to modify the consent granted on 14 October 1996 to renovate the existing Clock Hotel only insofar as will provide for the following:-
- (a) deletion of conditions (1) and (29) and the insertion in lieu thereof of the following conditions:-
- (1) That the development shall be generally in accordance with plans DWG No 9701.01 to 9701.09 inclusive dated June 1997 and submitted with the S.102 Application dated 4 July 1997;
- (29)
- (a) That the operation of all plant, equipment and/or building services shall not give rise to a sound level at any point on a residential or commercial boundary greater than 5dB(A) above the existing background level in any octave band with centre frequencies from 63Hz to 8kHz inclusive;
- (b) That noise emissions from the development when assessed at any residential boundary with all plant, equipment and/or building services operating shall not exceed 40dB(A) night time and 50dB(A) daytime;
- Note:** Monday to Friday daytime is defined as 7.00 am to 6.00 pm and night-time is 6.00 pm to 7.00 am. On Saturdays and Sundays daytime is 8.00 am to 12.00 noon;
- (c) That the use of the premises shall not give rise to:-
- (i) transmission of vibration to any place of different occupancy;
- (ii) a sound level in any place of different occupancy greater than 3dB above the L90 background level in any octave band from 31.5 Hz to 8000 Hz centre frequencies inclusive; however, when the L90 background levels in frequencies below 63 Hz are equal to or below the threshold of hearing as specified by the equal loudness contours for octave bands of noise, this sub-clause shall not apply to any such frequencies;

- (iii) a sound level at any point on the boundary of the site greater than the levels specified in Australian Standard 1055-1984;
 - (iv) an "offensive noise" as defined in the Noise Control Act, 1975;
- the method of measurement of sound levels in (b) and (c) shall be carried out in accordance with Australian Standard 1055-1984;
- (b) the insertion of the following new condition, namely:-
- (31) That the applicant shall submit a report by an acoustic expert to show how it is proposed to comply with Council's Noise Regulation prior to commencement of the use;

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

Granting unconditional consent would be likely to adversely affect the amenity of the neighbourhood, including adverse effects relating to the emission of noise and vibration, streetscape qualities, heritage issues, 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.

28.

**PLANNING - ENGAGEMENT OF PART-TIME HERITAGE CONSULTANT
(2009161)**

- (1) That Council call for quotes from heritage consultants to work as Council's Heritage Advisor for 15 hours per week for a period of one year and that a further report be submitted to Council regarding the employment of a consultant;
- (2) That \$30,000 be added to the 1997/98 budget estimates for this purpose.

(DPB Report 18.8.97)

Carried.

29.

**PLANNING - NSW MAINSTREET AND SMALL TOWNS CONFERENCE
(2015557)**

That the Mayor or his nominee attend the 1997 NSW Main Street and Small Towns Conference to be held in Merimbula from 14-16 September, and that the registration fee and out of pocket expenses for conveyance and subsistence in travelling be borne by the Council for which funds are available in the 1997/1998 Revenue Estimates (EBE-77L0, 77M0 and 77R0).

(DPB Report 15.8.97)

Carried.

At 7.40 p.m. the meeting terminated.

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

CHAIRPERSON**GENERAL MANAGER****GENERAL MANAGER**